STATE ENVIRONMENTAL QUALITY REVIEW ACT
DETERMINATION OF NON-SIGNIFICANCE (NEGATIVE DECLARATION)

FULTON TOWN HALL AND HIGHWAY GARAGE PROJECT

DATE: June 14, 2017

NAME OF ACTION: Fulton Town Hall and Highway Garage Project

LOCATION: 1125 and 1168 Bear Ladder Road, West Fulton, NY 12194

SEQRA CLASSIFICATION: [ ] Type I; [X] Unlisted

REVIEW TYPE: [X] Coordinated; [ ] Uncoordinated

DETERMINATION OF SIGNIFICANCE: [X] Negative Declaration; [ ] Positive Declaration

The Proposed Project:
The Governor’s Office of Storm Recovery (GOSR) is managing the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013). The New York State (NYS) Housing Trust Fund Corporation (HTFC), which administers the CDBG-DR program funds on behalf of GOSR, intends to approve funding for more adaptable facilities capable of functioning as an emergency operations center (EOC) including the new Highway Garage to house the Highway Department functions and the renovation of the existing Town Hall facility to provide office, meeting, and shelter space located in the Town of Fulton, Schoharie County, New York, from the CDBG-DR Community Reconstruction and Infrastructure Program Fund. The Project would disturb approximately 2 acres of undeveloped land, on an approximately 7-acre Project site.

The Town of Fulton Town Hall Complex is currently located on an approximately 2-acre parcel, and the proposed new Highway Garage site is on an approximately 5-acre parcel, totaling an approximately 7-acre Project area. The proposed actions for the Town Hall facility will be limited to the existing building, which encompasses approximately 0.4 acres of the 2-acre parcel. The proposed footprint of disturbance for the new Highway Garage is approximately 7,200 square feet. Total Project activities for the new Highway Garage will encompass approximately 2 acres of the 5-acre parcel. The existing Town Hall Complex is located on developed land and the new Highway Garage site is on undeveloped but previously disturbed land. The surrounding area can be described as primarily undeveloped forest intermittent with open grassland, agricultural fields, and minimal residential and municipal development. Bear Ladder Road abuts the existing Town Hall Complex to the southwest, and the proposed new Highway Garage site to the northeast.

The Project is proposed to proceed in stages in order to accomplish these goals on a crowded and poorly laid-out site and maintain both administrative and highway department operations during construction. First, the new Highway Garage will be built on a new site located at 1125 Bear Ladder Road approximately 400 feet...
southeast of the Town Hall. The proposed site is on an approximately 5-acre parcel owned by the Town of Fulton. After construction of the new facility, the Highway Department functions will be moved to the new location. The proposed Highway Garage conceptual design elements include:

- New administrative office space/6-bay (2 large vehicle) garage. This will cover approximately 7,200 square feet, with a concrete slab foundation: 4-feet maximum depth of excavation and a foundation perimeter with a 6-feet maximum depth of excavation
- New equipment sheds (on grade)
- New storage areas for road and drainage materials (on grade)
- New septic system (5,400 square feet, 3 feet maximum depth of excavation)
- New access road onto the site from Bear Ladder Road (2,723 square feet, 1 foot maximum depth of excavation)
- New parking lot (21,258 square feet, 1 foot maximum depth of excavation)
- New water supply well
- New emergency generator (diesel fuel with a above ground dual containment fuel storage vessel)

The second phase has not yet been planned in detail. The current concept is that the existing Town Hall facilities will be renovated. The interior will be stripped and refinished to provide office, meeting, and shelter space. The exterior of the building will be refinished by applying new exterior finishes over the existing finish. The Town will own, operate, and maintain both the renovated Town Hall facilities and the new Highway Department facilities. The proposed Town Hall facility renovation conceptual elements include:

- Enlarged Town Hall administrative office space and conference/meeting space
- Enlarged EOC/administrative space and changing areas for first responders
- Installation of a permanent back-up power generator and electrical connections (diesel fuel with a buried fuel tank)
- Americans with Disabilities Act (ADA)-compliant bathrooms
- The existing well will be refurbished to provide a dedicated drinking water supply for the facility and to residents

**Purpose and Need:**
Hurricane Irene and Tropical Storm Lee caused severe flooding within the Town of Fulton, particularly affecting roadways and communications. As a result of Hurricane Irene, Schoharie Creek, which runs adjacent to Route 30, swelled over its banks, rising more than twenty feet. Homes, streets, government buildings, utilities and communications infrastructure, businesses, parks, bridges and culverts were damaged or destroyed. The damage left residents without communication service, access to food or clean water, and also compromised local medical services. The Fulton Town Hall/Highway Department building was utilized as an EOC; however, there was limited space for the EOC first responders and equipment. The layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency equipment, personnel and resources. The severity of Hurricane Irene and Tropical Storm Lee necessitated an extraordinary response from local officials in the Town of Fulton, which the existing facilities were unable to support. Identifying in advance an assembly point for residents will help survivors without any immediate access to communications.

The County of Schoharie, on behalf of the Town of Fulton, is proposing to enhance the abilities of the complex to respond to emergency events. The goals for the Project include more adaptable facilities capable of functioning as an EOC, a site layout better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment, and establishment of a focal point for the assembly of residents who may not have been able to reach shelters immediately. This Project will benefit the residents in the Town of Fulton.
Existing Conditions:
The Town of Fulton was first settled in 1715. Today, the Town of Fulton with nearly 1,500 citizens, encompasses 65 square miles and includes the Hamlets of Breakabeen, Fultonham, Watsonville, and West Fulton. The Town of Fulton population was 1,442 in the 2010 census. This number may increase by several hundred people when second-home and part-time residents are present. The current median age in the Town is 49.4 years. Schoharie Creek runs through the southeast side of Fulton and is susceptible to frequent flooding. Low-lying lands along the Creek, which are largely used for agriculture, residential lots, and roadways, are also prone to flooding. Of the 65 square miles that comprise the Town of Fulton, the five square miles (3,347 acres) along the Creek are located within the 100-year floodplain, with an additional 66 acres within the 500-year floodplain. As such the risk of flooding is high within the Town.

The Fulton Town Hall is housed in a facility with the Highway Department. The size and layout of this building limits its utility for town operations during extreme weather events.

Funding:
The total Project cost is estimated at $1,983,382. GOSR proposes to allocate funding pursuant to the HUD CDBG-DR program as authorized by the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013). The NYS HTFC, which administers the CDBG-DR program funds on behalf of GOSR, intends to approve funding for the proposed Project as described in this notice.

Environmental Considerations:
Land Use, Zoning, Public Policy and Urban Design – The proposed Project is consistent with existing regulations, land use types, building height and scale. The Project is located in the Town of Fulton, which has no current zoning. The Project would maintain current land use and would therefore be compatible with existing land use. The proposed Project is consistent with goals and funding priorities identified in the 2014 New York Rising Community Reconstruction (NYRCR) Towns of Fulton and Blenheim Plan, including rebuilding the Town Hall to more effectively operate as the Town’s EOC. The proposed Project would not result in the creation of new jobs and/or an increase in the number of employees and would therefore not have an urbanizing effect.

Soil Suitability, Slope, Erosion, Drainage, and Stormwater Runoff – The Town of Fulton Town Hall Complex is located on previously developed land that currently houses the Fulton Town Hall administrative offices and the Highway Department facilities. The proposed new Highway Garage site is on undeveloped but previously disturbed land. The surrounding area can be described as primarily undeveloped forest intermittent with open grassland, agricultural fields, and minimal residential and municipal development. Bear Ladder Road abuts the existing Town Hall Complex to the southwest, and the proposed new Highway Garage site to the northeast. The new Highway Garage site is on mildly sloped land. Overland drainage would tend to follow natural contours to the southeast unnamed tributary, which flows into Schoharie Creek. The site will require grading and compaction for the site improvements, including the building foundations, septic leach field, stormwater retention areas, and paved parking areas. Soils at the new Highway Garage site are predominantly Odessa and Rhinebeck silty clay loams (shallow, somewhat poorly drained soils formed in clayey lacustrine deposits); Schoharie and Hudson silty clay loams (shallow, moderately well drained soils formed in clayey lacustrine sediments); and Lordstown channery silt loam (moderately deep, well drained, medium textured soil), bedrock encountered at a depth of roughly four feet below the surface. New impervious surface will be created on less than half most (approximately 20 percent) of the approximately 5-acre new Highway Garage site. The amount of impervious surface on the Town Hall site will not change. Stormwater protection measures could include one or two stormwater retention areas. Construction and operation of the stormwater control system and all Project construction will be in accordance with Section 402 of the Clean Water Act that requires authorization by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York’s State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program. Coverage under the New York State Department of Environmental Conservation (NYSDEC) GP-15-002 permit will be obtained prior to the commencement of construction activity.
Hazards and Nuisances, including Site Safety and Noise – The proposed Project will not adversely affect air quality. The proposed Project is not located in a designated non-attainment area for air quality and the proposed activities will not affect transportation patterns or levels of service thereby aiding the preservation of local air quality. Standard Best Management Practices (BMPs) will be implemented during construction to control dust and other emissions. The Project will not require an NYS Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit. The Project activities will not substantively affect air quality. The Project size is consistent with the New York State Implementation Plan (SIP) as it will not involve new sources. Air quality impacts will be short term and localized during construction, so no significant adverse impacts to air quality are anticipated.

The existing Town Hall Complex site has a 2,000 gallon underground storage tank (UST) for #2 fuel oil, a 550 gallon above ground storage tank (AST) for diesel fuel, a 300 gallon AST for gasoline/ethanol associated with the Highway Department facilities, and a 275 gallon AST for #2 fuel oil associated with the Town Hall. The new Highway Garage site is an undeveloped non-wooded parcel. No hazardous or solid waste storage is evident on the new Highway Garage site. The Project will involve the relocation of the ASTs associated with the Highway Department activities to the new Highway Garage site. It is planned that the new emergency generator at the new site will use diesel fuel from a new AST. It is not known at this point whether the new generator fuel tank and the diesel fuel associated with the normal Highway Garage operations will be stored in the same tank. All of the petroleum storage for the new Highway Garage will be in new ASTs. No new populations will reside on the new Highway Garage site. The Project will not expose new populations to hazards or nuisances because of the storage in ASTs.

A search of the NYSDEC Bulk Storage Program Database identified one other petroleum bulk storage facility within 1 mile of the Project site. Rhinehart’s Superette had three 1,000-gallon gasoline USTs, one 500 gallon UST for kerosene, and one 500 gallon UST for #2 fuel oil. All have been removed. A search of the NYSDEC Remedial Site Database identified no records of the sites being addressed under one of NYSDEC Division of Environmental Remediation (DER) remedial programs (State Superfund, Brownfield Cleanup, Environmental Restoration and Voluntary Cleanup, the Registry of Inactive Hazardous Waste Disposal Sites, and Institutional and Engineering Controls) within 1 mile of the Project site.

Some noise may be generated during construction; however, this will be temporary and will not adversely impact the surrounding areas. The proposed activities will not significantly increase the level of noise or vibration compared to current conditions. In addition, no blasting will be required.

Energy Consumption – The Project will not result in additional energy consumption because the new Highway Garage and renovated Town Hall facility will replace the current functions currently performed in existing facilities. The new Highway Garage and renovated Town Hall facility will use more modern and energy-saving building materials and practices. Some energy savings may be realized. No impacts will occur to existing nearby suppliers.

Socioeconomic Impacts and Community Facilities and Services – The proposed Project would create temporary construction jobs. However, these jobs would not significantly increase employment opportunities or impact income patterns. The proposed Project would not result in the creation of new permanent jobs and/or result in an increase in the number of employees in the Town of Fulton and therefore would not impact employment and income patterns or alter the demographic characteristics of the surrounding community.

In addition, the Project would not increase the demand for educational, health care or social service facilities, nor would it directly or indirectly displace people, businesses, institutions, or community facilities as it would occur within existing Town Hall Complex and undeveloped parcel owned by the Town of Fulton.

The Project site does not contain a structure that is listed on either the State or National Register of Historic Places (NRHP). However, the Project site has been identified as being sensitive for archaeological sites, which indicates that the Project site contains an archaeologically sensitive resource designated on the NY State Historic Preservation Office (SHPO) archaeological site inventory. Consultation with the SHPO was initiated on November 30, 2016 to confirm that the proposed Project would not affect listed state or NRHP sites or districts. A response was received on November 28, 2016 indicating that the Project will result in *No Historic
Properties Affected’. In addition, a consultation request for the proposed Project was sent to the Mohawk Nation, St. Regis Mohawk Tribe, and Stockbridge-Munsee Community, Band of Mohicans on November 28, 2016. On December 21, 2016, the Stockbridge-Munsee Community, Band of Mohicans stated that the Project is not in their area of interest. A response from the other two Tribes has not been received.

The proposed Project will involve the construction of the new Highway Garage and renovation of the existing Town Hall facility. Construction may result in a temporary increase in solid waste. Construction debris of wood, piping, and other materials will be collected on-site and disposed of or recycled as appropriate. The Project will create solid waste associated with daily operations of the new Highway Garage and renovated Town Hall facility. A licensed hauler will be hired to properly dispose of solid waste at a designated disposal site that satisfies the Construction Waste Management criteria. There will be no increase in solid waste disposal or recycling from operation of the Project because it will replace the existing Town Hall Complex and its recycling and solid waste activities. All Project-generated solid waste materials must be managed and transported in accordance with the state’s solid and hazardous waste rules.

No expansion of the sanitary sewer system would be required. Wastewater and sewage generated by the proposed Project will be accommodated by the septic leach field that will be constructed as part of the Project. The Project will not place additional demand on a public sewer system.

No changes to the public/public water systems are anticipated. The current Town Hall obtains water from an on-site well. The water supply for the new Highway Garage will be from a new well.

The proposed Project would not result in the creation of new jobs and/or result in an increase in the number of employees in the Town of Fulton and therefore would not increase demand for police protection, fire protection, or emergency medical services. The proposed new Highway Garage would be constructed in compliance with local building codes. The Project is expected to create more adaptable facilities capable of functioning as an EOC, a site layout better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment, and establishment of a focal point for the assembly of residents who may not have been able to reach shelters immediately, and is expected to have a beneficial impact on public safety.

The proposed Project of constructing the new Highway Garage and renovating the existing Town Hall facility would not impact open space or recreation.

The proposed Project would not impact transportation. There would be a negligible increase in construction traffic.

Natural Features – The Project site is not located within a state listed Critical Environmental Area (CEA).

There are no U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) or NYSDEC mapped wetlands within the Project area. On June 24, 2016, a wetland delineation was performed for the new Highway Garage 5-acre parcel. The report concluded that southeast portion of the parcel was a wetland that was hydraulically connected to Schoharie Creek. The area of disturbance for the new Highway Garage is in the northwest portion of the parcel and therefore, will not physically alter, or encroach into the wetland.

The Project site is not within an Environmental Protection Agency (EPA) regulated Sole Source Aquifer (SSA).

The Project site is not within the 100-year or 500-year floodplain. In addition, the proposed Project will not result in an increase in the potential for erosion, flooding or drainage problems. The proposed actions will not create additional stormwater runoff that would adversely affect the existing of drainage systems. There will be an increase in impervious surface on the new Highway Garage parcel of approximately 1 acre. The amount of impervious surface on the Town Hall site will not change.

The NY Natural Heritage Program (NYNHP) has no records of any rare or state-listed species in the Project area. The USFWS online review process, completed in January 2017, indicated the northern long-eared bat (Myotis septentrionalis), federal-listed as threatened and several species of migratory birds may occur within the boundary of and/or may be affected by the Project. Consultation was initiated with the USFWS on March
3, 2017 for a concurrence on a “No Effect” determination to northern long-eared bat, and migratory birds. The USFWS acknowledged the “No Effect” determination on March 6, 2017, and stated that no further ESA coordination or consultation will be required.

The soils on both the Town Hall site and the new Highway Garage site are identified as farmland of statewide importance. Neither site is within an agricultural district. The Town Hall site is completely developed. The new Highway Garage will encompass approximately 2 acres. This amount of land falls under the Natural Resources Conservation Service (NRCS) small acreage exemption of 3 acres or less. According to Part 523.11 E of the Farmland Protection Policy Act (FPPA) Manual, an AD 1006 is not required for this Project, and it is exempt.

The proposed Project is classified as an Unlisted action, and GOSR, as the lead agency, prepared a Short Environmental Assessment Form (SEAF) under the State Environmental Quality Review Act (SEQRA). The proposed Project is funding the construction of the new Highway Garage to house the Highway Department functions and the renovation of the existing Town Hall facility to provide office, meeting, and shelter space to create more adaptable facilities capable of functioning as an EOC, and as such is not of sufficient scale to result in adverse effects to existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, or to create erosion or drainage problems.

The proposed Project would include the following measures to avoid or reduce environmental effects:

- Implementation of standard BMPs would control dust and other emissions during construction.

**Standard Requirements:**

Any change to the proposed Project as described will require re-evaluation by GOSR’s Certifying Officer for compliance with SEQRA and other law, regulations and policies.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

**Additional Mitigation Measures:**

To the extent practicable, the following mitigation measures recommended by the United States EPA would be implemented by the Responsible Entity to minimize environmental impacts and create a more sustainable Project:

- Construction and demolition – utilize local and recycled materials in the construction process and to recycle materials generated onsite to the maximum extent possible

- Clean diesel – implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off-road equipment used for transportation, soil movement, or other construction activities, including:

  - Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits; and

  - Use of clean diesel through add-on control technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.

- Stormwater – utilize low impact development (LID) principles such as minimizing effective imperviousness to create site drainage, and the planting of native and non-invasive vegetation on the Project site for stormwater management purposes. Other LID practices can include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements;

- Cost-efficient, environmentally friendly landscaping – EPA’s GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping;

- Energy efficiency – energy-efficient technologies should be incorporated into the new Highway Garage and renovated Town Hall facility when possible; and
• Water conservation and efficiency – promote water conservation and efficiency through the use of water efficient products and practices.
  o The use of products with the WaterSense label where appropriate.

In addition to the factors considered above, the GOSR considered the following guidance from SEQRA and its implementing regulations and determined that the Proposed Action would:

i. Not result in “a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;” (§617.7(c)(1)(i))

ii. Not result in “the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; or other significant adverse impacts to natural resources;” (§617.7(c)(1)(iii))

iii. Not result in “the creation of a material conflict with a community’s current plans or goals as officially approved or adopted;” (§617.7(c)(1)(iv))

iv. Not result in “the creation of a hazard to human health;” (§617.7(c)(1)(vii))

v. Not result in “a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;” (§617.7(c)(1)(viii))

vi. Not result in “the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;” (§617.7(c)(1)(ix))

vii. Not result in “the creation of a material demand for other actions that would result in one of the above consequences;” (§617.7(c)(1)(x))

viii. Not result in “changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

Therefore, GOSR, acting as Lead Agency, and having prepared a SEAF, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.

Lori A. Shirley  
Date: June 14, 2017  
Director, Bureau of Environmental Review and Assessment  
Governor’s Office of Storm Recovery  
New York State Homes & Community Renewal  
38-40 State Street, Albany, NY 12207  
Office: (518) 474-0755

A copy of this Notice is available at the following web address:

http://www.stormrecovery.ny.gov/environmental-docs
Short Environmental Assessment Form
Part 1 - Project Information

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.

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Fulton Town Hall and Highway Garage Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>1125 and 1168 Bear Ladder Road, West Fulton, NY 12194</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>The Town of Fulton Town Hall Complex is located at 1168 Bear Ladder Road, West Fulton, Schoharie County, New York. The Complex currently houses the Fulton Town Hall administrative offices and the Highway Department facilities on a 2-acre parcel. The current Highway Department facilities include administrative offices co-located with the Town office, a three-bay garage, a salt bunker, equipment sheds, and storage areas for the Department's road and drainage materials. The Town Hall Complex shares a single septic system and water supply well. During Hurricane Irene and Tropical Storm Lee, the lack of space and facilities in the town offices and Emergency Operations Center (EOC), and the layout of the site hindered the effective utilization and deployment of equipment and materials. This adversely affected the Town's ability to respond to the emergencies. The County of Schoharie, on behalf of the Town of Fulton, is proposing to enhance the abilities of the complex to respond to emergency events (the Project). The goals for the Project include more adaptable facilities capable of functioning as an EOC, a site layout better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment, and establishment of a focal point for the assembly of residents who may not have been able to reach shelters immediately. First, new Highway Department Facilities will be built on a new site located at 1125 Bear Ladder Road to the southeast. The proposed site is on a five-acre parcel owned by the Town of Fulton. The second phase has not yet been planned in detail. The current concept is that the existing Town Hall facility will be renovated. The interior will be stripped and refinished to provide office, meeting, and shelter space. The exterior of the building will be refinished by applying new exterior finishes over the existing finish.</td>
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<tr>
<td>Name of Applicant or Sponsor:</td>
<td>Schoharie County (contact Shane Nickle)</td>
</tr>
<tr>
<td>Telephone:</td>
<td>518-295-8770</td>
</tr>
<tr>
<td>E-Mail:</td>
<td><a href="mailto:shenanickle@co.schoharie.ny.us">shenanickle@co.schoharie.ny.us</a></td>
</tr>
<tr>
<td>Address:</td>
<td>276 Main Street, Suite 2</td>
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<tr>
<td>City/PO:</td>
<td>Schoharie</td>
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<tr>
<td>State:</td>
<td>NY</td>
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<td>Zip Code:</td>
<td>12157</td>
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<td>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.</td>
<td>NO YES</td>
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<tr>
<td>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:</td>
<td>Town of Fulton: Building Permit; NYSDEC: SPDES General Stormwater Permit ; NYSHCR: CDBG-DR Funding</td>
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<tr>
<td>3a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</td>
<td>Approx. 7 acres (1168 BLR=2 acres, 1168 BLR=5 acres) Approx. 2 acres Approx. 7 acres</td>
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<tr>
<td>4. Check all land uses that occur on, adjoining and near the proposed action.</td>
<td>Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) Forest Agriculture Aquatic Other (specify): Parkland</td>
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</tbody>
</table>
The current Town Hall obtains water from an on-site well. The existing well will be refurbished to provide a dedicated drinking water supply for the facility and to residents. The water supply for the new Highway Garage will be from a new well.

The existing Town Hall Complex shares a single septic system. The new Highway Garage will be accommodated by the septic leach field that will be constructed as part of the Project.

The new Highway Garage and renovated Town Hall facility will use more modern and energy-saving building materials and practices. Some energy savings may be realized.

No wetlands are mapped by either the state or the NWI; however, a wetland was subsequently delineated in the southeastern portion of the new Highway Garage 5-acre parcel. This wetland is hydraulically connected to Schoharie Creek.

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### Table: Proposed Action Evaluation

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<thead>
<tr>
<th>Question</th>
<th>NO</th>
<th>YES</th>
<th>N/A</th>
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<tbody>
<tr>
<td>5. Is the proposed action,</td>
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<tr>
<td>a. A permitted use under the zoning regulations?</td>
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<td>b. Consistent with the adopted comprehensive plan?</td>
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<td>6. Is the proposed action consistent with the predominant character of</td>
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<td>the existing built or natural landscape?</td>
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<td>7. Is the site of the proposed action located in, or does it adjoin,</td>
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<td>a state listed Critical Environmental Area?</td>
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<td>If Yes, identify:</td>
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<td>8. a. Will the proposed action result in a substantial increase in</td>
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<td>traffic above present levels?</td>
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<td>b. Are public transportation service(s) available at or near the</td>
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<td>site of the proposed action?</td>
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<td>c. Are any pedestrian accommodations or bicycle routes available on</td>
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<td>or near site of the proposed action?</td>
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<td>9. Does the proposed action meet or exceed the state energy code</td>
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<td>requirements?</td>
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<td>If the proposed action will exceed requirements, describe design</td>
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<td>features and technologies:</td>
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<td>The new Highway Garage and renovated Town Hall facility will use</td>
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<tr>
<td>more modern and energy-saving building materials and practices.</td>
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<tr>
<td>Some energy savings may be realized.</td>
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<tr>
<td>10. Will the proposed action connect to an existing public/private</td>
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<td>☑</td>
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<tr>
<td>water supply?</td>
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<tr>
<td>If No, describe method for providing potable water:</td>
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<tr>
<td>The current Town Hall obtains water from an on-site well. The</td>
<td></td>
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<tr>
<td>existing well will be refurbished to provide a dedicated drinking</td>
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<tr>
<td>water supply for the facility and to residents. The water supply</td>
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<tr>
<td>for the new Highway Garage will be from a new well.</td>
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<tr>
<td>11. Will the proposed action connect to existing wastewater utilities?</td>
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<td>☑</td>
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<tr>
<td>If No, describe method for providing wastewater treatment:</td>
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<tr>
<td>The existing Town Hall Complex shares a single septic system. The</td>
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<tr>
<td>new Highway Garage will be accommodated by the septic leach field</td>
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<td>that will be constructed as part of the Project.</td>
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<tr>
<td>12. a. Does the site contain a structure that is listed on either the</td>
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<tr>
<td>State or National Register of Historic Places?</td>
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<tr>
<td>b. Is the proposed action located in an archeological sensitive area?</td>
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<td>☑</td>
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<tr>
<td>13. a. Does any portion of the site of the proposed action, or lands</td>
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<tr>
<td>adjoining the proposed action, contain wetlands or other waterbodies</td>
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<tr>
<td>regulated by a federal, state or local agency?</td>
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<tr>
<td>b. Would the proposed action physically alter, or encroach into, any</td>
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<tr>
<td>existing wetland or waterbody?</td>
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<tr>
<td>If Yes, identify the wetland or waterbody and extent of alterations</td>
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<tr>
<td>in square feet or acres:</td>
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<tr>
<td>No wetlands are mapped by either the state or the NWI; however, a</td>
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<tr>
<td>wetland was subsequently delineated in the southeastern portion of</td>
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<tr>
<td>the new Highway Garage 5-acre parcel. This wetland is hydraulically</td>
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<td>connected to Schoharie Creek.</td>
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<td>14. Identify the typical habitat types that occur on, or are likely to</td>
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<tr>
<td>be found on the project site. Check all that apply:</td>
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<tr>
<td>☐ Shoreline ☑ Forest ☑ Agricultural/grasslands ☐ Early</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>mid-successional ☑ Wetland ☐ Urban ☑ Suburban</td>
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<tr>
<td>15. Does the site of the proposed action contain any species of animal,</td>
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<td></td>
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<tr>
<td>or associated habitats, listed by the State or Federal government as</td>
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<tr>
<td>threatened or endangered?</td>
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<tr>
<td>16. Is the project site located in the 100 year flood plain?</td>
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<td>☑</td>
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<tr>
<td>17. Will the proposed action create storm water discharge, either from</td>
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<td></td>
</tr>
<tr>
<td>point or non-point sources?</td>
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<tr>
<td>If Yes,</td>
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<tr>
<td>a. Will storm water discharges flow to adjacent properties?</td>
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<td>☑</td>
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<tr>
<td>b. Will storm water discharges be directed to established conveyance</td>
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<tr>
<td>systems (runoff and storm drains)?</td>
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<tr>
<td>If Yes, briefly describe:</td>
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</tbody>
</table>
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:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td>□</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td>□</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td>□</td>
</tr>
</tbody>
</table>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Zachary Thompson
Signature: Zachary Thompson
Date: February 22, 2017
**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

<table>
<thead>
<tr>
<th>Part 1 / Question 7</th>
<th>Critical Environmental Area</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1 / Question 12a</td>
<td>National Register of Historic Places</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 12b</td>
<td>Archeological Sites</td>
<td>Yes</td>
</tr>
<tr>
<td>Part 1 / Question 13a</td>
<td>Wetlands or Other Regulated Waterbodies</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 15</td>
<td>Threatened or Endangered Animal</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 16</td>
<td>100 Year Flood Plain</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 20</td>
<td>Remediation Site</td>
<td>No</td>
</tr>
</tbody>
</table>
Part 2 is to be completed by the Lead Agency.

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?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✔</td>
<td>☐</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✔</td>
<td>☐</td>
</tr>
</tbody>
</table>
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.

2. Land Use/Intensity: There will be a small impact on the intensity of land use. The proposed Project will consist of the construction of a new 7,200 square Highway Garage that will house the Highway Department functions. It is anticipated this area will also include new equipment sheds, storage areas, septic system, access road, parking lot, water supply well, and emergency generator. Proposed Project activities for the new Highway Garage will not extend beyond the property owned by the Town of Fulton. Approximately 2 acres is anticipated to be physically disturbed. This amount of land falls under the Natural Resources Conservation Service (NRCS) small acreage exemption of 3 acres or less. According to Part 523.11 E of the Farmland Protection Policy Act (FPPA) Manual, an AD 1006 is not required for this Project, and it is exempt.

8. Important Historic, Archaeological, Architectural or Aesthetic Resources: The Project site has been identified as being sensitive for archaeological sites, which indicates that the Project site contains an archaeologically sensitive resource designated on the New York State Historic Preservation Office (SHPO) archaeological site inventory. However, the Project site does not contain a structure that is listed on either the State or National Register of Historic Places (NRHP). The SHPO indicated that the Project will result in ‘No Historic Properties Affected’. Therefore, impacts to historic, archaeological, architectural or aesthetic resources were determined to be minor.

9. Natural Resources: There are no U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) or New York State Department of Environmental Conservation (NYSDEC) mapped wetlands within the Project area. On June 24, 2016, a wetland delineation was performed for the new Highway Garage 5-acre parcel. The report concluded that the southeast portion of the parcel was a wetland that was hydraulically connected to Schoharie Creek. However, the area of disturbance for the new Highway Garage is in the northwest portion of the parcel and will not impact the wetland. Therefore, impacts to natural resources were determined to be minor.

10. Erosion, Flooding or Drainage: Stormwater protection measures could include one or two stormwater retention areas. Construction and operation of the stormwater control system and all Project construction will be in accordance with Section 402 of the Clean Water Act that requires authorization by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York’s State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program. Coverage under the NYSDEC GP-15-002 permit will be obtained prior to the commencement of construction activity. Best Management Practices (BMPs), such as silt fence and erosion prevention, will be implemented, if required by permits or agency discretion. Therefore, impacts to erosion, flooding or drainage were determined to be minor.

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.

☑ 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.

Governor’s Office of Storm Recovery

Name of Lead Agency: ____________________________ Date: ____________________________

Certifying Officer: ____________________________ Title of Responsible Officer: ____________________________

Print or Type Name of Responsible Officer in Lead Agency: ____________________________

Signature of Responsible Officer in Lead Agency: ____________________________

Signature of Preparer (if different from Responsible Officer): ____________________________

PRINT FORM
ATTACHMENT A

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
PART 1 – PROJECT INFORMATION

FULTON TOWN HALL AND HIGHWAY GARAGE PROJECT

DESCRIPTION AND CLASSIFICATION OF ACTION

This supplemental information has been prepared for the Project listed above as a companion to the Short Environmental Assessment Form (6 NYCRR Part 617.20 - Appendix B) completed by GOSR as part of an independent review as an Involved Agency, with consideration of Criteria for Determining Significance listed in 6 NYCRR 617.7.

Project Description: Hurricane Irene and Tropical Storm Lee caused severe flooding within the Town of Fulton, particularly affecting roadways and communications. As a result of Hurricane Irene, Schoharie Creek, which runs adjacent to Route 30, swelled over its banks, rising more than twenty feet. Homes, streets, government buildings, utilities and communications infrastructure, businesses, parks, bridges and culverts were damaged or destroyed. The damage left residents without communication service, access to food or clean water, and also compromised local medical services. The Fulton Town Hall/Highway Department building was utilized as an Emergency Operations Center (EOC); however, there was limited space for the EOC first responders and equipment. The layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency equipment, personnel and resources. Identifying in advance an assembly point for residents will help survivors without any immediate access to communications; the severity of Hurricane Irene and Tropical Storm Lee necessitated an extraordinary response from local officials in the Town of Fulton, which the existing facilities were unable to support (See Attachment A1_Application for Funding).

The Town of Fulton Town Hall Complex is located on an approximately 2-acre parcel at 1168 Bear Ladder Road, West Fulton, Schoharie County, New York (See Attachment A2_Project Area). The Complex currently houses the Fulton Town Hall administrative offices and the Highway Department facilities. The current Highway Department facilities include administrative offices co-located with the Town office, a three-bay garage, a salt bunker, equipment sheds, and storage areas for the Department’s road and drainage materials. The Town Hall Complex shares a single septic system and water supply well.

The County of Schoharie, on behalf of the Town of Fulton, is proposing to enhance the abilities of the complex to respond to emergency events (the Project). The goals for the Project include more adaptable facilities capable of functioning as an EOC, a site layout better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment, and establishment of a focal point for the assembly of residents who may not have been able to reach shelters immediately. This Project will benefit the residents in the Town of Fulton. The Project is proposed to proceed in stages in order to accomplish these goals on a crowded and poorly laid-out site and maintain both administrative and highway department operations during construction.

First, the new Highway Garage will be built at 1125 Bear Ladder Road approximately 400 feet to the southeast of the existing Town Hall Complex (See Attachment A3_Proposed Highway Garage Site Plan). The proposed site is on an approximately 5-acre parcel owned by the Town of Fulton. After construction of the new facility the Highway Department functions will be moved to the new location. The proposed Highway Garage conceptual design elements include:
• New administrative office space/6-bay (2 large vehicle) garage. This will cover approximately 7,200 square feet, with a concrete slab foundation: 4-feet maximum depth of excavation and a foundation perimeter with a 6-feet maximum depth of excavation
• New equipment sheds (on grade)
• New storage areas for road and drainage materials (on grade)
• New septic system (5,400 square feet, 3 feet maximum depth of excavation)
• New access road onto the site from Bear Ladder Road (2,723 square feet, 1 foot maximum depth of excavation)
• New parking lot (21,258 square feet, 1 foot maximum depth of excavation)
• New water supply well
• New emergency generator (diesel fuel with a above ground dual containment fuel storage vessel)

The second phase has not yet been planned in detail. The current concept is that the existing Town Hall facility will be renovated. The interior will be stripped and refinished to provide office, meeting, and shelter space (See Attachment A4_Proposed Town Hall Site Plan). The exterior of the building will be refinished by applying new exterior finishes over the existing finish. The Town will own, operate, and maintain both the renovated Town Hall facilities and the new Highway Department facilities. The proposed Town Hall facility renovation conceptual elements include:

• Enlarged Town Hall administrative office space and conference/meeting space
• Enlarged EOC/administrative space and changing areas for first responders
• Installation of a permanent back-up power generator and electrical connections (diesel fuel with a buried fuel tank)
• Americans with Disabilities Act (ADA)-compliant bathrooms
• The existing well will be refurbished to provide a dedicated drinking water supply for the facility and to residents

The County of Schoharie, on behalf of the Town of Fulton will function as the Subrecipient for this $1,983,382.00 Project. Accordingly, the County will be responsible for the entire implementation of the proposed Project in accordance with all local, state, and federal requirements.

Environmental Issues
The Town of Fulton Town Hall Complex is located on an approximately 2-acre parcel, and the proposed new Highway Garage site is on an approximately 5-acre parcel, totaling an approximately 7-acre Project area. The proposed actions for the Town Hall facility will be limited to the existing building, which encompasses approximately 0.4 acres of the 2-acre parcel. The proposed footprint of disturbance for the new Highway Garage is approximately 7,200 square feet. Total Project activities for the new Highway Garage will encompass approximately 2 acres of the 5-acre parcel. The Town Hall Complex is located on developed land and the new Highway Garage site is on undeveloped but previously disturbed land. The surrounding area can be described as primarily undeveloped forest intermittent with open grassland, agricultural fields, and minimal residential and municipal development. Bear Ladder Road abuts the existing Town Hall Complex to the southwest, and the proposed new Highway Garage site to the northeast.

Based on review of available databases and consultations with appropriate state and federal agencies, there are no known or anticipated environmental issues involved with the proposed Project.

SEQR Classification: Operating under the auspices of New York State Homes and Community Renewal (HCR), the Governor’s Office of Storm Recovery (GOSR) disburses funding made available by the U.S. Department of Housing & Urban Development’s (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. For this proposed Project, GOSR serves Lead Agency and must make a
discretionary decision to fund the proposed action. It is independently responsible for ensuring that its own decision is consistent with the requirements of the State Environmental Quality Review (SEQR).

The proposed Fulton Town Hall and Highway Garage Project involves the construction of a new Highway Garage to house the Highway Department functions, which will total approximately 2 acres of physical disturbance. The proposed Project also involves the renovation of the existing Town Hall facility to provide office, meeting, and shelter space, which will remain within the footprint of the existing Town Hall facility.

The subject property and proposed Project site has been classified as an Unlisted Action pursuant to SEQR and reviewed and completed as such. GOSR conducted a Coordinated review to make its determination of significance and decision to fund the action. GOSR used the Short Environmental Assessment Form (SEAF) as the basis for its determination of significance for the proposed action. For an Unlisted action, there are no filing requirements for a negative declaration; however, GOSR will maintain the Administrative Record, provide a copy of the negative declaration to the applicant and to any other involved agencies, and make its files available for public reference.
ATTACHMENT B

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
PART 1 – PROJECT AND SPONSOR INFORMATION

FULTON TOWN HALL AND HIGHWAY GARAGE PROJECT

This supplemental information has been prepared for the Project listed above as a companion to the Short Environmental Assessment Form (6 NYCRR Part 617.20 - Appendix B) completed by GOSR as part of an independent review as an Involved Agency, with consideration of Criteria for Determining Significance listed in 6 NYCRR 617.7.

2. Permit, Approval or Funding from other Government Agency

Approvals (required and/or received):
  • Town of Fulton: Building Permit
  • NYSDEC: State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity - GP-0-15-002

Funding:
  • New York State Homes and Community Renewal (NYSHCR), Governor’s Office of Storm Recovery (GOSR) – Community Development Block Grant - Disaster Recovery (CDBG-DR) Funds

3. Total Acreage

The proposed footprint of disturbance for the new Highway Garage is approximately 7,200 square feet. Total Project activities for the new Highway Garage will encompass approximately 2 acres of the 5-acre parcel, and the renovation of the existing Town Hall facility will be limited to the existing building footprint, which encompasses approximately 0.4 acres of the 2-acre parcel. The total Project area is approximately 7 acres in the Town of Fulton, Schoharie County, New York (See Attachment A2).

4. Land Use On, Adjoining and Near the Proposed Action

The Project is located in the Town of Fulton, which has no current zoning. The Town of Fulton Town Hall Complex is located on previously developed land that currently houses the Fulton Town Hall administrative offices and the Highway Department facilities. The proposed new Highway Garage site is on undeveloped but previously disturbed land. The surrounding area can be described as primarily undeveloped forest intermittent with open grassland, agricultural fields, and minimal residential and municipal development. Bear Ladder Road abuts the existing Town Hall Complex to the southwest, and the proposed new Highway Garage site to the northeast.

5. Permitted Use under Zoning Regulations

The proposed Project is not anticipated to require the acquisition of new land or changes to land use plans or zoning. The proposed Project is consistent with goals and funding priorities identified in the 2014 New York Rising Community Reconstruction (NYRCR) Towns of Fulton and Blenheim Plan, including rebuilding the Town Hall to more effectively operate as the Town’s Emergency Operations Center (EOC).
6. Character of the existing built or natural landscape

The Project site is located at 1125 and 1168 Bear Ladder Road, in the Town of Fulton and will involve the construction of a 7,200 square foot facility to house the new Highway Garage. The new Highway Garage will not extend beyond the land owned by the Town of Fulton (See Attachment A2). The proposed Project will also involve the renovation of the existing Town Hall facility, which will not extend beyond the footprint of the existing building. The Project site and surrounding area represent a landscape consisting of undeveloped forest, open grasslands, agricultural fields, minimal residential single-family buildings, and minimal municipal development, abutted by Bear Ladder Road.

8.b. Public Transportation Service(s)

The Project area is served by the Schoharie County Public Transportation system, which provides a bus route along Route 30, located east of the Project site. The nearest bus stop along this route is the Breakabeen stop, located approximately 1 mile southeast of the Project site. This route provides services to Cobleskill to the north and North Blenheim to the south (See Attachment B1_Route 4 Map). The Project will not require the development of new transit services or create population demand that will exceed the capacity of current transportation infrastructure or transit service systems.

9. State Energy Code Requirements

The Project will not result in additional energy consumption because the new Highway Garage and renovated Town Hall facility will replace the current functions currently performed in existing facilities. The new Highway Garage and renovated Town Hall facility will use more modern and energy-saving building materials and practices. Some energy savings may be realized. No impacts will occur to existing nearby suppliers.

12.a. Listed State or National Register of Historic Places

The Project site does not contain a structure that is listed on either the State or National Register of Historic Places (NRHP). Consultation with the New York State Historic Preservation Office (SHPO) and the Division for Historic Preservation (DHP) in the Office of Parks, Recreation and Historic Preservation (OPRHP) was initiated through the Cultural Resource Information Systems (CRIS) to confirm that the proposed Project would not affect listed state or NRHP sites or districts (See Attachment B2_CRIS Results). A response was received on November 28, 2016 indicating that the Project will result in ‘No Historic Properties Affected’ (See Attachment B3_SHPO Response).

In addition, a consultation request for the proposed Project was sent to the Mohawk Nation, St. Regis Mohawk Tribe, and Stockbridge-Munsee Community, Band of Mohicans on November 28, 2016 (See Attachment B4_THPO Consult_St. Regis Mohawk, Attachment B5_THPO Consult_Stockbridge Munsee, and Attachment B6_THPO Consult_Mohawk Nation). On December 21, 2016, the Stockbridge-Munsee Community, Band of Mohicans stated that the Project is not in their area of interest (See Attachment B7_Stockbridge-Munsee Response). A response from the other two Tribes has not been received.

12.b. Archaeological Sensitive Area

The Project site has been identified as being sensitive for archaeological sites, which indicates that the Project site contains an archaeologically sensitive resource designated on the SHPO archaeological site inventory.
13.a. Regulated Wetlands or Other Waterbodies

There are no U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) or New York State Department of Environmental Conservation (NYSDEC) mapped wetlands within the Project area (See Attachment B8_Freshwater Wetlands). On June 24, 2016, a wetland delineation was performed for the new Highway Garage 5-acre parcel. The report concluded that southeast portion of the parcel was a wetland that was hydraulically connected to Schoharie Creek (See Attachment B9_Wetlands Assessment). A July 14, 2016 letter to the NYSDEC requested a jurisdictional determination (See Attachment B10_NYSDEC Wetland Consultation). A July 14, 2016 letter to the U.S. Army Corps of Engineers (USACE) requested a federal jurisdictional determination (See Attachment B11_USACE Wetland Consultation). The area of disturbance for the new Highway Garage is in the northwest portion of the parcel and will not impact the wetland.

14. Habitat Types

The surrounding area can be described as primarily undeveloped forest intermittent with open grassland, agricultural fields, and minimal residential and municipal development. Bear Ladder Road abuts the existing Town Hall Complex to the southwest, and the proposed new Highway Garage site to the northeast. The southeast portion of the new Highway Garage 5-acre parcel is a wetland with hydrological connectivity to Schoharie Creek.

15. State or Federal government Threatened or Endangered Species

The US Fish and Wildlife Service (USFWS) online review process, completed on January 30, 2017 using the Information, Planning, and Conservation (IPaC) planning tool, indicated that the area around the Project site may have habitat for the northern long-eared bat (NLEB) (Myotis septentrionalis), federal listed as threatened. Several migratory birds of concern could also potentially be affected by the proposed Project (See Attachment B12_IPaC Report).

On March 3, 2017 GOSR provided the USFWS with a letter documenting the Endangered Species Act (ESA) review and requesting informal consultation. Because there will be no tree removal associated with this Project, GOSR determined that this Project will have “No Effect” on endangered/threatened species, migratory birds, or critical habitat for species under USFWS jurisdiction (See Attachment B13_USFWS Consultation). The USFWS acknowledged the “No Effect” determination on March 6, 2017, and stated that no further ESA coordination or consultation will be required (See Attachment B14_USFWS Response).

In addition, consultation with the New York Natural Heritage Program (NYNHP) occurred on February 2, 2017 to identify the potential presence of any federal and/or state listed or rare species, and any other species or habitats of special concern in the vicinity of the proposed Project (See Attachment B15_NYNHP Consultation). A response was received from the NYNHP on February 24, 2017 indicating that there are no records of concern for rare or state-listed animals or plants, or significant natural communities at the Project site or in its immediate vicinity (See Attachment B16_NYNHP Response).

17. Storm Water Discharge

Stormwater protection measures could include one or two stormwater retention areas (See Attachment A3 and A4). Construction and operation of the storm water control system and all Project construction will be in accordance with Section 402 of the Clean Water Act that requires authorization by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York’s State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program. Coverage under the NYSDEC
GP-15-002 permit will be obtained prior to the commencement of construction activity. Best Management Practices (BMPs), such as silt fence and erosion prevention, will be implemented, if required by permits or agency discretion.

20. Remediation for Hazardous Waste

A search of the NYSDEC Bulk Storage Program Database identified one other petroleum bulk storage facility within 1 mile of the Project site. Rhinehart’s Superette had three 1,000-gallon gasoline underground storage tanks (USTs), one 500 gallon UST for kerosene, and one 500 gallon UST for #2 fuel oil. All have been removed (See Attachment B17_Bulk Storage Facilities). A search of the NYSDEC Remedial Site Database identified no records of the sites being addressed under one of NYSDEC Division of Environmental Remediation (DER) remedial programs (State Superfund, Brownfield Cleanup, Environmental Restoration and Voluntary Cleanup, the Registry of Inactive Hazardous Waste Disposal Sites, and Institutional and Engineering Controls) within 1 mile of the Project site (See Attachment B18_Remediation Sites).

The existing Town Hall Complex site has a 2,000 gallon UST for #2 fuel oil, a 550 gallon above ground storage tank (AST) for diesel fuel, a 300 gallon AST for gasoline/ethanol associated with the Highway Department facilities, and a 275 gallon AST for #2 fuel oil associated with the Town Hall. The new Highway Garage site is an undeveloped non-wooded parcel. No hazardous or solid waste storage is evident on the new Highway Garage site. The Project will involve the relocation of the ASTs associated with the Highway Department activities to the new Highway Garage site. It is planned that the new emergency generator at the new site will use diesel fuel from a new AST. It is not known at this point whether the new generator fuel tank and the diesel fuel associated with the normal Highway Garage operations will be stored in the same tank. All of the petroleum storage for the new Highway Garage will be in new ASTs. No new populations will reside on the new Highway Garage site. The Project will not expose new populations to hazards or nuisances because of the storage in ASTs.
List of Sources, Agencies and Persons Consulted

Federal Emergency Management Agency
https://msc.fema.gov/portal/search?AddressQuery=

New York State Department of Agriculture & Markets
http://www.agriculture.ny.gov/AP/agservices/ agricultural-districts.html
http://www.agriculture.ny.gov/AP/agservices/ SOIL.COUNTY.htm

New York State Department of Environmental Conservation
http://gis.ny.gov/gisdata/inventories/member.cfm?organizationid=529\&nysgis=
http://www.dec.ny.gov/animals/7494.html
http://www.dec.ny.gov/animals/29392.html
http://www.dec.ny.gov/chemical/32501.html
http://www.dec.ny.gov/gis/erm/
http://www.dec.ny.gov/imsmaps/facilities/viewer.htm
http://www.dec.ny.gov/natureexplorer/app/
http://www.dec.ny.gov/permits/6184.html
http://www.dec.ny.gov/permits/53826.html

New York State Department of Transportation
https://www.dot.ny.gov/tdv

New York State Natural Heritage Program
http://www.acris.nynhp.org/

New York Rising Community Reconstruction
http://www.schohariecounty- ny.gov/CountyWebSite/Planning/NYCR%20Towns%20of%20Fulton%20and%20Blenheim.pdf

U.S. Census Bureau, 2011 American Community Survey
http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml

United States Department of Agriculture
https://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=NY
http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

U.S. Department of Agriculture - Natural Resources Conservation Service

U.S. Environmental Protection Agency
http://nepassisttool.epa.gov/nepassist/entry.aspx
https://www.epa.gov/dwssa/map-sole-source-aquifer-locations
https://www.epa.gov/green-book
SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1 - PROJECT AND SPONSOR INFORMATION
PROJECT: FULTON TOWN HALL AND HIGHWAY GARAGE PROJECT

U.S. Department of Fish and Wildlife
http://ecos.fws.gov/ecos/home.action
http://ecos.fws.gov/ipac/
http://refuges.fws.gov
http://www.fws.gov/CBRA/Maps/Boundaries.html
http://www.fws.gov/CBRA/Maps/Mapper.html
https://www.fws.gov/wetlands/data/Mapper.html
http://www.rivers.gov/new-york.php

U.S. Geological Society
http://viewer.nationalmap.gov/viewer/

U.S. Department of Interior – National Park Service
http://science.nature.nps.gov/im/gis/index.cfm
http://www.nature.nps.gov/nnl/docs/NNLRegistry.pdf
http://www.nps.gov/history/nr/research/

U.S. Department of Interior – National Wild and Scenic Rivers System
http://www.rivers.gov/new-york.php
Application for Funding

Rebuild Fulton Town Hall to more effectively operate as the Town Emergency Operations Center

September 2016

Prepared by

Hunt, Guillot, & Associates, LLC
24 Whitehall Street
28th Floor
New York, New York 10004

(646) 797-4993
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</tr>
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<td>Proof of Publication of Public Notice</td>
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<tr>
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<td><strong>Appendix D</strong></td>
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</tr>
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<td>Engineer’s Estimated Project Budget</td>
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<td><strong>Appendix E</strong></td>
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<td>LMI Data</td>
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</tbody>
</table>
General Description Form

Place a check mark in the appropriate box:  ❑ Original Application   ☐ Amended Application

Applicant Name, Address, Phone and Fax Nos.:
Schoharie County
County Office Building
284 Main Street, Room 365
Schoharie, New York 12157
(518) 295-8770
(518) 295-8788 FAX

Project Name:
Rebuild Fulton Town Hall

Project Address:
1168 Bear Ladder Road
West Fulton, New York

Applicant’s Contact Person Name, Address, Phone Number, Email Address, DUNS Number, and SAM CAGE Code Number.
Shane Nickle, Senior Planner
Schoharie County Planning and Development Agency
276 Main Street, Suite 2
P. O. Box 396
Schoharie, New York 12157
shenanickle@co.schoharie.ny.us
(518) 295-8770

DUNS Number: 091902239
SAMS-CAGE Code: 5VCTo

Name, Address, Phone Number and Email Address of HGA Administrative Consultant: (if applicable)
Steve Herzberg, Grant Consultant
Hunt, Guillot & Associates, LLC
99 Washington Avenue, Suite 1224
Albany, New York 12260
Phone: 518 368-1805
Email: SHerzberg@hga-llc.com

Name, Address, Phone Number and Email Address of GOSR Project Manager:
Amanda Hansen, Director
Governor’s Office of Storm Recovery
99 Washington Avenue, Suite 1224
Albany, New York 12260
Phone: 518-473-0099
Email: Amanda.Hansen@stormrecovery.ny.gov

Name, Address, Phone Number and Email Address of Architectural/Engineering Firm:
Delaware Engineering, D.P.C
28 Madison Avenue Extension
Albany, NY 12203
atavenner@delawareengineering.com

National Objective to be Addressed (check one).
❑ Activities Benefiting Low/Moderate Income Persons
☐ Prevention/Elimination of Slums or Blight
☐ Urgent Need
☐ Not Applicable—Planning

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<th>Project Funds</th>
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<th>Source and Status of Funds</th>
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<td>CDBG-DR</td>
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<tr>
<td>Local Funds</td>
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<tr>
<td>Private Funds</td>
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<tr>
<td>Other State Funds</td>
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<tr>
<td>Federal Funds (non-CDBG-DR)</td>
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<tr>
<td>Other Funds</td>
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<td></td>
</tr>
<tr>
<td>--------------</td>
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<td></td>
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<td>TOTAL FUNDS</td>
<td>$1,983,382.00</td>
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<tr>
<td>CDBG-DR</td>
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**Signature (Authorizing Official) and Date Signed**

Earl VanWormer, Chair, County Board of Supervisors

10-25-2016
SUPPLEMENTAL INFORMATION

Project Name: Fulton Town Hall

1. Identify the name, telephone and District # of the State Senator(s) representing your jurisdiction:

   Name: James L. Seward
   Senate District #: 51
   (518) 455-3131

2. Identify the name, telephone number, and District # of the State Representative(s) representing your jurisdiction:

   Name: Peter Lopez
   Representative District #: 102
   (518) 295-7250

3. Identify the U.S. Congressman representing your jurisdiction and congressional district number.

   Name: Chris Gibson
   Congressional District #: 19
   (202) 225-5614

4. Identify the members of your jurisdiction’s governing authority.

   Name: Philip R. Skowfoe, Jr., Town Supervisor
   Member District #: At-large

   Name: Albert Hodder
   At-large

   Name: Connie Standhart
   At-large

   Name: Richard Mix
   At-large

   Name: Elizabeth Coons
   At-large

5. Target Area Census Tract(s):

   Target Area Census Tract(s): 740600 BG 2

6. Indicate by means of an “x” as to whether the proposed project will involve a community-wide benefit or a target area(s) and enter the zip code of the project. If a target area is involved, enter the name(s) and zip code of the target area(s).

   ___X__Community-wide (Zip Code: __12071__ ) ___Target Area(s)

   Name and Zip Code of Target Area: _______________________________
   Name and Zip Code of Target Area: _______________________________
   Name and Zip Code of Target Area: _______________________________

   Community-wide projects should use the zip code of the location of city hall. Target-area projects should use the zip code of the target area where the majority of the construction funds will be spent (for each target area). If the target area(s) does not have a name, please provide a brief geographical description of the area such as “western portion of the city.”
7. Provide Lat/Long for the Project Location at or near the geographical center:
   Latitude: __42.538888________ Longitude: __-74.424440________ (Current Town Hall)

8. How many other projects funded with CDBG-DR funds relate to the project: 0

9. Does the project relate to any other project GOSR should be aware? No

10. Does the project encompass multiple counties: Yes X No

11. If the proposed project is a “covered project,” please provide a narrative describing the “Resilience Performance Standards” to be used in the design/implementation of the project below.

   NOT APPLICABLE

12. If the proposed project is a “covered project,” please provide a narrative describing the “Green Infrastructure Project Activities” to be used in the design/implementation of the project below. For the purpose of completing this section, green infrastructure is defined as the integration of natural systems and processes, or engineered systems that mimic natural systems and processes, into investments in resilient infrastructure. “Green Infrastructure” takes advantage of the services and natural defenses provided by land and water systems such as wetlands, natural areas, vegetation, sand dunes, and forests, while contributing to the health and quality of life of those in recovering communities.

   NOT APPLICABLE

13. If the proposed project is a “covered project,” please provide a narrative describing the “Transparent and Inclusive Decision Processes” undertaken in selection of the proposed project. Include accessible public hearings and other processes to advance the engagement of vulnerable populations.

   NOT APPLICABLE

14. If the proposed project is a “covered project,” please provide a narrative describing the “Long Term Efficacy and Fiscal Sustainability” plans to monitor and evaluate efficacy and sustainability, including how it will reflect changing environmental conditions (such as sea level rise or development patterns) with risk management tools, and/or alternate funding sources, if necessary.

   NOT APPLICABLE

15. If the proposed project is a “covered project,” please provide a narrative describing how the project will align with the commitment expressed in the President’s Climate Action Plan to “identify and evaluate additional approaches to improve our natural defenses against extreme weather, protect biodiversity, and conserve natural resources in the face of changing climate...”

   NOT APPLICABLE

16. Has an amendment to the Action Plan to include this project been submitted to HUD?
   _____ Yes; _____ X No;

Rebuild Fulton Town Hall
17. What is the status of the amendment request? Provide a narrative describing the status of the amendment request. (Include date of submission, date of approval, any requests for additional information, and current status)

**NOT APPLICABLE**

18. Is this project receiving FEMA Public Assistance funding:  
____Yes  ___X__ No

19. Is this project receiving FEMA Public Assistance 406 Hazard Mitigation Funds:  
____Yes  ___X__ No  
Please provide the FEMA Project Worksheet number(s) for this project application: [ ] 
(The FEMA project work sheet number should include the FEMA disaster declaration number in the first four (4) digits and the project worksheet number in the last five (5) digits. A Hurricane Sandy related project with the project worksheet “567” would be entered as “4085-00567”)

20. Is this project receiving FEMA Section 404 Hazard Mitigation funds:  
____Yes  ___X__ No

21. Is this project receiving any Army Corps of Engineers funding:  
____Yes  ___X__ No  
If yes, please provide the type of funds applied for and application number: [ ]

22. Is this project receiving any Environmental Protection Agency funds:  
____Yes  ___X__ No  
If yes, please provide the type of funds applied for and application number: [ ]

23. Is this project receiving any Department of Energy funds:  
____Yes  ___X__ No  
If yes, please provide the type of funds applied for and application number: [ ]

24. Is this project receiving any Department of Transportation funds:  
____Yes  ___X__ No  
If yes, please provide the type of funds applied for and application number: [ ]

25. Is this project receiving any Department of the Interior funds:  
____Yes  ___X__ No  
If yes, please provide the type of funds applied for and application number: [ ]
## BUDGET/COST SUMMARY FORM

**PROJECT NAME:** Rebuild Fulton Town Hall

<table>
<thead>
<tr>
<th>(A) Costs by Activity</th>
<th>(B) CDBG-DR</th>
<th>(C) Other</th>
<th>(D) Total</th>
<th>(E) Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acquisition of Real Property</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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<td>2. Public Facilities and Improvements</td>
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<td>$0.00</td>
<td>$1,905,000.00</td>
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<td>3. Rehabilitation Loans and Grants (Hook-ups)</td>
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<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>4. Clearance Activities</td>
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<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>5. Public Services</td>
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<td>$0.00</td>
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<tr>
<td>6. Other (identify) - Planning</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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<td>7. Project Delivery Costs</td>
<td>$76,992.00</td>
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<td>8. Administration</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$1,983,382.00</strong></td>
<td><strong>$0.00</strong></td>
<td><strong>$1,983,382.00</strong></td>
<td><strong>CDBG-DR</strong></td>
</tr>
</tbody>
</table>

Architectural/Engineering (A/E) costs must be included in one of the activity costs above.

Provide the following dates:

*ERR Complete Date: 11/30/16
Acquisition/Closing: 

*Required
Construction Start Date: 3/15/17
Design Complete: 11/30/16

*Construction End Date: 12/31/17
**ACTIVITY BENEFICIARY FORM**

- **Community-Wide** □ Target Area □ Combined

**Project:**
Rebuild Fulton Town Hall

**List name of each activity excluding Admin & Acquisition:**
1) Public Facilities
2) 
3) 

<table>
<thead>
<tr>
<th>#</th>
<th>%</th>
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<tbody>
<tr>
<td>Persons (total):</td>
<td>1,245</td>
</tr>
<tr>
<td>Total LMI Income:</td>
<td>670 53.82</td>
</tr>
<tr>
<td>Low Income:</td>
<td>310 24.90</td>
</tr>
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</table>

- Owner (for Rehab activity only, i.e. hookups):
- Renter (for Rehab activity only, i.e. hookups):

<table>
<thead>
<tr>
<th>#</th>
<th>%</th>
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</thead>
<tbody>
<tr>
<td>Moderate Income:</td>
<td>360 28.92</td>
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</table>

- Owner (for Rehab activity only, i.e. hookups):
- Renter (for Rehab activity only, i.e. hookups):

<table>
<thead>
<tr>
<th>#</th>
<th>%</th>
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</thead>
<tbody>
<tr>
<td>Medium Income:</td>
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<table>
<thead>
<tr>
<th>Race and Ethnicity</th>
<th>Percent (%)</th>
<th>Percent (%)</th>
<th>Percent (%)</th>
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<tbody>
<tr>
<td>White:</td>
<td>89.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black or African American:</td>
<td>8.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>American Indian or Alaskan Native:</td>
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<td></td>
</tr>
<tr>
<td>Asian:</td>
<td>0.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Native Hawaiian or Other Pacific Islander:</td>
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<td></td>
</tr>
<tr>
<td>Other:</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hispanic or Latino:</td>
<td>2.9</td>
<td></td>
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</tr>
</tbody>
</table>

**Data Sources:**
Low and moderate income persons for area benefit activities were determined using the 2006-2010 American Community Survey/2015 LMISD.

Percentages for race and ethnicity for area benefit activities were determined using the Census 2010 SF-1 100% data, Tables P3-Race, and P4-Hispanic or Latino Origin.
TARGET AREA MAP
REBUILD FULTON TOWN HALL
PROJECT SITE MAP
### PROJECT DESCRIPTION.

Schoharie County, on behalf of the Town of Fulton, is requesting $1,983,382.00 in CDBG-DR funding for design, construction and project delivery for the Town of Fulton Town Hall Complex. The Complex currently includes the Fulton Town administrative offices and Highway Department. Highway Department facilities include a 2–bay garage, salt bunker, equipment sheds, and storage areas for the Department’s road and drainage materials. In an emergency, the administrative offices serve as the Town’s Emergency Operations Center (EOC). Emergency operations are limited and inefficient due to a lack of space in the Town Hall Complex. The pre-application requested $1,615,00.00. A higher amount is be requested now because the project will now encompass two separate sites: the town hall will be reconstructed on the existing site and the highway garage will be placed on a site approximately 260 yards southeast of the town hall. This will require a second septic system and drinking water well to be installed; the pre-application budget did not anticipate this. In addition, project delivery costs were not included in the original budget.

Hurricane Irene and Tropical Storm Lee forced road closures or detours on almost every major road in the Town, with significant road damage occurring in a number of locations (See Map 1). Road closures and detours made it difficult for personnel to respond to emergencies, thus impacting the safety of the residents. The Town’s efforts to respond to these events highlighted the need for more adaptable facilities capable of functioning as an Emergency Operations Center and for a site laid out in a way better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment that at the same time could provide a focal point for the assembly of residents who may not have been able to reach shelters immediately. During Hurricane Irene and Tropical Storm Lee site and facility constraints limited the Town’s ability to respond to the emergency.

The Town is seeking to enhance its emergency response capabilities through reconstruction of the Town Hall/Highway Department site and work spaces. These improvements will include rehabilitating, enlarging and modernizing the existing Town Hall and construction of a new Highway Garage. Modernization may involve such items as private offices and conference/meeting space, changing areas for first responders, and other improvements that will make for a more effective and efficient Emergency Operations Center. The project would also install permanent back-up power generation and electrical connections and a dedicated water supply to provide drinking water both to the facility and to residents.

In order to accomplish these goals the Town will utilize a five-acre parcel 260 yards southeast of the existing site for construction of a new highway garage and renovate the existing town hall/highway garage building to serve as the town hall and EOC exclusively. The five-acre parcel is part of a larger parcel recently taken by Schoharie County for delinquent taxes and donated to the town.

This is a stand-alone project that does not depend on any other projects that trigger CDBG-DR requirements. This project involves site identification and feasibility, refining the program for the project, including the desired types and sizes of facilities to be included and approaches to the design and construction, preliminary site planning, preliminary and final design, preparation of bid documents, construction bidding, construction of the project, and close-out.

**Beneficiaries/Public Benefit/Target Area:** The project beneficiaries reside within the Target Area, which is coterminous with the Town of Fulton. The proposed improvements to the Town Hall complex will provide better response continuity during an emergency by addressing and augmenting the Town’s ability to meet its own needs during a disaster response.

---

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>Rebuild Fulton Town Hall</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Page 1 of 3</td>
</tr>
</tbody>
</table>
Recovery Rationale: Hurricane Irene and Tropical Storm Lee caused severe flooding within the Town, particularly affecting roadways and communications. Identifying in advance an assembly point for residents would help survivors without any immediate access to communications; the severity of Hurricane Irene and Tropical Storm Lee necessitated an extraordinary response from local officials in the Town of Fulton, which the existing facilities were unable to support. The existing Town Hall/Highway Department building also served as an EOC, with approximately 100 officials and emergency personnel trying to work in a 1,000 ft² space that contains only one bathroom, a sink and no shower. The layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency equipment, personnel and resources. This project supports the Town’s priority recovery strategy: to improve emergency preparedness and response capabilities.

Description of Construction Involved: The project will require extensive construction activities, including significant earthwork for the construction of buildings, utilities, access road/driveway, and parking. The town hall/highway garage building on the current site will be renovated to serve as the town hall only. This site has been previously disturbed. It is likely that part of the existing building will need to be demolished. A new highway garage will be constructed on a separate, previously undisturbed site. An environmental assessment of both sites will be required. Because a site plan has not yet been developed the exact extent of, and site plan for, the construction is currently unknown.

Responsibility for Operation and Maintenance: The Town will own, operate and maintain the new municipal complex. Funding will come from the Town’s annual operating budget.

Description of Acquisition Involved: No acquisition will be required for this project; the Town currently owns both parcels involved.

Mitigation/Resiliency Plan: This project will provide town officials and emergency personnel with space that is better organized and laid-out than the existing site and buildings. This will allow the Town to more effectively and efficiently respond to future emergencies.

CDBG-DR Eligibility: Pursuant to Section 105(a)(2), Public Facilities and Improvements, of the Housing and Community Development Act (HCDA); the acquisition, construction, reconstruction, or installation (including design features and improvements with respect to such construction, reconstruction, or installation that promote energy efficiency) of public works, facilities (except for buildings for the general conduct of government), and site or other improvements.

Pursuant to a recent HUD-issued waiver (See Federal Register, Vol. 78, No. 43 issued Tuesday, March 5, 2013): “Buildings for the general conduct of government. 42 U.S.C. 5305(a) is waived to the extent necessary to allow grantees to fund the rehabilitation or reconstruction of public buildings that are otherwise ineligible.”

CDBG-DR National Objective: The national objective for the project is Activities Benefiting Low-and-Moderate Income Persons. The project/activity meets the CDBG-DR national objective criteria under 24CFR§570.483(b)(1), per the following:
Activities benefiting low-and-moderate income persons. An activity will be considered to address the objective of benefiting low-and-moderate income persons if it meets one of the criteria in paragraph (b) of this section, unless there is substantial evidence to the contrary. In assessing any such evidence, the full range of direct effects of the assisted activity will be considered. The activities, when taken as a whole, must not benefit moderate income persons to the exclusion of low income persons.

According to the 2006-2010 American Community Survey/2015 LMISD data, the population of the target area is 1,245 residents, 670 of whom are considered to be of low-and-moderate income. This constitutes a low-and-moderate income (LMI) percentage of 53.8%.

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>Rebuild Fulton Town Hall</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Page 3 of 3</td>
</tr>
</tbody>
</table>
ARCHITECT/ENGINEER’S COST ESTIMATE

Estimated Number of Parcels to be Acquired: none
Anticipated Approvals/Permits to be Acquired: Local building permits

PROJECT BUDGET

Design ............................................................................................................................... $202,999

Construction Management and Observation................................................. To be negotiated; estimated $86,500

Project Delivery .............................................................................................................. $76,992
Administration .............................................................................................................. $1,390

Construction .............................................................................................................. $1,615,501.00

Total Project Cost ...................................................................................................... $1,983,382.00
Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing and Urban Development

OMB Approval No. 2510-0011 (exp. 8/31/2009)

Instructions (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report X or an Update Report ___

1. Applicant/Recipient Name, Address, and Phone (include area code):
   Schoharie County, New York
   County Office Building
   284 Main Street, Room 365
   Schoharie, New York 12157

2. Social Security Number or Employer ID Number:
   14-6002574

3. HUD Program Name
   Community Development Block Grant – Disaster Recovery Program

4. Amount of HUD Assistance Requested/Received
   $1,983,382.00

5. State the name and location (street address, City and State) of the project or activity:
   Fulton Town Hall; 1168 Bear Ladder Road; West Fulton, New York

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CBG block grants. (For further information see 24 CFR Sec. 4.3).
   ___ Yes ___ No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of $200,000 during this fiscal year (Oct. 1 - Sep. 30)?
   For further information, see 24 CFR Sec. 4.9
   ___ Yes ___ No.

If you answered "No" to either question 1 or 2, STOP! You do not need to complete the remainder of this form. However, you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

<table>
<thead>
<tr>
<th>Department/State/Local Agency Name and Address</th>
<th>Type of Assistance</th>
<th>Amount Requested/Provided</th>
<th>Expected Uses of the Funds</th>
</tr>
</thead>
</table>

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. Any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds $50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)

<table>
<thead>
<tr>
<th>Social Security No. or Employee ID No.</th>
<th>Type of Participation in Project/Activity</th>
<th>Financial Interest in Project/Activity ($ and %)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware Engineering D.P.C.</td>
<td>Design</td>
<td>$289,499/14.6%</td>
</tr>
</tbody>
</table>

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed $10,000 for each violation. I certify that this information is true and complete.

Signature: X  

Earl VanWormer, County Board Chairman

Date: 10-25-2016

Rebuild Fulton Town Hall
NY Rising Community Reconstruction Program

DUPLICATION OF BENEFITS QUESTIONNAIRE

Subrecipient: ______ Schoharie County ______

Project Name: ______ Fulton Town Hall Complex ______

Federal regulations require a duplication of benefits (DOB) analysis for projects receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) support to ensure that subrecipients do not receive more funds for a project than are needed. Subrecipients must report all assistance they have received for a project from such sources as insurance, Small Business Administration (SBA), Federal Emergency Management Agency (FEMA), and other local, State, or Federal programs, and private or nonprofit charitable organizations. Any funds received from these sources for this project must be considered when the amount of the CDBG-DR grant is determined. While inclusion in a long-term capital plan does not constitute a DOB, if a project has been included in the subrecipient’s annual budget, there may be DOB. CDBG-DR is a funding source of last resort, and should funds become available for a project in the future such that some or all of the CDBG-DR funds budgeted for the project would constitute a duplication of benefits, those CDBG-DR funds will be disallowed or, if outlaid, must be returned to the Governor’s Office of Storm Recovery (GOSR). Please consult with GOSR staff if you have any questions regarding whether a potential DOB exists. Please use the chart below to describe the funds the subrecipient has received and/or committed for the project.

Funds Received or Budgeted for the Project

<table>
<thead>
<tr>
<th>SOURCE OF FUNDS</th>
<th>Amount received for the project</th>
<th>Additional funds expected</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEMA</td>
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<td>0</td>
</tr>
<tr>
<td>Other Federal Agencies (Describe)</td>
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<td>0</td>
</tr>
<tr>
<td>State Agencies</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Budgeted Subrecipient Funds (Annual Budget)</td>
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<td>0</td>
</tr>
<tr>
<td>Private Insurance</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>National Flood Insurance</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Nonprofit Organizations (Describe)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Funds (Describe)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>-----------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Documents Needed:
Please provide documents that show the amounts received for the project from each source listed above. Note that all documents, including the subrecipient’s budgets, must be retained produced for review on the request of GOSR or HUD.

**SUBRECIPIENT CERTIFICATION**
I certify that the information provided in this questionnaire is true and accurate to the best of my ability. I understand that if this information is not correct, it may affect the amount of any grant I may receive or may lead to the recapture of disbursed funds by GOSR and/or HUD.

Subrecipient: Schoharie County

Signature of Chief Elected Official or Authorized Certifying Official: [Signature]
Earl VanWormer
Printed Name
Date: 10-21-2016
APPENDIX B

PROOF OF PUBLICATION OF PUBLIC NOTICE REQUESTING PUBLIC COMMENT ON SUBMISSION OF APPLICATION FOR FUNDING
PUBLIC NOTICE  
New York State CDBG-DR Application Available Review

Schoharie County announces that it intends to submit an application for New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funds on or about October 7, 2016 for the following project:

Activity: New York State CDBG-DR funds will be used for the reconstruction of the Town of Fulton’s town hall complex.

Objective: To provide design, engineering for, and reconstruction of the Town of Fulton’s town hall and highway to be located outside of the flood plain.

Location: The project area consists of the Town of Fulton, New York.

Amount: $1,983,382.00

A copy of the application will be available for review at the Schoharie County Planning and Development Agency, 276 Main Street, Suite 2, Schoharie, New York 12157, Monday through Friday between the hours of 8:00 am and 4:00 pm.

All citizens, particularly persons of low and moderate income and residents of blighted areas, as well as those affected by the project are encouraged to submit their views and proposals by October 6, 2016 to Schoharie County at the following address:

Shane Nickle, Senior Planner  
Schoharie County Planning and Development Agency  
276 Main Street, Suite 2  
P. O. Box 396  
Schoharie, New York 12157  
shanenickle@co.schoharie.ny.us  
(518) 295-8770
INSTRUCTIONS:
Publish one (1) time only as a LEGAL NOTICE
Publication Date: October 5, 2016
Send Invoice To: Schoharie County
Send Affidavit of Publication (Required) to: Schoharie County

Newspaper: Cobleskill Times-Journal
Schoharie County announces that it intends to submit an application for New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funds on or about October 14, 2016 for the following project:

Activity: Schoharie County CDBG-DR funds will be used for the reconstruction of the Town of Fulton’s town hall complex.

Objective: To provide design, engineering for, and reconstruction of the Town of Fulton’s town hall and highway to be located outside of the flood plain.

Location: The project area consists of the Town of Fulton, New York.

Amount: $1,983,382.00

A copy of the application will be available for review at the Schoharie County Planning and Development Agency, 276 Main Street, Suite 2, Schoharie, New York 12157, Monday through Friday between the hours of 8:00 am and 4:00 pm.

All citizens, particularly persons of low and moderate income and residents of blighted areas, as well as those affected by the project are encouraged to submit their views and proposals by October 14, 2016 to Schoharie County at the following address:

Shane Nickle, Senior Planner
Schoharie County Planning and Development Agency 276 Main Street, Suite 2
P.O. Box 396
Schoharie, New York 12157
shananickle@co.schoharie.ny.us
(518) 295-8770
Affidavit of Publication

To: SCHO CO PLANNING & DEVEL.
   ATTN: VERONICA DIAMOND
   PO BOX 396
   SCHOFARIE, NY 12157

Re: Legal notice #75647

State of New York
   ) SS:
County of Schoharie

I, ASHLEY STANTON, being duly sworn, depose and say: that I am the Authorized Representative of Times-Journal, a weekly newspaper of general circulation published in Cobleskill, County of Schoharie, State of New York; and that a notice, of which the annexed is a printed copy, was duly published in Times-Journal once on 10/12/16.

[Signature]

Sworn to before me this 7th day of October, 2016

[Signature]

LAUREN H. CUMMINGS
Notary Public, State of New York
No. 01CU09231339
Qualified in Schoharie County
Commission Expires November 28

PUBLIC NOTICE

NEW YORK STATE CDBG-DR
APPLICATION AVAILABLE FOR REVIEW

Schoharie County announces that it intends to submit an application for New York State Community Development Block Grant Disaster Recovery (CDBG-DR) Program funds on or about October 21, 2016 for the following project:

Activity: New York State CDBG-DR funds will be used for the Reconstruction of the Town of Fulton’s town hall complex.

Objective: To provide, design, engineering for, and construction of the Town of Fulton's town hall complex to be located outside of the flood plain. The project area consists of the Town of Fulton.

Amount: $1,983,882.00

A copy of the Application will be available for review at the Schoharie County Planning and Development Agency, 276 Main Street, Suite 1, Schoharie, New York 12157, Monday through Friday between the hours of 8:00am and 4:30pm.

All citizens, in particular persons of low and moderate income and residents of blighted areas, as well as those affected by the project are encouraged to submit their views and proposals by October 20, 2016 to Schoharie at the following address:

Schoharie County Planning and Development Agency
276 Main Street
Schoharie, NY 12157

518-295-8702

[Signature]
APPENDIX C

MAP 1: ROAD CLOSURES AND DAMAGE
APPENDIX D

ENGINEER’S ESTIMATED PROJECT BUDGET
## Building System

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Unit</th>
<th>Cost</th>
<th>Quantity</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mobilization, Bonds, Insurance</td>
<td>LS</td>
<td>$65,000.00</td>
<td>1</td>
<td>$65,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Environmental Work</td>
<td>LS</td>
<td>$22,000.00</td>
<td>1</td>
<td>$22,000.00</td>
</tr>
<tr>
<td>3</td>
<td>Allowance</td>
<td>LS</td>
<td>$25,000.00</td>
<td>1</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>4</td>
<td>Roof Drain Storm Piping</td>
<td>LS</td>
<td>$8,000.00</td>
<td>1</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>5</td>
<td>Trench Drain Piping and Excavitation</td>
<td>LS</td>
<td>$5,000.00</td>
<td>1</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>6</td>
<td>Parking Lot Subbase</td>
<td>CY</td>
<td>$35.00</td>
<td>1296</td>
<td>$45,360.00</td>
</tr>
<tr>
<td>7</td>
<td>Parking Lot Subbase</td>
<td>LF</td>
<td>$300.00</td>
<td>360</td>
<td>$108,000.00</td>
</tr>
<tr>
<td>8</td>
<td>Floor Slab Subbase</td>
<td>SF</td>
<td>$3.50</td>
<td>7200</td>
<td>$25,200.00</td>
</tr>
<tr>
<td>9</td>
<td>Foam, Wall and Floor Slab</td>
<td>LS</td>
<td>$25,000.00</td>
<td>1</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>10</td>
<td>Interior Footing Excavation</td>
<td>LS</td>
<td>$2,000.00</td>
<td>1</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>11</td>
<td>Concrete Footing</td>
<td>LF</td>
<td>$67.60</td>
<td>360</td>
<td>$24,336.00</td>
</tr>
<tr>
<td>12</td>
<td>Concrete Walls and Piers</td>
<td>LF</td>
<td>$64.70</td>
<td>360</td>
<td>$23,292.00</td>
</tr>
<tr>
<td>13</td>
<td>Concrete Floor Slab</td>
<td>SF</td>
<td>$7.10</td>
<td>7200</td>
<td>$51,120.00</td>
</tr>
<tr>
<td>14</td>
<td>Trench Drains</td>
<td>LS</td>
<td>$20,000.00</td>
<td>1</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>15</td>
<td>Concrete Aprons</td>
<td>EA</td>
<td>$3,000.00</td>
<td>6</td>
<td>$18,000.00</td>
</tr>
<tr>
<td>16</td>
<td>Pipe Bollards</td>
<td>LS</td>
<td>$6,000.00</td>
<td>1</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>17</td>
<td>Metal Roof Soffit and Fascia</td>
<td>SF</td>
<td>$1.75</td>
<td>7200</td>
<td>$12,600.00</td>
</tr>
<tr>
<td>18</td>
<td>Wall Panels</td>
<td>LF</td>
<td>$16.75</td>
<td>360</td>
<td>$6,030.00</td>
</tr>
<tr>
<td>19</td>
<td>Gutter Down Spouts</td>
<td>LS</td>
<td>$2,000.00</td>
<td>1</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>20</td>
<td>Butler Building Materials</td>
<td>LF</td>
<td>$1,350.00</td>
<td>120</td>
<td>$162,000.00</td>
</tr>
<tr>
<td>21</td>
<td>Erect Building</td>
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<td>$90,000.00</td>
<td>1</td>
<td>$90,000.00</td>
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<tr>
<td>22</td>
<td>Metal Studs and Gypsum Wall Board</td>
<td>LS</td>
<td>$25,000.00</td>
<td>1</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>23</td>
<td>Ceilings</td>
<td>SF</td>
<td>$1.75</td>
<td>3000</td>
<td>$5,250.00</td>
</tr>
<tr>
<td>25</td>
<td>Painting</td>
<td>SF</td>
<td>$1.75</td>
<td>3000</td>
<td>$5,250.00</td>
</tr>
<tr>
<td>26</td>
<td>Doors and Hardware</td>
<td>LS</td>
<td>$10,000.00</td>
<td>1</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>27</td>
<td>Cove Base</td>
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<td>$1,100.00</td>
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</tr>
<tr>
<td>28</td>
<td>Cabinets</td>
<td>LS</td>
<td>$5,000.00</td>
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<td>$5,000.00</td>
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<tr>
<td>29</td>
<td>OH Doors</td>
<td>EA</td>
<td>$6,050.00</td>
<td>7</td>
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<tr>
<td>30</td>
<td>Rebar</td>
<td>LS</td>
<td>$30,000.00</td>
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<tr>
<td>31</td>
<td>Windows</td>
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</tr>
<tr>
<td>32</td>
<td>Septic System, Oil Water Separator</td>
<td>LS</td>
<td>$35,000.00</td>
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<tr>
<td>33</td>
<td>Water Well</td>
<td>LS</td>
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</tr>
</tbody>
</table>

Sub-Total Cost: $943,788.00
## Electrical System

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Unit</th>
<th>Cost</th>
<th>Quantity</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bonds and Insurance</td>
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<td>$10,500.00</td>
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<td>$10,500.00</td>
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<td>2</td>
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<tr>
<td>3</td>
<td>Excavation</td>
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<td>4</td>
<td>Light Fixtures</td>
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<tr>
<td>5</td>
<td>Panels and Disconnects</td>
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<td>$16,000.00</td>
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<td>6</td>
<td>Building Wiring</td>
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<tr>
<td>7</td>
<td>Electrical Service</td>
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<tr>
<td>8</td>
<td>Reconnect Power to Aux Buildings</td>
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<td>$8,500.00</td>
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<td>$8,500.00</td>
</tr>
<tr>
<td>9</td>
<td>Temporary Power</td>
<td>LS</td>
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<td>$3,000.00</td>
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<tr>
<td>10</td>
<td>Inspection</td>
<td>LS</td>
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<td>$1,000.00</td>
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<tr>
<td>11</td>
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<td>LS</td>
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**ELECTRICAL SYSTEM COST**

Sub-Total Cost: $234,500.00

## HVAC System

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Unit</th>
<th>Cost</th>
<th>Quantity</th>
<th>Total Cost</th>
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</thead>
<tbody>
<tr>
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<td>Mobilization, Bonds, and Insurance</td>
<td>LS</td>
<td>$10,000.00</td>
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<td>$10,000.00</td>
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<td>2</td>
<td>Plumbing Rough In</td>
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<td>4</td>
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<td>5</td>
<td>Fans/Louvers</td>
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<tr>
<td>6</td>
<td>Radiant Floor Heating</td>
<td>SF</td>
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<td>7</td>
<td>Unit Heaters/ Distribution</td>
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</table>

**HVAC SYSTEM**

Sub-Total Cost: $193,700.00

**HIGHWAY GARAGE**

Total Project Cost: **$1,371,988.00**
## Town of Fulton Town Hall Estimate

<table>
<thead>
<tr>
<th>Room Number</th>
<th>Description</th>
<th>Unit</th>
<th>Cost</th>
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**TOWN HALL TOTAL COST** $598,483.00
## Fulton/Schoharie County Project Delivery and Administration Budget

### Rebuild Fulton Town Hall Project Delivery and Administrative Cost Budget

<table>
<thead>
<tr>
<th>Personnel</th>
<th>Quarter One</th>
<th>Quarter Two</th>
<th>Quarter Three</th>
<th>Quarter Four</th>
<th>Quarter Five</th>
<th>Quarter Six</th>
<th>Quarter Seven</th>
<th>Quarter Eight</th>
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<th>Quarter Four</th>
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<table>
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<th>Other</th>
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<th>Quarter Three</th>
<th>Quarter Four</th>
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<th>Quarter Seven</th>
<th>Quarter Eight</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Supplies/Printing</td>
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<td>$180</td>
<td>$180</td>
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**Total Project Cost**: $78,382
DESIGN

STUDY/SCOPING/PROGRAM PHASE ................................................................. $30,000
PRELIMINARY DESIGN ..................................................................................... $40,000
FINAL DESIGN .................................................................................................. $89,999
BIDDING ............................................................................................................ $15,000
TOPO & PROPERTY SURVEY, GEOTECH AND OTHER STUDIES ........................................ $28,000
TOTAL DESIGN................................................................................................... $202,999

CONSTRUCTION MANAGEMENT ........................................................................ To be negotiated; estimated $86,500

TOTAL DESIGN .................................................................................................. $289,499

SUMMARY

DESIGN ............................................................................................................... $289,499
CONSTRUCTION ................................................................................................. $1,615,501
PROGRAM DELIVERY/ADMIN.............................................................................. $78,382

TOTAL PROJECT COST ....................................................................................... $1,983,382*

*A/E’s estimated construction cost is $1,970,471. Using that estimate, Design and Construction would total $2,259,970, which would be charged against the Town’s Allocation. The Allocation remaining for this Project is $1,905,000. During the design process the plans will be revised so the cost will not exceed the available Allotment.
APPENDIX E

LMI DATA
WARNING - IT IS A VIOLATION OF NEW YORK EDUCATION LAW SECTION 7209.2, FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER THIS DOCUMENT IN ANY WAY. IF ALTERED THE ALTERING PERSON SHALL COMPLY WITH THE REQUIREMENTS OF NEW YORK EDUCATION LAW, SECTION 7209.2.
Route 4 Commuter Service Information

Route 4 Map
November 28, 2016

Mary Bartheleme
Governor’s Office of Storm Recovery
99 Washington Ave, Suite 1224
Albany, NY 12231

Re: HTF/ GOSR/ CDBG-DR/ HUD/ NY Rising Program-
Rebuild Fulton Town Hall
1125 and 1168 Bear Ladder Road, West Fulton/ Schoharie County
16PR07971

Dear Ms. Bartheleme:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Title 54, Section 306108 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/ Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based on this review, it is the opinion of SHPO that there will be No Historic Properties Affected by the proposed undertaking.

If I can be of further assistance, contact me at (518) 268-2187 or Larry.moss@parks.ny.gov

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
November 28, 2016

Ron LaFrance, Jr.; Paul Thompson; and Beverly Cook, Chiefs
St. Regis Mohawk Tribe
412 State Route 37
Akwesasne, NY 13655

RE: Section 106 Compliance for Rebuild Fulton Town Hall Project, Town of Fulton, Schoharie County, New York

Dear Chiefs of the St. Regis Mohawk Tribe:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Tribe to respond with any concerns or comments.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. GOSR proposes to provide funding for the construction of a new highway garage and improvements to the existing Town Hall in Fulton, New York. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 302706(b)), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. This consultation is being sent to the Saint Regis Mohawk Tribe, the Mohawk Nation, and the Stockbridge-Munsee Community Band of Mohicans.

Area of Potential Effect: The proposed project is located at 1125 and 1168 Bear Ladder Road West Fulton, Schoharie County, New York. The 1168 Bear Ladder Road address is the current location of the Town Hall and 1125 Bear Ladder Road address will be location of a new highway garage. Please see the attached maps for location of the two properties. No new ground disturbance will occur at 1168 Bear Ladder Road. The a potential area of ground disturbance at 1125 Bear Ladder Road is shown in the attached map and is estimated to be: highway garage with depth of 6 feet and 20,000 square feet; drive way and parking area having depths of 1 feet deep and approximately 60,000 square feet; and septic system an undetermined depth and 20,000 square feet.

Proposed Project Description: Hurricane Irene and Tropical Storm Lee forced road closures or detours on almost every major road in the Town of Fulton, with significant road damage occurring
in a number of locations. Road closures and detours made it difficult for personnel to respond to emergencies, thus impacting the safety of the residents. The Town’s efforts to respond to these events highlighted the need for more adaptable facilities capable of functioning as an Emergency Operations Center and for a site laid out in a way better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment that at the same time could provide a focal point for the assembly of residents who may not have been able to reach shelters immediately. During Hurricane Irene and Tropical Storm Lee site and facility constraints limited the Town’s ability to respond to the emergency.

The Town is seeking to enhance its emergency response capabilities through reconstruction of the town hall/highway department site and work spaces. These improvements will include rehabilitating, enlarging and modernizing the existing Town Hall and construction of a new highway garage. Modernization may involve such items as private offices and conference/meeting space, changing areas for first responders, and other improvements that will make for a more effective and efficient Emergency Operations Center (EOC). The project would also install permanent back-up power generation and electrical connections and a dedicated water supply to provide drinking water both to the facility and to residents. In order to accomplish these goals the Town will utilize a five-acre parcel 260 yards southeast of the existing Town Hall site for construction of a new highway garage and renovate the existing town hall/highway garage building to serve as the town hall and EOC exclusively.

The town hall/highway garage building on the current site will be renovated to serve as the town hall only. This site has been previously disturbed. It is likely that part of the existing building will need to be demolished. A new highway garage will be constructed on a separate, previously undisturbed site.

GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. GOSR has initiated consultation with SHPO and SHPO has issued a determination of No Historic Properties Affected for the project. If the Area of Potential Effect encompasses historic properties of religious or cultural significance to your Tribe, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

Mrs. Alicia Shultz  
Community Developer - Environmental Services  
New York State Homes & Community Renewal  
38-40 State St.,408N, Hampton Plaza  
Albany, NY 12207

I am available to answer any questions that you may have regarding this action. If you have any questions, please feel free to contact me at (518) 474-0647 or via email at Alicia.Shultz@nyshcr.org.
Sincerely,

Alicia Shultz  
Community Developer  
Bureau of Environmental Review and Assessment  
Governor’s Office of Storm Recovery

Enclosures:  
Attachment 1: Project Location Maps  
Attachment 2: SHPO Determination

Electronic letter sent to:  
Arnold Printup  
Saint Regis Mohawk Tribe, THPO  
412 State Route 37  
Akwesasne, NY 13655
to be demolished

no construction in this area. this parcel could not be purchased.

To be renovated
November 28, 2016

Mary Bartheleme  
Governor’s Office of Storm Recovery  
99 Washington Ave, Suite 1224  
Albany, NY 12231

Re: HTF/ GOSR/ CDBG-DR/ HUD/ NY Rising Program-  
Rebuild Fulton Town Hall  
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Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
November 28, 2016

Shannon Holsey, President
Stockbridge-Munsee Community, Band of the Mohicans
N8476 Moh He Con Nuck Road
Bowler, WI 54416

RE: Section 106 Compliance for Rebuild Fulton Town Hall Project, Town of Fulton, Schoharie County, New York

Dear President Shannon Holsey:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Community to respond with any concerns or comments.

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Mrs. Alicia Shultz  
Community Developer - Environmental Services  
New York State Homes & Community Renewal  
38-40 State St., 408N, Hampton Plaza  
Albany, NY 12207

I am available to answer any questions that you may have regarding this action. If you have any questions, please feel free to contact me at (518) 474-0647 or via email at Alicia.Shultz@nyshcr.org.
Sincerely,

Alicia Shultz
Community Developer
Bureau of Environmental Review and Assessment
Governor’s Office of Storm Recovery

Enclosures:
Attachment 1: Project Location Maps
Attachment 2: SHPO Determination

Electronic letter sent to:
Bonney Hartley
THPO, New York Office
Stockbridge-Munsee Community, Band of the Mohicans
65 1st Street
Troy, NY 12180
to be demolished

no construction in this area. this parcel could not be purchased.

To be renovated

TOWN HALL

PROPOSED EARTHEN FENCE PLANTED

LANDS N/W OF TOWN HALL

BAR LADDER RD

WEST FULTON RD

LANDS N/E OF BETHANY YARROW
12-1-24.2
ACRES

LANDS N/E OF TYRONE CORONATO
TAX ID # 158-2-18
1 ACRES

LANDS N/W OF TYRONE CORONATO
TAX ID # 158-2-18
1 ACRES

TOWN OF FULTON
4.76 ACRES
November 28, 2016

Mary Bartheleme
Governor’s Office of Storm Recovery
99 Washington Ave, Suite 1224
Albany, NY 12231

Re: HTF/ GOSR/ CDBG-DR/ HUD/ NY Rising Program-
Rebuild Fulton Town Hall
1125 and 1168 Bear Ladder Road, West Fulton/ Schoharie County
16PR07971

Dear Ms. Bartheleme:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Title 54, Section 306108 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/ Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based on this review, it is the opinion of SHPO that there will be No Historic Properties Affected by the proposed undertaking.

If I can be of further assistance, contact me at (518) 268-2187 or Larry.moss@parks.ny.gov

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
November 28, 2016

Mohawk Nation Council of Chiefs
Of Haudenosaunee Six Nations Confederacy
Akwesasne Territory Box 336
Via Rooseveltown, NY 13683-0366

RE: Section 106 Compliance for Rebuild Fulton Town Hall Project, Town of Fulton, Schoharie County, New York

Dear Mohawk Nation Council of Chiefs:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. GOSR proposes to provide funding for the construction of a new highway garage and improvements to the existing Town Hall in Fulton, New York. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 302706(b)), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. This consultation is being sent to the Saint Regis Mohawk Tribe, the Mohawk Nation, and the Stockbridge-Munsee Community Band of Mohicans.

Area of Potential Effect: The proposed project is located at 1125 and 1168 Bear Ladder Road West Fulton, Schoharie County, New York. The 1168 Bear Ladder Road address is the current location of the Town Hall and 1125 Bear Ladder Road address will be location of a new highway garage. Please see the attached maps for location of the two properties. No new ground disturbance will occur at 1168 Bear Ladder Road. The a potential area of ground disturbance at 1125 Bear Ladder Road is shown in the attached map and is estimated to be: highway garage with depth of 6 feet and 20,000 square feet; drive way and parking area having depths of 1 feet deep and approximately 60,000 square feet; and septic system an undetermined depth and 20,000 square feet.

Proposed Project Description: Hurricane Irene and Tropical Storm Lee forced road closures or detours on almost every major road in the Town of Fulton, with significant road damage occurring
in a number of locations. Road closures and detours made it difficult for personnel to respond to emergencies, thus impacting the safety of the residents. The Town’s efforts to respond to these events highlighted the need for more adaptable facilities capable of functioning as an Emergency Operations Center and for a site laid out in a way better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment that at the same time could provide a focal point for the assembly of residents who may not have been able to reach shelters immediately. During Hurricane Irene and Tropical Storm Lee site and facility constraints limited the Town’s ability to respond to the emergency.

The Town is seeking to enhance its emergency response capabilities through reconstruction of the town hall/highway department site and work spaces. These improvements will include rehabilitating, enlarging and modernizing the existing Town Hall and construction of a new highway garage. Modernization may involve such items as private offices and conference/meeting space, changing areas for first responders, and other improvements that will make for a more effective and efficient Emergency Operations Center (EOC). The project would also install permanent back-up power generation and electrical connections and a dedicated water supply to provide drinking water both to the facility and to residents. In order to accomplish these goals the Town will utilize a five-acre parcel 260 yards southeast of the existing Town Hall site for construction of a new highway garage and renovate the existing town hall/highway garage building to serve as the town hall and EOC exclusively.

The town hall/highway garage building on the current site will be renovated to serve as the town hall only. This site has been previously disturbed. It is likely that part of the existing building will need to be demolished. A new highway garage will be constructed on a separate, previously undisturbed site.

GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. GOSR has initiated consultation with SHPO and SHPO has issued a determination of No Historic Properties Affected for the project. If the Area of Potential Effect encompasses historic properties of religious or cultural significance to your Nation, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

Mrs. Alicia Shultz
Community Developer - Environmental Services
New York State Homes & Community Renewal
38-40 State St., 408N, Hampton Plaza
Albany, NY 12207
I am available to answer any questions that you may have regarding this action. If you have any questions, please feel free to contact me at (518) 474-0647 or via email at Alicia.Shultz@nyshcr.org.

Sincerely,

Alicia Shultz
Community Developer
Bureau of Environmental Review and Assessment
Governor’s Office of Storm Recovery

Enclosures:
Attachment 1: Project Location Maps
Attachment 2: SHPO Determination
PROJECT SITE MAP

Town Hall

PROJECT SITES

Highway Garage
November 28, 2016

Mary Barhelman
Governor's Office of Storm Recovery
99 Washington Ave, Suite 1224
Albany, NY 12231

Re: HTF/ GOSR/ CDBG-DR/ HUD/ NY Rising Program-
Rebuild Fulton Town Hall
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Based on this review, it is the opinion of SHPO that there will be No Historic Properties Affected by the proposed undertaking.

If I can be of further assistance, contact me at (518) 268-2187 or Larry.moss@parks.ny.gov

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
Hi Mary:

On behalf of Stockbridge-Munsee Community, we decline to consult on the Fulton Town Hall project as it is out of our areas of cultural interest.

Best,

Bonney

Mary Barthelme

Environmental and Historic Preservation Specialist
Governor’s Office of Storm Recovery
99 Washington Avenue, Suite 1224, Albany NY 12260
O: (518) 473-0154 | C: (646) 706-6748 | F: (518) 474-6102
Mary.Barthelme@stormrecovery.ny.gov
www.stormrecovery.ny.gov

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NWI Mapped Wetlands

1125 and 1168 Bear Ladder Road, Fulton, NY
NYSDEC Mapped Freshwater Wetlands
Ms. Alicia Shultz  
Community Developer- Environmental Services  
38-40 State Street, 408N Hampton Plaza  
Albany, NY  12207  

Re:  Wetland Assessment and Delineation  
Town of Fulton Emergency Operations Center Project  
Parcel 138-4-7, West Side of Bear Ladder Road  
Fulton, New York  

Dear Ms. Shultz:  

LiRo was retained by the Governor’s Office of Storm Recovery (GOSR) to conduct a wetland assessment and delineation at a vacant five acre property located on the west side of Bear Ladder Road in Fulton, New York (Site), as shown on Figure 1. Ms. Georgeanna Nugent Lussier of Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. (Foit-Albert) conducted the assignment under the direction of LiRo Engineers. It is our understanding that a new emergency operations center will be constructed on the Site and a wetland assessment is required prior to construction activities.  

Site Description  
The Site is approximately five acres and generally rectangular in shape. The Site is undeveloped and situated on a mildly sloped tract of land on the western side of Bear Ladder Road in Fulton, New York. The elevation of the property is approximately 940 to 960 feet above mean sea level (AMSL). The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flow into Schoharie Creek located approximately 1,000 feet to the east of the Site. The Site’s topography is depicted on Figure 2. Site photographs are provided in Attachment A.  

Map Review  
Topographic, wetland, and soils maps were reviewed online through the New York State Department of Environmental Conservation (NYSDEC), the United States Fish and Wildlife Service (USFWS), and the United States Department of Agriculture (USDA) Natural Conservation Service (NRCS) databases. The maps did not indicate any State or Federal jurisdictional wetlands within or adjacent to the subject property; however, based on a review of the aerial photographs (e.g., standing water) and soil maps (e.g., hydric soil indicators), a wetland assessment and delineation was requested by the GOSR.  

Methodology  
The wetland assessment and delineation was conducted in accordance with the 1987 “U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual” (Environmental Laboratory, 1987), the “Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: 
Northcentral and Northeast Region”, and the 1995 “New York State Freshwater Wetlands Delineation Manual” (NYSDEC, 1995). Both documents are used as guidance to evaluate jurisdictional wetland limits under the USACOE and the NYSDEC regulatory programs.

**Wetland Assessment and Delineation**

The wetland assessment and delineation was conducted on May 17, 2016 by Ms. Georgeanna Nugent Lussier of Foit-Albert. Three parameters were assessed and evaluated as part of this wetland assessment: vegetation, soils, and hydrology. Dominant species in each vegetation layer were evaluated in terms of their wetland indicator status according to the “National List of Plant Species that Occur in Wetlands (Northeast)” (USFWS, 1988). The soils were evaluated in accordance with the procedures outlined in the 1987 Manual and the 2010 “Field Indicators of Hydric Soils in the United States” Manual (USDA, NRCS, 2010). Soil colors were evaluated using a Munsell color chart, and hydric indicators were documented on the field forms. Wetland-upland boundaries were defined based on vegetation, hydrology, and soil characteristics, and delineated using a handheld Trimbell 8000 GPS unit. The field data including vegetation, soil and hydrology were recorded on Field Data Sheets. A total of two test pits (approximately 12” x 12” x 16”) were dug at the Site (Figure 3).

**Findings**

The following wetland indicator vegetation was identified during the wetland assessment and delineation: *Carex sp*, *Cornus sericea*, *Phragmites australis*, and *Solidago sp*. The extent of the wetland vegetation on the Site is depicted on Figure 3.

According to the USDA Natural Resources Conservation Service Web Soil Survey for Schoharie County, New York, the Site soil classifications are as follows:

- **Odessa and Rhinebeck silty clay loams**: This is described as soil with very deep, somewhat poorly drained soils formed in a clayey lacustrine deposits.
- **Schoharie and Hudson silty clay loams**: This is described as very deep, moderately well drained soils formed in clayey lacustrine sediments.
- **Lordstown channery silt loam**: This is described as a moderately deep, well drained, medium textured soil.

Details on these classifications are provided in Attachment B.

A total of two test pits were dug during this assessment; TP-W2 (in the wetland) and TP-U2 (outside of the wetland). Hydric soils were encountered in TPW2. Based on the field observations, the hydric soils were identified as silty clay loam. The top six inches of this test pit also had a reduced matrix, which is hydric soil indicator. Standing water was also observed in TP-W2 at four inches below the surface. The soil in the TP-U1 was composed of poorly sorted silty sand. No standing water was observed in this test pit.

The upland-wetland boundary was defined with a GPS unit during the wetland delineation. The vegetation and hydrology is fairly uniform throughout the Site. The wetland is delineated along
the eastern and southern portions of the Site and shown on Figure 3 covering approximately 2 acres of the Site. The completed Data Sheets are located in Attachment C.

**Conclusions**

There are no NYSDEC jurisdictional wetlands in the project area (NYSDEC, 2016). The wetland portion of the Site, which was delineated in the field, hydraulically connects to an unnamed tributary that flows into Schoharie Creek. Based on the “U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook”, the wetlands identified on this Site are hydraulically connected to Schoharie Creek and therefore, may be federally jurisdictional. In order to confirm whether these wetlands are federally jurisdictional, a preliminary jurisdictional determination should be requested from the USACE. A freshwater wetland permit will also be required if the proposed construction plans will impact the wetlands.

Should you have any questions or need further information, feel free to contact us directly.

Sincerely,

Maria Drakos
Project Scientist
**LiRo Engineers, Inc.**

**Attachments:**
- Attachment A - Photo Log
- Attachment B - USDA Soils Map and Data
- Attachment C – Wetland Data Sheets

- Figure 1 – Site Location Map
- Figure 2 – Site Topographic Map
- Figure 3 – Site Aerial Photograph with Wetland Delineation

**References:**


Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S.D.A. Soil


NYSDEC, 2016. “Environmental Resource Mapper”,


USDA, NRCS. 2010. Field Indicators of Hydric Soils in the United States, Version 7.0, G.W. Hurt, L.M. Vasilas, C.V. Noble (eds.). USDA, NRCS in cooperation with the National technical Committee for Hydric Soils, Fort Worth, TX.
FIGURE 1
SITE LOCATION MAP

Town of Fulton Emergency Operations Center Project, Fulton, New York
FIGURE 2
SITE TOPOGRAPHIC MAP

Legend:

- Site Boundary

Town of Fulton Emergency Operations Center Project, Fulton, New York
FIGURE 3
SITE AERIAL PHOTOGRAPH WITH WETLAND DELINEATION

Legend:
Aerial Imagery Source: Google Earth (dated May 2013)
- Site Boundary
- Wetland Boundary (within the Site)

Town of Fulton Emergency Operations Center Project, Fulton, New York
### Appendix A
#### Photo Log

<table>
<thead>
<tr>
<th>01</th>
<th>Photo facing northwest showing the ditch adjacent to Bear Ladder Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1.png" alt="Photo 01" /></td>
<td><img src="image2.png" alt="Photo 01" /></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>02</th>
<th>Photo facing southeast showing the ditch adjacent to Bear Ladder Road and the northeast corner property boundary.</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image3.png" alt="Photo 02" /></td>
<td><img src="image4.png" alt="Photo 02" /></td>
</tr>
<tr>
<td></td>
<td>Description</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>03</td>
<td>Photo showing standing water in TP-W2 and <em>Carex sp.</em></td>
</tr>
<tr>
<td>04</td>
<td>Photo showing soil from TP-W2</td>
</tr>
<tr>
<td>Photo Log</td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td><strong>05</strong></td>
<td></td>
</tr>
<tr>
<td>Photo facing northeast showing the upland area of the Site.</td>
<td></td>
</tr>
<tr>
<td><img src="image1.jpg" alt="Image" /></td>
<td></td>
</tr>
<tr>
<td><strong>06</strong></td>
<td></td>
</tr>
<tr>
<td>Photo facing north showing wetlands on the southeastern portion of the Site.</td>
<td></td>
</tr>
<tr>
<td><img src="image2.jpg" alt="Image" /></td>
<td></td>
</tr>
</tbody>
</table>
The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map:  Natural Resources Conservation Service
Coordinate System:  Web Mercator (EPSG:3857)
Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area:  Schoharie County, New York
Survey Area Data:  Version 11, Sep 24, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed:  Jun 19, 2010—Oct 9, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
## Map Unit Legend

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>LmC</td>
<td>Lordstown channery silt loam, 5 to 15 percent slopes</td>
<td>2.1</td>
<td>28.3%</td>
</tr>
<tr>
<td>OdB</td>
<td>Odessa and Rhinebeck silt loams, 2 to 6 percent slopes</td>
<td>1.7</td>
<td>22.5%</td>
</tr>
<tr>
<td>ShC</td>
<td>Schoharie and Hudson silt loams, 6 to 12 percent slopes</td>
<td>3.6</td>
<td>49.2%</td>
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</table>

### Totals for Area of Interest

<table>
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<th>Map Unit Symbol</th>
<th>Acres in AOI</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>7.4</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
**WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region**

**Project/Site:** Fulton Emerg Ops Ctr  
**City/County:** Schoharie  
**Sampling Date:** 5/17/16

**Applicant/Owner:** GOSR  
**State:** NY  
**Sampling Point:** 1P-1

**Investigator(s):** George N. Gosses  
**Section, Township, Range:** Fulton, NY

**Landform (hillslope, terrace, etc.):** Open Field  
**Local relief (concave, convex, none):** None  
**Slope (%):** 0-10

**Subregion (LRR or MLRA):** MLRA  
**Lat:**  
**Long:**  
**Datum:** NAD 1927

**Soil Map Unit Name:** Schoharie    
**NWI classification:**

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**Are climatic / hydrologic conditions on the site typical for this time of year?** Yes ✔ No (If no, explain in Remarks.)

**Are Vegetation _____ Soil _____, or Hydrology _____ significantly disturbed?**  
**Are “Normal Circumstances” present?** Yes ✔ No

**Are Vegetation _____ Soil _____, or Hydrology _____ naturally problematic?**  
(If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes ✔ No ✔</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes ✔ No ✔</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes ✔ No ✔</td>
<td>If yes, optional Wetland Site ID:</td>
<td></td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes ✔ No ✔</td>
<td></td>
<td></td>
</tr>
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</table>

**Remarks:** (Explain alternative procedures here or in a separate report.)

---

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<table>
<thead>
<tr>
<th>Primary Indicators (minimum of one is required; check all that apply)</th>
<th>Secondary Indicators (minimum of two required)</th>
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</thead>
<tbody>
<tr>
<td>Surface Water (A1)</td>
<td>Surface Soil Cracks (B6)</td>
</tr>
<tr>
<td>High Water Table (A2)</td>
<td>Drainage Patterns (B10)</td>
</tr>
<tr>
<td>Saturation (A3)</td>
<td>Moss Trim Lines (B16)</td>
</tr>
<tr>
<td>Water Marks (B1)</td>
<td>Dry-Season Water Table (C2)</td>
</tr>
<tr>
<td>Sediment Deposits (B2)</td>
<td>Crayfish Burrows (C8)</td>
</tr>
<tr>
<td>Drift Deposits (B3)</td>
<td>Oxidized Rhizospheres on Living Roots (C3)</td>
</tr>
<tr>
<td>Algal Mat or Crust (B4)</td>
<td>Presence of Reduced Iron (C4)</td>
</tr>
<tr>
<td>Iron Deposits (B5)</td>
<td>Recent Iron Reduction in Tilled Soils (C6)</td>
</tr>
<tr>
<td>Inundation Visible on Aerial Imagery (B7)</td>
<td>Thin Muck Surface (C7)</td>
</tr>
<tr>
<td>Sparsely Vegetated Concave Surface (B8)</td>
<td>Other (Explain in Remarks)</td>
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**Field Observations:**

<table>
<thead>
<tr>
<th>Surface Water Present? Yes ✔ No</th>
<th>Depth (inches):</th>
<th>Wetland Hydrology Present? Yes ✔ No</th>
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</thead>
<tbody>
<tr>
<td>Water Table Present? Yes ✔ No</td>
<td>Depth (inches):</td>
<td></td>
</tr>
<tr>
<td>Saturation Present? Yes ✔ No</td>
<td>Depth (inches):</td>
<td></td>
</tr>
</tbody>
</table>

(includes capillary fringe)

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**
<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.  node</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>2. open field</td>
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<td></td>
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<tr>
<td>3. 0</td>
<td></td>
<td></td>
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<td>7. 0</td>
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<tr>
<td>= Total Cover</td>
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<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
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<tbody>
<tr>
<td>1. Lonicera sp.</td>
<td>S</td>
<td>N</td>
<td>facv</td>
</tr>
<tr>
<td>2. 0</td>
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<tr>
<td>3. 0</td>
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<td>4. 0</td>
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<td>= Total Cover</td>
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<table>
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<th>Herb Stratum (Plot size: 5)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
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<tbody>
<tr>
<td>1. Allarica petiolata</td>
<td>30</td>
<td>y</td>
<td>U</td>
</tr>
<tr>
<td>2. ambrosia artemisia</td>
<td>30</td>
<td>y</td>
<td>U</td>
</tr>
<tr>
<td>3. Dachyris glomerata</td>
<td>30</td>
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<td>10. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>= Total Cover</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>= Total Cover</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Dominance Test worksheet:**
- Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
- Total Number of Dominant Species Across All Strata: 0 (B)
- Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

**Prevalence Index worksheet:**
- Total % Cover: Multiply by:
  - OBL species x 1 =
  - FACW species x 2 =
  - FAC species x 3 =
  - FACU species x 4 =
  - UPL species x 5 = 15 (A)
  - Column Totals: 15 (B)
  - Prevalence Index = B/A = 5

**Hydrophytic Vegetation Indicators:**
- Rapid Test for Hydrophytic Vegetation
- Dominance Test is >50%
- Prevalence Index is ≤3.0
- Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation (Explain)

**Definitions of Vegetation Strata:**
- Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
- Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.
- Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
- Woody vines – All woody vines greater than 3.28 ft in height.

**Hydrophytic Vegetation Present?** Yes No

Remarks: (Include photo numbers here or on a separate sheet.)
### Profile Description:
(Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10&quot;</td>
<td>10 YR 5/3</td>
<td>NONE</td>
<td>Siltysand with clay</td>
<td></td>
</tr>
<tr>
<td>10-16&quot;</td>
<td>10 YR 5/6</td>
<td>NONE</td>
<td>Siltysand less clay</td>
<td></td>
</tr>
</tbody>
</table>

**SOIL**

**Sampling Point:** T P U 1

---

**Type:** C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

**Hydric Soil Indicators:**
- Histosol (A1)
- Histic Epipedon (A2)
- Black Hist (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR R, MLRA 149B)

---

**Indicators for Problematic Hydric Soils:**
- Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
- Loamy Mucky Mineral (F1) (LRR K, L)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Redox Depressions (F8)

---

**Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**

**Restrictive Layer (if observed):**
- Type: NONE

**Hydric Soil Present?**
- Yes [ ]
- No [x]  

**Remarks:**
Dry, non disturbed
WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Fulton Energy Ops Ctr    City/County: Schoharie
Applicant/Owner: GOSR    State: NY
Investigator(s): Georgie Nuyten Lussier    Section, Township, Range: Fulton, NY
Landform (hillslope, terrace, etc.): Open Field    Local relief (concave, convex, none): none
Subregion (LRR or MLRA): MLRA
Soil Map Unit Name: Schoharie Hyd So

Are climatic / hydrologic conditions on the site typical for this time of year? Yes □ No □ (If no, explain in Remarks.)
Are Vegetation _____ Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes □ No □
Are Vegetation _____ Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes □ No □</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes □ No □</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes □ No □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes □ No □</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks: (Explain alternative procedures here or in a separate report.)

Standing water in test hole 0" 4" depth

HYDROLOGY

Wetland Hydrology Indicators:

<table>
<thead>
<tr>
<th>Primary Indicators (minimum of one is required; check all that apply)</th>
<th>Secondary Indicators (minimum of two required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Surface Water (A1)</td>
<td>Surface Soil Cracks (B6)</td>
</tr>
<tr>
<td>□ High Water Table (A2)</td>
<td>Drainage Patterns (B10)</td>
</tr>
<tr>
<td>□ Saturation (A3)</td>
<td>Aquatic Fauna (B13)</td>
</tr>
<tr>
<td>□ Water Marks (B1)</td>
<td>Moss Trim Lines (B16)</td>
</tr>
<tr>
<td>□ Sediment Deposits (B2)</td>
<td>Dry-Season Water Table (C2)</td>
</tr>
<tr>
<td>□ Drift Deposits (B3)</td>
<td>Crayfish Burrows (C8)</td>
</tr>
<tr>
<td>□ Algal Mat or Crust (B4)</td>
<td>Saturation Visible on Aerial Imagery (C9)</td>
</tr>
<tr>
<td>□ Iron Deposits (B5)</td>
<td>Stunted or Stressed Plants (D1)</td>
</tr>
<tr>
<td>□ Inundation Visible on Aerial Imagery (B7)</td>
<td>Geomorphic Position (D2)</td>
</tr>
<tr>
<td>□ Sparsely Vegetated Concave Surface (B8)</td>
<td>Shallow Aquitard (D3)</td>
</tr>
</tbody>
</table>

Field Observations:

<table>
<thead>
<tr>
<th>Surface Water Present?</th>
<th>Yes □ No □</th>
<th>Depth (inches): 2-4&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Table Present?</td>
<td>Yes □ No □</td>
<td>Depth (inches): 2&quot;</td>
</tr>
<tr>
<td>Saturation Present?</td>
<td>Yes □ No □</td>
<td>(includes capillary fringe)</td>
</tr>
</tbody>
</table>

Wetland Hydrology Present? Yes □ No □

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Test pit/aerial photos/NRCS

Remarks:

Standing water saturation present
### Dominance Test worksheet:
- Number of Dominant Species That Are OBL, FACW, or FAC: \( \frac{2}{3} \) (A)
- Total Number of Dominant Species Across All Strata: \( \frac{3}{100} \) (B)
- Percent of Dominant Species That Are OBL, FACW, or FAC: \( \frac{100}{100} \) (A/B)

### Prevalence Index worksheet:
- Total % Cover of:
  - OBL species \( \frac{1}{1} \times 1 = \frac{1}{1} \)
  - FACW species \( \frac{1}{2} \times 2 = \frac{2}{2} \)
  - FAC species \( \frac{1}{3} \times 3 = \frac{3}{3} \)
  - FACU species \( \frac{1}{4} \times 4 = \frac{4}{4} \)
  - UPL species \( \frac{1}{5} \times 5 = \frac{5}{5} \)
- Column Totals: \( \frac{5}{5} \) (A) \( \frac{12}{12} \) (B)
- Prevalence Index: \( B/A = \frac{12}{5} \)

### Hydrophytic Vegetation Indicators:
- 1 - Rapid Test for Hydrophytic Vegetation
- 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0\(^1\)
- 4 - Morphological Adaptations\(^1\) (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation\(^1\) (Explain)

\(^1\)Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

### Definitions of Vegetation Strata:
- **Tree** – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
- **Sapling/shrub** – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.
- **Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
- **Woody vines** – All woody vines greater than 3.28 ft in height.

### Remarks:
(Include photo numbers here or on a separate sheet.)
### Soil Profile Description:

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-8&quot;</td>
<td>10 YR 3/2</td>
<td>75</td>
<td>5 Y R 5/1</td>
<td>15</td>
<td>RM</td>
<td>M</td>
<td>silty</td>
<td>high clay depth</td>
</tr>
<tr>
<td>8&quot;-16&quot;</td>
<td>10 YR 3/3</td>
<td>80</td>
<td>5 Y 3/3</td>
<td>10</td>
<td>C</td>
<td>M</td>
<td>clay loam</td>
<td></td>
</tr>
</tbody>
</table>

1. **Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.**

2. **Location: PL=Pore Lining, M=Matrix.**

#### Hydric Soil Indicators:
- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR, MLRA 149B)

#### Indicators for Problematic Hydric Soils:
- 2 cm Muck (A10) (LRR K, L, MLRA 149B)
- Coast Prairie Redox (A16) (LRR K, L, R)
- 5 cm Mucky Peat or Peat (S3) (LRR K, L, R)
- Dark Surface (S7) (LRR K, L)
- Polyvalue Below Surface (S8) (LRR K, L)
- Thin Dark Surface (S9) (LRR K, L)
- Iron-Manganese Masses (F12) (LRR K, L, R)
- Piedmont Floodplain Soils (F19) (MLRA 149B)
- Mesic Spodic (Ta6) (MLRA 144A, 145, 149B)
- Red Parent Material (F21)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

#### Restrictive Layer (if observed):
- **Type:** None
- Depth (inches): 

#### Hydric Soil Present? Yes ✔ No __

**Remarks:**
- Water 6" below surface
- Clay content will depth
- Standing water surrounding area
July 14, 2016

Theresa Swenson
New York State Department of Environmental Conservation
Stamford Regional Office
65561 State Highway 10, Suite 1
Stamford New York 12167

RE: Jurisdictional Determination Request Fulton Town Hall - Town of Fulton Emergency Operations Center Project Parcel 138-4-7, West Side of Bear Ladder Road, Fulton, New York

Dear Ms. Swenson,

The Governor’s Office of Storm Recovery (GOSR) has contracted with LiRo Engineers, Inc. and Foit-Albert Associates to prepare the attached Jurisdictional Determination report for the Town of Fulton Emergency Operations Center Project, located at Parcel 138-4-7, on the West Side of Bear Ladder Road, Town of Fulton, Schoharie County, New York at 42° 32’ 12.60” North latitude and -74° 25’ 22.04” W longitude (see Figure 1 in the attached Fulton Wetland Assessment for site location).

This letter describes the wetlands and waterbodies located within the subject parcel for this Jurisdictional Determination request.

Background

The County of Schoharie, on the behalf of the Town of Fulton, is requesting Community Development Block Grant Disaster Recovery (CDBG-DR) funding to design and construct the Town of Fulton Emergency Operations Center. The Complex will include the Fulton Town administrative offices and the Highway Garage (these two distinct functions are currently located in the same building). The amount of space and layout of the current Town office hindered first responders during Hurricane Irene and Tropical Storm Lee.

The Town is seeking to enhance its emergency response capabilities by improving and enlarging vehicle bays in the highway garage; enlarge and improve the layout of the administrative space within the Town Hall to provide for private offices and conference/meeting space, changing areas for first responders, and a more effective and efficient Emergency Operations Center. The project would also install permanent back-
up generators and electrical connections, create ADA-compliant bathroom, and install a dedicated water supply to provide drinking water to residents.

Parcel 138-4-7 is located across the street from the current town hall and is the proposed location of the new Highway Garage. The Highway Garage will be used to store trucks required to spread salt which is stored on the town hall property in a salt storage building. Other locations of the Highway Garage have been explored however nearby vacant land, including land surrounding the town hall is owed by land owners who are not interested in selling property. Because the Highway Garage needs to be close to the salt storage building, the only feasible location of the garage is Parcel 138-40-7.

Site Description

Parcel 138-40-7 is approximately five acres and generally rectangular in shape. The parcel is undeveloped and situated on a mildly sloped tract of land on the western side of Bear Ladder Road in Fulton, New York. The elevation of the property is approximately 940 to 960 feet above mean sea level (AMSL). The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flows into Schoharie Creek located approximately 1,000 feet to the east of the Site.

The parcel’s topography is depicted on Figure 2 and site photographs are provided in Attachment A in the attached Fulton Wetland Assessment (assessment) letter report. The site is currently a fallow agricultural field. In recent history it was used for hay farming and livestock grazing. The attached assessment identified one unmapped wetlands within the parcel (see Figure 3 in the attached assessment).

Jurisdictional Determination Checklist Requirements

- CURRENT PROPERTY OWNER:
  Schoharie County
  276 Main Street, Suite 2
  P.O. Box 396
  Schoharie, New York 12157
  Shane Nickle, Senior Planner
  shanenickle@co.schohaire.ny.us
  (518) 295-8770

- WETLAND DELINEATOR:
  Foit-Albert Associates, Architecture, Engineering and Surveying, P.C.
  435 New Karner Road
  Albany, NY 12205
  (518) 452-1037
  Georgie Nugent, CHMM
  gnugent@foit-albert.com
  (518) 605-4878
Potential Pollutants

Potential pollutants to waters on and adjacent to the project area include highway runoff, agricultural runoff such as fertilizer, livestock waste, pesticides, insecticides, and sediment and pollutant runoff from construction on or near the site.

Potential Habitat for Species

The only federally endangered or threatened species identified through the United States Fish and Wildlife Service (USFWS) IPaC Trust Resources Report was the Indiana bat (*Myotis sodalis*). No habitat for Indiana bat (*Myotis sodalis*) was identified on the parcel.

Methodology

Topographic, wetland, and soils maps were reviewed online through the New York State Department of Environmental Conservation (NYSDEC), USFWS, and the United States Department of Agriculture (USDA) Natural Conservation Service (NRCS) databases. The maps did not indicate any State or Federal jurisdictional wetlands within or adjacent to the subject property; however, based on a review of the aerial photographs (e.g., standing water) and soil maps (e.g., hydric soil indicators), a wetland assessment and delineation was requested by the GOSR.

The wetland assessment and delineation was conducted in accordance with the 1987 “U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual” (Environmental Laboratory, 1987), the “Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region”, and the 1995 “New York State Freshwater Wetlands Delineation Manual” (NYSDEC, 1995). Both documents are used as guidance to evaluate jurisdictional wetland limits under the USACOE and the NYSDEC regulatory programs.

Three parameters were assessed and evaluated as part of this wetland assessment: vegetation, soils, and hydrology. Dominant species in each vegetation layer were evaluated in terms of their wetland indicator status according to the “National List of Plant Species that Occur in Wetlands (Northeast)” (USFWS, 1988). The soils were evaluated in accordance with the procedures outlined in the 1987 Manual and the 2010 “Field Indicators of Hydric Soils in the United States” Manual (USDA, NRCS, 2010). Soil colors were evaluated using a Munsell color chart, and hydric indicators were documented on the field forms. Wetland-upland boundaries were defined based on vegetation, hydrology, and soil characteristics, and delineated using a handheld Trimbell 8000 GPS unit. The field data including vegetation, soil and hydrology were recorded on Field Data Sheets. A total of two test pits (approximately 12” x 12” x 16”) were dug on the parcel (see Figure 3 in the attached assessment).
Hydrology

The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flow into Schoharie Creek located approximately 1,000 feet to the east of the Site. The Site’s topography is depicted on Figure 2 and site photographs are provided in Attachment A in the attached assessment.

Vegetation and Soil

The following wetland indicator vegetation was identified during the wetland assessment and delineation: Carex sp, Cornus sericea, Phragmites australis, and Solidago sp. The extent of the wetland vegetation on the parcel is depicted on Figure 3 in the attached assessment.

According to the USDA Natural Resources Conservation Service Web Soil Survey for Schoharie County, New York, the Site soil classifications are as follows:

- Odessa and Rhinebeck silty clay loams: This is described as soil with very deep, somewhat poorly drained soils formed in clayey lacustrine deposits.
- Schoharie and Hudson silty clay loams: This is described as very deep, moderately well drained soils formed in clayey lacustrine sediments.
- Lordstown channery silt loam: This is described as a moderately deep, well drained, medium textured soil.

Details on these classifications are provided in Attachment B in the attached assessment.

Field Delineation

The wetland assessment and delineation was conducted on May 17, 2016. A total of two test pits were dug during this assessment: TP-W2 (in the wetland) and TP-U2 (outside of the wetland). Hydric soils were encountered in TPW2. Based on the field observations, the hydric soils were identified as silty clay loam. The top six inches of this test pit also had a reduced matrix, which is hydric soil indicator. Standing water was also observed in TP-W2 at four inches below the surface. The soil in the TP-U1 was composed of poorly sorted silty sand. No standing water was observed in this test pit. The upland-wetland boundary was defined with a GPS unit during.
Summary

There are no mapped NYSDEC jurisdictional wetlands on the parcel (NYSDEC, 2016). The wetland portion of the parcel, which was delineated in the field, hydraulically connects to an unnamed tributary that flows into Schoharie Creek and may be an unmapped wetland subject to NYSDEC jurisdiction. In order to confirm whether these wetlands are jurisdictional to the NYSDEC, a jurisdictional determination is requested.

Sincerely,

[Signature]

Thomas J. King
Environmental Director
New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
1115 NYS Route 86 - PO Box 296, Ray Brook, New York 12977
website: www.dec.state.ny.us

Request for a Wetland Determination or Delineation

To request a wetland field inspection on a parcel of property, please complete this form and submit it with the items listed below to the appropriate regional DEC office.

NOTE: Because a delineation is based on observation of field indicators of plants, soils, and other ground features, wetland field work is often limited to when conditions allow (typically May 1 until November 1).

1. **Person requesting the services:**
   
   Name: Thomas King, Governors Office of Storm Recovery  
   Mailing Address: 99 Washington Avenue, Suite 1224  
   City/State/Zip: Albany, New York 12260  
   Daytime Telephone: 518-473-0015  
   e-mail address: Thomas.King@stormrecovery.ny.org

2. **Landowner (if different):**
   
   Name: Schoharie County, c/o Shane Nickle - Senior Planner  
   Mailing Address: 276 Main Street, Suite 2, P.O. Box 396  
   City/State/Zip: Schoharie, New York 12157  
   Daytime Telephone: 518-295-8770

Note: If the person requesting the delineation or determination is NOT the owner of the parcel of land, you must obtain and attach a letter with the landowner's written permission in order for an agency representative to inspect the property.

3. **Reason for requesting a field inspection at this time:**
   - [ ] purchasing or selling property  
   - [x] proposing a project to **Construct Highway Garage**  
   - [ ] other (explain):  

4. **Property Location:**
   
   Street address of property: parcel 138-4-7 Bear Ladder Road  
   Wetland Identification Number (if known): e.g. GR-15  
   Section/block/lot number (from tax map) if known: 137-4-7  
   Attach the following maps, if available:
   - [x] a section of either a county road map or a USGS topographic map with the location of the property highlighted;  
   - [ ] and, if available a tax map, plat, or survey map that shows all the property boundaries.

I hereby request that a Department representative inspect the property indicated to determine the presence or boundary of any wetlands present. If a delineation is performed, and the Department deems necessary for the purpose of any subsequent permit application, I agree to have the boundary surveyed and to send three (3) copies of the survey map to the Department for approval.

Signature of requestor/owner: ____________________________ Date: 7/14/16

<table>
<thead>
<tr>
<th>Inquiry #</th>
<th>Wetland #</th>
<th>For Agency Use Only:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland Class:</td>
<td>USGS Quad Name:</td>
<td>GIS File:</td>
</tr>
</tbody>
</table>

Forwarded to: ____________________________ Date: ____________________________
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   - ☐ purchasing or selling property
   - ☑ proposing a project to Construct Highway Garage
   - ☐ other (explain): ____________________________

4. **Property Location:**
   - Street address of property: parcel 138-4-7 Bear Ladder Road
   - Wetland Identification Number (if known): e.g. GR-15
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   **Attach the following maps, if available:**
   - ☑ a section of either a county road map or a USGS topographic map with the location of the property highlighted; and, if available
   - ☐ a tax map, plat, or survey map that shows all the property boundaries.

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Signature of requestor/owner: ____________________________  Date: __________/____/____

<table>
<thead>
<tr>
<th>Inquiry #</th>
<th>Wetland #</th>
<th>Wetland Class</th>
<th>USGS Quad Name</th>
<th>GIS File</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For Agency Use Only:

Forwarded to: ____________________________  Date: __________/____/____
Ms. Alicia Shultz  
Community Developer- Environmental Services  
38-40 State Street, 408N Hampton Plaza  
Albany, NY  12207

Re:  Wetland Assessment and Delineation  
      Town of Fulton Emergency Operations Center Project  
      Parcel 138-4-7, West Side of Bear Ladder Road  
      Fulton, New York

Dear Ms. Shultz:

LiRo was retained by the Governor’s Office of Storm Recovery (GOSR) to conduct a wetland assessment and delineation at a vacant five acre property located on the west side of Bear Ladder Road in Fulton, New York (Site), as shown on Figure 1. Ms. Georgeanna Nugent Lussier of Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. (Foit-Albert) conducted the assignment under the direction of LiRo Engineers. It is our understanding that a new emergency operations center will be constructed on the Site and a wetland assessment is required prior to construction activities.

**Site Description**

The Site is approximately five acres and generally rectangular in shape. The Site is undeveloped and situated on a mildly sloped tract of land on the western side of Bear Ladder Road in Fulton, New York. The elevation of the property is approximately 940 to 960 feet above mean sea level (AMSL). The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flow into Schoharie Creek located approximately 1,000 feet to the east of the Site. The Site’s topography is depicted on Figure 2. Site photographs are provided in Attachment A.

**Map Review**

Topographic, wetland, and soils maps were reviewed online through the New York State Department of Environmental Conservation (NYSDEC), the United States Fish and Wildlife Service (USFWS), and the United States Department of Agriculture (USDA) Natural Conservation Service (NRCS) databases. The maps did not indicate any State or Federal jurisdictional wetlands within or adjacent to the subject property; however, based on a review of the aerial photographs (e.g., standing water) and soil maps (e.g., hydric soil indicators), a wetland assessment and delineation was requested by the GOSR.

**Methodology**

The wetland assessment and delineation was conducted in accordance with the 1987 “U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual” (Environmental Laboratory, 1987), the “Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual:
Northcentral and Northeast Region”, and the 1995 “New York State Freshwater Wetlands Delineation Manual” (NYSDEC, 1995). Both documents are used as guidance to evaluate jurisdictional wetland limits under the USACOE and the NYSDEC regulatory programs.

Wetland Assessment and Delineation
The wetland assessment and delineation was conducted on May 17, 2016 by Ms. Georgeanna Nugent Lussier of Foit-Albert. Three parameters were assessed and evaluated as part of this wetland assessment: vegetation, soils, and hydrology. Dominant species in each vegetation layer were evaluated in terms of their wetland indicator status according to the “National List of Plant Species that Occur in Wetlands (Northeast)” (USFWS, 1988). The soils were evaluated in accordance with the procedures outlined in the 1987 Manual and the 2010 “Field Indicators of Hydric Soils in the United States” Manual (USDA, NRCS, 2010). Soil colors were evaluated using a Munsell color chart, and hydric indicators were documented on the field forms. Wetland-upland boundaries were defined based on vegetation, hydrology, and soil characteristics, and delineated using a handheld Trimbell 8000 GPS unit. The field data including vegetation, soil and hydrology were recorded on Field Data Sheets. A total of two test pits (approximately 12” x 12” x 16”) were dug at the Site (Figure 3).

Findings
The following wetland indicator vegetation was identified during the wetland assessment and delineation: Carex sp, Cornus sericea, Phragmites australis, and Solidago sp. The extent of the wetland vegetation on the Site is depicted on Figure 3.

According to the USDA Natural Resources Conservation Service Web Soil Survey for Schoharie County, New York, the Site soil classifications are as follows:

- **Odessa and Rhinebeck silty clay loams**: This is described as soil with very deep, somewhat poorly drained soils formed in a clayey lacustrine deposits.
- **Schoharie and Hudson silty clay loams**: This is described as very deep, moderately well drained soils formed in clayey lacustrine sediments.
- **Lordstown channery silt loam**: This is described as a moderately deep, well drained, medium textured soil.

Details on these classifications are provided in Attachment B.

A total of two test pits were dug during this assessment; TP-W2 (in the wetland) and TP-U2 (outside of the wetland). Hydric soils were encountered in TPW2. Based on the field observations, the hydric soils were identified as silty clay loam. The top six inches of this test pit also had a reduced matrix, which is hydric soil indicator. Standing water was also observed in TP-W2 at four inches below the surface. The soil in the TP-U1 was composed of poorly sorted silty sand. No standing water was observed in this test pit.

The upland-wetland boundary was defined with a GPS unit during the wetland delineation. The vegetation and hydrology is fairly uniform throughout the Site. The wetland is delineated along
the eastern and southern portions of the Site and shown on Figure 3 covering approximately 2 acres of the Site. The completed Data Sheets are located in Attachment C.

**Conclusions**

There are no NYSDEC jurisdictional wetlands in the project area (NYSDEC, 2016). The wetland portion of the Site, which was delineated in the field, hydraulically connects to an unnamed tributary that flows into Schoharie Creek. Based on the “U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook”, the wetlands identified on this Site are hydraulically connected to Schoharie Creek and therefore, may be federally jurisdictional. In order to confirm whether these wetlands are federally jurisdictional, a preliminary jurisdictional determination should be requested from the USACE. A freshwater wetland permit will also be required if the proposed construction plans will impact the wetlands.

Should you have any questions or need further information, feel free to contact us directly.

Sincerely,

Maria Drakos
Project Scientist
LiRo Engineers, Inc.

**Attachments:**
Attachment A - Photo Log
Attachment B - USDA Soils Map and Data
Attachment C – Wetland Data Sheets

Figure 1 – Site Location Map
Figure 2 – Site Topographic Map
Figure 3 – Site Aerial Photograph with Wetland Delineation

**References:**


Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S.D.A. Soil


NYSDEC, 2016. “Environmental Resource Mapper”,


USDA, NRCS. 2010. Field Indicators of Hydric Soils in the United States, Version 7.0, G.W. Hurt, L.M. Vasilas, C.V. Noble (eds.). USDA, NRCS in cooperation with the National technical Committee for Hydric Soils, Fort Worth, TX.
FIGURE 1
SITE LOCATION MAP

Town of Fulton Emergency Operations Center Project, Fulton, New York
FIGURE 2
SITE TOPOGRAPHIC MAP

Town of Fulton Emergency Operations Center Project, Fulton, New York
FIGURE 3
SITE AERIAL PHOTOGRAPH WITH WETLAND DELINEATION

Legend:
Aerial Imagery Source: Google Earth (dated May 2013)
- Site Boundary
- Wetland Boundary (within the Site)

Town of Fulton Emergency Operations Center Project, Fulton, New York
### Appendix A

#### Photo Log

<table>
<thead>
<tr>
<th>01</th>
<th>Photo facing northwest showing the ditch adjacent to Bear Ladder Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1.png" alt="Image" /></td>
<td>05/17/2016</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>02</th>
<th>Photo facing southeast showing the ditch adjacent to Bear Ladder Road and the northeast corner property boundary.</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image2.png" alt="Image" /></td>
<td>05/17/2016</td>
</tr>
</tbody>
</table>
### Appendix A

**Photo Log**

<table>
<thead>
<tr>
<th></th>
<th>Photo showing standing water in TP-W2 and <em>Carex sp.</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>03</td>
<td><img src="image1.png" alt="Photo 03" /></td>
</tr>
<tr>
<td>04</td>
<td>Photo showing soil from TP-W2</td>
</tr>
<tr>
<td></td>
<td><img src="image2.png" alt="Photo 04" /></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>05</strong></td>
<td><img src="image" alt="Photo facing northeast showing the upland area of the Site." /></td>
</tr>
<tr>
<td><strong>06</strong></td>
<td><img src="image" alt="Photo facing north showing wetlands on the southeastern portion of the Site." /></td>
</tr>
</tbody>
</table>
The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Schoharie County, New York
Survey Area Data: Version 11, Sep 24, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 19, 2010—Oct 9, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
## Map Unit Legend

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>LmC</td>
<td>Lordstown channery silt loam, 5 to 15 percent slopes</td>
<td>2.1</td>
<td>28.3%</td>
</tr>
<tr>
<td>OdB</td>
<td>Odessa and Rhinebeck silt loams, 2 to 6 percent slopes</td>
<td>1.7</td>
<td>22.5%</td>
</tr>
<tr>
<td>ShC</td>
<td>Schoharie and Hudson silt loams, 6 to 12 percent slopes</td>
<td>3.6</td>
<td>49.2%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>7.4</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
**WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region**

**Project/Site:** Fulton Emerg Ops Ctr  
**City/County:** Schoharie  
**State:** NY  
**Sampling Date:** 5/17/16  
**Applicant/Owner:** GOSR  
**Investigator(s):** Georgie Nugent Lussier  
**Section, Township, Range:** Fulton, NY  
**Landform (hillslope, terrace, etc.):** Open Field  
**Local relief (concave, convex, none):** None  
**Slope (%):** 0-10  
**Subregion (LRR or MLRA):** MLRA  
**Lat:**  
**Long:**  
**Datum:** NAD 1927  
**Soil Map Unit Name:** Schoharie Hud son  
**NWI classification:**  

Are climatic / hydrologic conditions on the site typical for this time of year? **Yes** ✓  
No  
(If no, explain in Remarks.)  

Are Vegetation  
Soil  
or Hydrology  
significantly disturbed?  
Are "Normal Circumstances" present? **Yes** ✓  
No  
(If needed, explain any answers in Remarks.)  

**SUMMARY OF FINDINGS** – Attach site map showing sampling point locations, transects, important features, etc.

| Hydrophytic Vegetation Present? | Yes ✔ | No  
| Hydric Soil Present? | Yes ✔ | No  
| Wetland Hydrology Present? | Yes ✔ | No  

**Is the Sampled Area within a Wetland?**  
**Yes** ✔  
No  
(If yes, optional Wetland Site ID: )

**Remarks:** (Explain alternative procedures here or in a separate report.)

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<table>
<thead>
<tr>
<th>Primary Indicators (minimum of one is required; check all that apply)</th>
<th>Secondary Indicators (minimum of two required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Water (A1)</td>
<td>Surface Soil Cracks (B6)</td>
</tr>
<tr>
<td>High Water Table (A2)</td>
<td>Drainage Patterns (B10)</td>
</tr>
<tr>
<td>Saturation (A3)</td>
<td>Moss Trim Lines (B16)</td>
</tr>
<tr>
<td>Water Marks (B1)</td>
<td>Dry-Season Water Table (C2)</td>
</tr>
<tr>
<td>Sediment Deposits (B2)</td>
<td>Crayfish Burrows (C8)</td>
</tr>
<tr>
<td>Drift Deposits (B3)</td>
<td>Oxidized Rhizospheres on Living Roots (C3)</td>
</tr>
<tr>
<td>Algal Mat or Crust (B4)</td>
<td>Presence of Reduced Iron (C4)</td>
</tr>
<tr>
<td>Iron Deposits (B5)</td>
<td>Recent Iron Reduction in Tilled Soils (C6)</td>
</tr>
<tr>
<td>Other (Explain in Remarks)</td>
<td>Thin Muck Surface (C7)</td>
</tr>
<tr>
<td>Sparsely Vegetated Concave Surface (B8)</td>
<td>Stunted or Stressed Plants (D1)</td>
</tr>
</tbody>
</table>

**Field Observations:**

| Surface Water Present? | Yes ✔ | No  |
| Water Table Present? | Yes ✔ | No  |
| Saturation Present? | Yes ✔ | No  |

(Option: includes capillary fringe)

**Wetland Hydrology Present?**  
**Yes** ✔  
No  

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**
<table>
<thead>
<tr>
<th>Stratum</th>
<th>Plot Size</th>
<th>Absolute % Cover</th>
<th>Dominant Species</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree Stratum</td>
<td>30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
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</tr>
<tr>
<td>3.</td>
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<tr>
<td>4.</td>
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</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sapling/Shrub Stratum</td>
<td>15</td>
<td></td>
<td>Lonicera sp.</td>
<td>N facu</td>
</tr>
<tr>
<td>1.</td>
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<tr>
<td>2.</td>
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<td>3.</td>
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<td>6.</td>
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<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Herb Stratum</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td>Allaria petiolata</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td>Ambrosia artemisiifolia</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td>Dactylis glomerata</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
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<tr>
<td>6.</td>
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<td>7.</td>
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<td>8.</td>
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<td>9.</td>
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<tr>
<td>10.</td>
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<tr>
<td>11.</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woody Vine Stratum</td>
<td>30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>100</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sampling Point: JP-V1**

**Dominance Test worksheet:**
- Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
- Total Number of Dominant Species Across All Strata: 0 (B)
- Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

**Prevalence Index worksheet:**
- Total % Cover: Multiply by:
  - OBL species: x 1 =
  - FACW species: x 2 =
  - FAC species: x 3 =
  - FACU species: x 4 =
  - UPL species: 3 x 5 = 15 (A) 15 (B)
- Column Totals: 15 (A) 15 (B)
- Prevalence Index = B/A = 5

**Hydrophytic Vegetation Indicators:**
1. Rapid Test for Hydrophytic Vegetation
2. Dominance Test is >50%
3. Prevalence Index is ≤3.0
4. Morphological Adaptations
5. Problematic Hydrophytic Vegetation

**Definitions of Vegetation Strata:**
- **Tree** — Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
- **Sapling/shrub** — Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.
- **Herb** — All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
- **Woody vines** — All woody vines greater than 3.28 ft in height.

**Hydrophytic Vegetation Present?** Yes [ ] No [√]

**Remarks:** (Include photo numbers here or on a separate sheet.)
### Profile Description:
(Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10</td>
<td></td>
<td>10 YR 5/3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-16</td>
<td></td>
<td>10 YR 3/6</td>
<td></td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

### Hydric Soil Indicators:
- Histosol (A1)
- Histic Epepedon (A2)
- Black Hist (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7, LRR R, MLRA 149B)
- Polys value Below Surface (S6, LRR R, MLRA 149B)
- Thin Dark Surface (S9, LRR R, MLRA 149B)
- Loamy Mucky Mineral (F1, LRR K, L)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Depleted Dark Surface (F6)
- Redox Dark Surface (F6)
- Redox Depressions (F8)

### Indicators for Problematic Hydric Soils:
- 2 cm Muck (A10, LRR K, L, MLRA 149B)
- Coast Prairie Redox (A16, LRR K, L, R)
- 5 cm Mucky Peat or Peat (S3, LRR K, L, R)
- Dark Surface (S7, LRR K, L)
- Polys value Below Surface (S8, LRR K, L)
- Thin Dark Surface (S9, LRR K, L)
- Iron-Manganese Masses (F12, LRR K, L, R)
- Piedmont Floodplain Soils (F19, MLRA 149B)
- Memic Spodic (TA6, MLRA 144A, 145, 149B)
- Red Parent Material (F21)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

### Restrictive Layer (if observed):
- Type: None
- Depth (inches):

### Hydric Soil Present?
- Yes ☑️
- No ☐

### Remarks:
Dry, non disturbed.
WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Fulton Energy Ops Ctr  City/County: Schoharie  Sampling Date: 5/17/16
Applicant/Owner: GOSR  State: NY  Sampling Point: TP-W-2
Investigator(s): George奔波 outrageous  Center Township, Range: Fulton, NY
Landform (hillslope, terrace, etc.): Green Field  Local relief (concave, convex, none): none  Slope (%): 0-10
Subregion (LRR or MLRA): MLRA1  Datum: NAD 1927
Soil Map Unit Name: Schoharie Hydson  NWI classification:

Are climatic / hydrologic conditions on the site typical for this time of year? Yes [V] No [ ] (If no, explain in Remarks.)
Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes [V] No [ ]
Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes [V] No</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes [V] No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes [V] No</td>
<td>If yes, optional Wetland Site ID:</td>
<td></td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes [V] No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks: (Explain alternative procedures here or in a separate report.)

Standing water in test hole 0.4'' depth

HYDROLOGY

Wetland Hydrology Indicators:

<table>
<thead>
<tr>
<th>Primary Indicators (minimum of one is required; check all that apply)</th>
<th>Secondary Indicators (minimum of two required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Surface Water (A1)</td>
<td>✓ Surface Soil Cracks (B6)</td>
</tr>
<tr>
<td>✓ High Water Table (A2)</td>
<td>✓ Drainage Patterns (B10)</td>
</tr>
<tr>
<td>✓ Saturation (A3)</td>
<td>✓ Moss Trim Lines (B16)</td>
</tr>
<tr>
<td>✓ Water Marks (B1)</td>
<td>✓ Dry-Season Water Table (C2)</td>
</tr>
<tr>
<td>✓ Sediment Deposits (B2)</td>
<td>✓ Clay Burrows (C8)</td>
</tr>
<tr>
<td>✓ Drift Deposits (B3)</td>
<td>✓ Saturation Visible on Aerial Imagery (C9)</td>
</tr>
<tr>
<td>✓ Algal Mat or Crust (B4)</td>
<td>✓ Stunted or Stressed Plants (D1)</td>
</tr>
<tr>
<td>✓ Iron Deposits (B5)</td>
<td>✓ Geomorphic Position (D2)</td>
</tr>
<tr>
<td>✓ Submersed Vegetation on Aerial Imagery (B7)</td>
<td>◼ Shallow Aquitard (D3)</td>
</tr>
<tr>
<td>✓ Sparsely Vegetated Concave Surface (B8)</td>
<td>◼ Microtopographic Relief (D4)</td>
</tr>
<tr>
<td>✓ Other (Explain in Remarks)</td>
<td>◼ FAC-Neutral Test (D5)</td>
</tr>
</tbody>
</table>

Field Observations:

Surface Water Present? Yes [V] No  Depth (inches): 2-4''
Water Table Present? Yes [V] No  Depth (inches): 2''
Saturation Present? (includes capillary fringe) Yes [V] No  Depth (inches): 2-4''

Wetland Hydrology Present? Yes [V] No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Test pit/aerial photos/NRCS

Remarks:

Standing water saturation present
**VEGETATION** – Use scientific names of plants.

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td>Number of Dominant Species That Are OBL, FACW, or FAC: 2 (\text{A})</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td>Total Number of Dominant Species Across All Strata: 3 (\text{B})</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td>Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (\text{A/B})</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15)</th>
<th>= Total Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>15</td>
</tr>
<tr>
<td>2.</td>
<td>15</td>
</tr>
<tr>
<td>3.</td>
<td>15</td>
</tr>
<tr>
<td>4.</td>
<td>15</td>
</tr>
<tr>
<td>5.</td>
<td>15</td>
</tr>
<tr>
<td>6.</td>
<td>15</td>
</tr>
<tr>
<td>7.</td>
<td>15</td>
</tr>
</tbody>
</table>

**Prevalence Index worksheet:**

<table>
<thead>
<tr>
<th>Total % Cover of:</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL species</td>
<td>1 x 1 = 1</td>
</tr>
<tr>
<td>FACW species</td>
<td>1 x 2 = 2</td>
</tr>
<tr>
<td>FAC species</td>
<td>3 x 3 = 9</td>
</tr>
<tr>
<td>FACU species</td>
<td>x 4</td>
</tr>
<tr>
<td>UPL species</td>
<td>x 5</td>
</tr>
<tr>
<td>Column Totals:</td>
<td>5 (\text{A}) 12 (\text{B})</td>
</tr>
</tbody>
</table>

Prevalence Index = \(\frac{12}{5}\)

**Hydrophytic Vegetation Indicators:**

1. Rapid Test for Hydrophytic Vegetation
2. Dominance Test is >50%
3. Prevalence Index is ≤3.0\(^1\)
4. Morphological Adaptations\(^1\) (Provide supporting data in Remarks or on a separate sheet)
   - Problematic Hydrophytic Vegetation\(^1\) (Explain)

\(^1\)Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ✔ No ___

**Definitions of Vegetation Strata:**

**Tree** – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

**Sapling/shrub** – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

**Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

**Woody vines** – All woody vines greater than 3.28 ft in height.

**Remarks:** (Include photo numbers here or on a separate sheet.)
SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-8&quot;</td>
<td>10YR 3/2</td>
<td>75</td>
</tr>
<tr>
<td>8&quot;-16&quot;</td>
<td>10YR 3/3</td>
<td>80</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Color (moist)</th>
<th>Color (moist)</th>
<th>% Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>YR 3/2</td>
<td>YR 3/3</td>
<td>15</td>
<td>RM</td>
<td>M</td>
<td>Clay</td>
</tr>
</tbody>
</table>
| YR 3/3       | YR 3/3       | 10     | C   | M       | Clay Loam

Hydric Soil Indicators:
- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR R, MLRA 149B)

Polyvalue Below Surface (S6) (LRR R, MLRA 149B)
Thin Dark Surface (S9) (LRR R, MLRA 149B)
Loamy Mucky Mineral (F1) (LRR K, L)
Loamy Gleyed Matrix (F2)
Depleted Matrix (F3)
Redox Dark Surface (F6)
Depleted Dark Surface (F7)
Redox Depressions (F8)

Indicators for Problematic Hydric Soils:
- 2 cm Muck (A10) (LRR K, L, MLRA 149B)
- Coast Prairie Redox (A16) (LRR K, L, R)
- 5 cm Mucky Peat or Peat (S3) (LRR K, L, R)
- Dark Surface (S7) (LRR K, L)
- Polyvalue Below Surface (S8) (LRR K, L)
- Thin Dark Surface (S9) (LRR K, L)
- Iron-Manganese Masses (F12) (LRR K, L, R)
- Piedmont Floodplain Soils (F19) (MLRA 149B)
- Mesic Spodic (TA6) (MLRA 144A, 145, 149B)
- Red Parent Material (F21)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):
Type: None
Depth (inches): _______

Hydric Soil Present? Yes [X] No [ ]

Remarks:
- Water 0.4" below surface
- Clay content 0.5" depth
- Standing water surrounding area
July 14, 2016

U.S. Army Corps of Engineers
Upstate Regulatory Field Office
ATTN: CENAN-OP-RU, Bldg. 10,
3rd Floor North
1 Buffington Street, Watervliet Arsenal
Watervliet, New York 12189-4000

RE: Jurisdictional Determination Request Fulton Town Hall - Town of Fulton
Emergency Operations Center Project Parcel 138-4-7, West Side of Bear Ladder Road, Fulton, New York

To Whom it May Concern,

The Governor’s Office of Storm Recovery (GOSR) has contracted with LiRo Engineers, Inc. and Foit-Albert Associates to prepare the attached Jurisdictional Determination report for the Town of Fulton Emergency Operations Center Project, located at Parcel 138-4-7, on the West Side of Bear Ladder Road, Town of Fulton, Schoharie County, New York at 42° 32’ 12.60” North latitude and -74° 25’ 22.04” W longitude (see Figure 1 in the attached Fulton Wetland Assessment for site location).

This letter describes the wetlands and waterbodies located within the subject parcel for this Jurisdictional Determination request.

Background

The County of Schoharie, on the behalf of the Town of Fulton, is requesting Community Development Block Grant Disaster Recovery (CDBG-DR) funding to design and construct the Town of Fulton Emergency Operations Center. The Complex will include the Fulton Town administrative offices and the Highway Garage (these two distinct functions are currently located in the same building). The amount of space and layout of the current Town office hindered first responders during Hurricane Irene and Tropical Storm Lee.

The Town is seeking to enhance its emergency response capabilities by improving and enlarging vehicle bays in the highway garage; enlarge and improve the layout of the administrative space within the Town Hall to provide for private offices and conference/meeting space, changing areas for first responders, and a more effective and efficient Emergency Operations Center. The project would also install permanent back-
up generators and electrical connections, create ADA-compliant bathroom, and install a dedicated water supply to provide drinking water to residents.

Parcel 138-4-7 is located across the street from the current town hall and is the proposed location of the new Highway Garage. The Highway Garage will be used to store trucks required to spread salt which is stored on the town hall property in a salt storage building. Other locations of the Highway Garage have been explored however nearby vacant land, including land surrounding the town hall is owed by land owners who are not interested in selling property. Because the Highway Garage needs to be close to the salt storage building, the only feasible location of the garage is Parcel 138-40-7.

Site Description

Parcel 138-40-7 is approximately five acres and generally rectangular in shape. The parcel is undeveloped and situated on a mildly sloped tract of land on the western side of Bear Ladder Road in Fulton, New York. The elevation of the property is approximately 940 to 960 feet above mean sea level (AMSL). The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flows into Schoharie Creek located approximately 1,000 feet to the east of the Site.

The parcel’s topography is depicted on Figure 2 and site photographs are provided in Attachment A in the attached Fulton Wetland Assessment (assessment) letter report. The site is currently a fallow agricultural field. In recent history it was used for hay farming and livestock grazing. The attached assessment identified one unmapped wetlands within the parcel (see Figure 3 in the attached assessment).

Jurisdictional Determination Checklist Requirements

• CURRENT PROPERTY OWNER:
  Schoharie County
  276 Main Street, Suite 2
  P.O. Box 396
  Schoharie, New York 12157
  Shane Nickle, Senior Planner
  shanenickle@co.schohaire.ny.us
  (518) 295-8770

• WETLAND DELINEATOR:
  Foit-Albert Associates, Architecture, Engineering and Surveying, P.C.
  435 New Karner Road
  Albany, NY 12205
  (518) 452-1037
  Georgie Nugent, CHMM
  gnugent@foit-albert.com
  (518) 605-4878
**Potential Pollutants**

Potential pollutants to waters on and adjacent to the project area include highway runoff, agricultural runoff such as fertilizer, livestock waste, pesticides, insecticides, and sediment and pollutant runoff from construction on or near the site.

**Potential Habitat for Species**

The only federally endangered or threatened species identified through the United States Fish and Wildlife Service (USFWS) IPaC Trust Resources Report was the Indiana bat (*Myotis sodalis*). No habitat for Indiana bat (*Myotis sodalis*) was identified on the parcel.

**Methodology**

Topographic, wetland, and soils maps were reviewed online through the New York State Department of Environmental Conservation (NYSDEC), USFWS, and the United States Department of Agriculture (USDA) Natural Conservation Service (NRCS) databases. The maps did not indicate any State or Federal jurisdictional wetlands within or adjacent to the subject property; however, based on a review of the aerial photographs (e.g., standing water) and soil maps (e.g., hydric soil indicators), a wetland assessment and delineation was requested by the GOSR.

The wetland assessment and delineation was conducted in accordance with the 1987 “U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual” (Environmental Laboratory, 1987), the “Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region”, and the 1995 “New York State Freshwater Wetlands Delineation Manual” (NYSDEC, 1995). Both documents are used as guidance to evaluate jurisdictional wetland limits under the USACOE and the NYSDEC regulatory programs.

Three parameters were assessed and evaluated as part of this wetland assessment: vegetation, soils, and hydrology. Dominant species in each vegetation layer were evaluated in terms of their wetland indicator status according to the “National List of Plant Species that Occur in Wetlands (Northeast)” (USFWS, 1988). The soils were evaluated in accordance with the procedures outlined in the 1987 Manual and the 2010 “Field Indicators of Hydric Soils in the United States” Manual (USDA, NRCS, 2010). Soil colors were evaluated using a Munsell color chart, and hydric indicators were documented on the field forms. Wetland-upland boundaries were defined based on vegetation, hydrology, and soil characteristics, and delineated using a handheld Trimbell 8000 GPS unit. The field data including vegetation, soil and hydrology were recorded on Field Data Sheets. A total of two test pits (approximately 12” x 12” x 16”) were dug on the parcel (see Figure 3 in the attached assessment).
Hydrology

The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flow into Schoharie Creek located approximately 1,000 feet to the east of the Site. The Site’s topography is depicted on Figure 2 and site photographs are provided in Attachment A in the attached assessment.

Vegetation and Soil

The following wetland indicator vegetation was identified during the wetland assessment and delineation: Carex sp, Cornus sericea, Phragmites australis, and Solidago sp. The extent of the wetland vegetation on the parcel is depicted on Figure 3 in the attached assessment.

According to the USDA Natural Resources Conservation Service Web Soil Survey for Schoharie County, New York, the Site soil classifications are as follows:

- Odessa and Rhinebeck silty clay loams: This is described as soil with very deep, somewhat poorly drained soils formed in clayey lacustrine deposits.
- Schoharie and Hudson silty clay loams: This is described as very deep, moderately well drained soils formed in clayey lacustrine sediments.
- Lordstown channery silt loam: This is described as a moderately deep, well drained, medium textured soil.

Details on these classifications are provided in Attachment B in the attached assessment.

Field Delineation

The wetland assessment and delineation was conducted on May 17, 2016. A total of two test pits were dug during this assessment: TP-W2 (in the wetland) and TP-U2 (outside of the wetland). Hydric soils were encountered in TPW2. Based on the field observations, the hydric soils were identified as silty clay loam. The top six inches of this test pit also had a reduced matrix, which is hydric soil indicator. Standing water was also observed in TP-W2 at four inches below the surface. The soil in the TP-U1 was composed of poorly sorted silty sand. No standing water was observed in this test pit. The upland-wetland boundary was defined with a GPS unit during.
Summary

There are no NYSDEC jurisdictional wetlands on the parcel (NYSDEC, 2016). The wetland portion of the parcel, which was delineated in the field, hydraulically connects to an unnamed tributary that flows into Schoharie Creek. Based on the “U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook”, the wetlands identified on this parcel are hydraulically connected to Schoharie Creek and therefore, may be federally jurisdictional. In order to confirm whether these wetlands are federally jurisdictional, a preliminary jurisdictional determination is requested.

Sincerely,

Thomas J. King
Environmental Director
Thomas.King@stormrecovery.ny.gov
Ms. Alicia Shultz
Community Developer - Environmental Services
38-40 State Street, 408N Hampton Plaza
Albany, NY  12207

Re:  Wetland Assessment and Delineation
    Town of Fulton Emergency Operations Center Project
    Parcel 138-4-7, West Side of Bear Ladder Road
    Fulton, New York

Dear Ms. Shultz:

LiRo was retained by the Governor’s Office of Storm Recovery (GOSR) to conduct a wetland assessment and delineation at a vacant five acre property located on the west side of Bear Ladder Road in Fulton, New York (Site), as shown on Figure 1. Ms. Georgeanna Nugent Lussier of Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. (Foit-Albert) conducted the assignment under the direction of LiRo Engineers. It is our understanding that a new emergency operations center will be constructed on the Site and a wetland assessment is required prior to construction activities.

Site Description
The Site is approximately five acres and generally rectangular in shape. The Site is undeveloped and situated on a mildly sloped tract of land on the western side of Bear Ladder Road in Fulton, New York. The elevation of the property is approximately 940 to 960 feet above mean sea level (AMSL). The overland drainage follows the natural contours to the northeast into a roadside ditch that flows towards the southeast towards an unnamed tributary, which flow into Schoharie Creek located approximately 1,000 feet to the east of the Site. The Site’s topography is depicted on Figure 2. Site photographs are provided in Attachment A.

Map Review
Topographic, wetland, and soils maps were reviewed online through the New York State Department of Environmental Conservation (NYSDEC), the United States Fish and Wildlife Service (USFWS), and the United States Department of Agriculture (USDA) Natural Conservation Service (NRCS) databases. The maps did not indicate any State or Federal jurisdictional wetlands within or adjacent to the subject property; however, based on a review of the aerial photographs (e.g., standing water) and soil maps (e.g., hydric soil indicators), a wetland assessment and delineation was requested by the GOSR.

Methodology
The wetland assessment and delineation was conducted in accordance with the 1987 “U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual” (Environmental Laboratory, 1987), the “Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual:
Northcentral and Northeast Region”, and the 1995 “New York State Freshwater Wetlands Delineation Manual” (NYSDEC, 1995). Both documents are used as guidance to evaluate jurisdictional wetland limits under the USACOE and the NYSDEC regulatory programs.

**Wetland Assessment and Delineation**

The wetland assessment and delineation was conducted on May 17, 2016 by Ms. Georgeanna Nugent Lussier of Foit-Albert. Three parameters were assessed and evaluated as part of this wetland assessment: vegetation, soils, and hydrology. Dominant species in each vegetation layer were evaluated in terms of their wetland indicator status according to the “National List of Plant Species that Occur in Wetlands (Northeast)” (USFWS, 1988). The soils were evaluated in accordance with the procedures outlined in the 1987 Manual and the 2010 “Field Indicators of Hydric Soils in the United States” Manual (USDA, NRCS, 2010). Soil colors were evaluated using a Munsell color chart, and hydric indicators were documented on the field forms. Wetland-upland boundaries were defined based on vegetation, hydrology, and soil characteristics, and delineated using a handheld Trimbell 8000 GPS unit. The field data including vegetation, soil and hydrology were recorded on Field Data Sheets. A total of two test pits (approximately 12” x 12” x 16”) were dug at the Site (Figure 3).

**Findings**

The following wetland indicator vegetation was identified during the wetland assessment and delineation: Carex sp, Cornus sericea, Phragmites australis, and Solidago sp. The extent of the wetland vegetation on the Site is depicted on Figure 3.

According to the USDA Natural Resources Conservation Service Web Soil Survey for Schoharie County, New York, the Site soil classifications are as follows:

- **Odessa and Rhinebeck silty clay loams:** This is described as soil with very deep, somewhat poorly drained soils formed in a clayey lacustrine deposits.

- **Schoharie and Hudson silty clay loams:** This is described as very deep, moderately well drained soils formed in clayey lacustrine sediments.

- **Lordstown channery silt loam:** This is described as a moderately deep, well drained, medium textured soil.

Details on these classifications are provided in Attachment B.

A total of two test pits were dug during this assessment; TP-W2 (in the wetland) and TP-U2 (outside of the wetland). Hydric soils were encountered in TPW2. Based on the field observations, the hydric soils were identified as silty clay loam. The top six inches of this test pit also had a reduced matrix, which is hydric soil indicator. Standing water was also observed in TP-W2 at four inches below the surface. The soil in the TP-U1 was composed of poorly sorted silty sand. No standing water was observed in this test pit.

The upland-wetland boundary was defined with a GPS unit during the wetland delineation. The vegetation and hydrology is fairly uniform throughout the Site. The wetland is delineated along
the eastern and southern portions of the Site and shown on Figure 3 covering approximately 2 acres of the Site. The completed Data Sheets are located in Attachment C.

**Conclusions**

There are no NYSDEC jurisdictional wetlands in the project area (NYSDEC, 2016). The wetland portion of the Site, which was delineated in the field, hydraulically connects to an unnamed tributary that flows into Schoharie Creek. Based on the “U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook”, the wetlands identified on this Site are hydraulically connected to Schoharie Creek and therefore, may be federally jurisdictional. In order to confirm whether these wetlands are federally jurisdictional, a preliminary jurisdictional determination should be requested from the USACE. A freshwater wetland permit will also be required if the proposed construction plans will impact the wetlands.

Should you have any questions or need further information, feel free to contact us directly.

Sincerely,

Maria Drakos
Project Scientist
LiRo Engineers, Inc.

**Attachments:**
Attachment A - Photo Log
Attachment B - USDA Soils Map and Data
Attachment C – Wetland Data Sheets

Figure 1 – Site Location Map
Figure 2 – Site Topographic Map
Figure 3 – Site Aerial Photograph with Wetland Delineation

**References:**


Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S.D.A. Soil


NYSDEC, 2016. “Environmental Resource Mapper”,


USDA, NRCS. 2010. Field Indicators of Hydric Soils in the United States, Version 7.0, G.W. Hurt, L.M. Vasilas, C.V. Noble (eds.). USDA, NRCS in cooperation with the National technical Committee for Hydric Soils, Fort Worth, TX.
FIGURE 1
SITE LOCATION MAP

Town of Fulton Emergency Operations Center Project, Fulton, New York
FIGURE 2
SITE TOPOGRAPHIC MAP

Legend:
- Site Boundary

Town of Fulton Emergency Operations Center Project, Fulton, New York
FIGURE 3
SITE AERIAL PHOTOGRAPH WITH WETLAND DELINEATION

Legend:
Aerial Imagery Source: Google Earth (dated May 2013)
- Site Boundary
- Wetland Boundary (within the Site)

Town of Fulton Emergency Operations Center Project, Fulton, New York
## Appendix A
### Photo Log

<table>
<thead>
<tr>
<th>01</th>
<th>Photo facing northwest showing the ditch adjacent to Bear Ladder Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image01.jpg" alt="Photo 01" /></td>
<td><img src="image01.jpg" alt="Photo 01" /></td>
</tr>
<tr>
<td>02</td>
<td>Photo facing southeast showing the ditch adjacent to Bear Ladder Road and the northeast corner property boundary.</td>
</tr>
<tr>
<td><img src="image02.jpg" alt="Photo 02" /></td>
<td><img src="image02.jpg" alt="Photo 02" /></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>03</strong></td>
<td><img src="image" alt="Photo showing standing water in TP-W2 and Carex sp." /></td>
</tr>
<tr>
<td><strong>04</strong></td>
<td><img src="image" alt="Photo showing soil from TP-W2" /></td>
</tr>
<tr>
<td>Photo Log</td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td><strong>05</strong> Photo facing northeast showing the upland area of the Site.</td>
<td></td>
</tr>
</tbody>
</table>

![Photo facing northeast showing the upland area of the Site.](image)

| **06** Photo facing north showing wetlands on the southeastern portion of the Site. |

![Photo facing north showing wetlands on the southeastern portion of the Site.](image)
MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography
- Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Schoharie County, New York
Survey Area Data: Version 11, Sep 24, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 19, 2010—Oct 9, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
## Map Unit Legend

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>LmC</td>
<td>Lordstown channery silt loam, 5 to 15 percent slopes</td>
<td>2.1</td>
<td>28.3%</td>
</tr>
<tr>
<td>OdB</td>
<td>Odessa and Rhinebeck silt loams, 2 to 6 percent slopes</td>
<td>1.7</td>
<td>22.5%</td>
</tr>
<tr>
<td>ShC</td>
<td>Schoharie and Hudson silt loams, 6 to 12 percent slopes</td>
<td>3.6</td>
<td>49.2%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>7.4</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Fulton Emerg Ops Ctr  City/County: Schoharie  Sampling Date: 5/17/16
Applicant/Owner: GOSR  State: NY  Sampling Point: TP-U-1
Investigator(s): Georgie Nucet Lussier  Section, Township, Range: Fulton, NY
Landform (hillslope, terrace, etc.): Open Field  Local relief (concave, convex, none): none
Subregion (LRR or MLRA): MLRA  Lat:  Long:  Datum: NAD 1927
Soil Map Unit Name: Schoharie-Hudson  Slope (%): 0-10

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No (If no, explain in Remarks.)
Are Vegetation _____, Soil _____, or Hydorlogically _____ significantly disturbed? Are "Normal Circumstances" present? Yes  No
Are Vegetation _____, Soil _____, or Hydorlogically _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes  No</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes  No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes  No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes  No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)
- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9)
- Aquatic Fauna (B13)
- Marl Deposits (B15)
- Oxidized Rhizospheres on Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Thin Muck Surface (C7)
- Other (Explain in Remarks)

Secondary Indicators (minimum of two required)
- Surface Soil Cracks (B6)
- Drainage Patterns (B10)
- Moss Trim Lines (B16)
- Dry-Season Water Table (C2)
- Clayfish Burrows (C9)
- Saturation Visible on Aerial Imagery (C9)
- Stunted or Stressed Plants (D1)
- Geomorphic Position (D2)
- Shallow Aquifer (D3)
- Microtopographic Relief (D4)
- FAC-Neutral Test (D5)

Field Observations:
- Surface Water Present? Yes  No  Depth (inches):
- Water Table Present? Yes  No  Depth (inches): 
- Saturation Present? Yes  No  Depth (inches): 

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
**VEGETATION** – Use scientific names of plants.

**Sampling Point:** TP-U1

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td>Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td>Total Number of Dominant Species Across All Strata: 0 (B)</td>
</tr>
<tr>
<td>3.</td>
<td>open field</td>
<td></td>
<td></td>
<td>Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Prevalence Index worksheet:**

<table>
<thead>
<tr>
<th>Total % Cover of:</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL species</td>
<td>x 1 =</td>
</tr>
<tr>
<td>FACW species</td>
<td>x 2 =</td>
</tr>
<tr>
<td>FAC species</td>
<td>x 3 =</td>
</tr>
<tr>
<td>FACU species</td>
<td>x 4 =</td>
</tr>
<tr>
<td>UPL species</td>
<td>x 5 = 15 (B)</td>
</tr>
</tbody>
</table>

Column Totals: 15 (A)

Prevalence Index = B/A = 5

**Hydrophytic Vegetation Indicators:**
- 1 - Rapid Test for Hydrophytic Vegetation
- 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0
- 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definitions of Vegetation Strata:**
- **Tree** – Woody plants ≥3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
- **Sapling/Shrub** – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.
- **Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
- **Woody vines** – All woody vines greater than 3.28 ft in height.

**Hydrophytic Vegetation Present?** Yes [ ] No [X]
<table>
<thead>
<tr>
<th>Depth (Inches)</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10</td>
<td>10YR 5/3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Silty Sand</td>
<td>Clay</td>
</tr>
<tr>
<td>10-16</td>
<td>10YR 5/6</td>
<td></td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td>Silty Sand</td>
<td>Less Clay</td>
</tr>
</tbody>
</table>

1 Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

2 Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:
- Histosol (A1)
- Histic Epepidon (A2)
- Black Histic (A3)
- Hydrogen Sulphide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR R, MLRA 149B)

Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
Thin Dark Surface (S9) (LRR R, MLRA 149B)
Loamy Mucky Mineral (F1) (LRR K, L)
Loamy Gleyed Matrix (F2)
Depleted Matrix (F3)
Depleted Dark Surface (F6)
Depleted Dark Surface (F7)
Redox Depressions (F8)

Indicators for Problematic Hydric Soils:
- 2 cm Muck (A10) (LRR K, L, MLRA 149B)
- Coast Prairie Redox (A16) (LRR K, L, R)
- 5 cm Mucky Peat or Peat (S3) (LRR K, L, R)
- Dark Surface (S7) (LRR K, L)
- Polyvalue Below Surface (S8) (LRR K, L)
- Thin Dark Surface (S9) (LRR K, L)
- Iron-Manganese Masses (F12) (LRR K, L, R)
- Piedmont Floodplain Soils (F19) (MLRA 149B)
- Mecic Spodic (TA6) (MLRA 144A, 145, 148B)
- Red Parent Material (F21)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

Restrictive Layer (if observed):
- Type: none
- Depth (inches): none

Hydric Soil Present? Yes [ ] No [x]

Remarks: Dry, non disturbed
WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Fulton Emerg Ops Ctr  City/County: Schoharie  Sampling Date: 5/17/16
Applicant/Owner: GOSR  State: NY  Sampling Point: TP-W2
Investigator(s): George Nurgent Lussier  Section, Township, Range: Fulton, NY
Landform (hillslope, terraces, etc.): Open Field  Local relief (concave, convex, none): None  Slope (%): 0-10
Subregion (LRR or MLRA): MLRA  Lat:  Long:  Datum: NAD 1927
Soil Map Unit Name: Schoharie / Hudson

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No (If no, explain in Remarks.)
Are Vegetation  Soil  or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes  No
Are Vegetation  Soil  or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes  No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes  No</td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes  No</td>
</tr>
</tbody>
</table>

Is the Sampled Area within a Wetland?  Yes  No
If yes, optional Wetland Site ID:

Remarks: (Explain alternative procedures here or in a separate report.)
Standing water in test hole 0 4" depth

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)
- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

Secondary Indicators (minimum of two required)
- Water-Stained Leaves (B9)
- Aquatic Fauna (B13)
- Marl Deposits (B15)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres on Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Thin Muck Surface (C7)
- Other (Explain in Remarks)
- Surface Soil Cracks (B6)
- Drainage Patterns (B10)
- Moss Trim Lines (B16)
- Dry-Season Water Table (C2)
- Crayfish Burrows (C8)
- Stature Visible on Aerial Imagery (C9)
- Stunted or Stressed Plants (D1)
- Geomorphic Position (D2)
- Shallow Aquifer (D3)
- Microtopographic Relief (D4)
- FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?  Yes  No  Depth (inches): 2-4"
Water Table Present?  Yes  No  Depth (inches): 2-4"
Saturation Present?  Yes  No  Depth (inches): 2-4"

Wetland Hydrology Present?  Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
Test pit / aerial photos / NRCS

Remarks:
Standing water saturation present
### VEGETATION

Use scientific names of plants.

**Sampling Point:** TP-W2

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Cover = 30**

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Cover = 15**

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 5)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.  S. virginiana</td>
<td>65 y OBL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.  Solidago canadensis</td>
<td>10 y FAC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.  Phragmites</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.  S. dillenii</td>
<td>5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Cover = 5**

### Dominance Test sheet:

<table>
<thead>
<tr>
<th>Number of Dominant Species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1/5</td>
</tr>
</tbody>
</table>

**Total Number of Dominant Species: 3**

<table>
<thead>
<tr>
<th>Percent of Dominant Species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>1/5</td>
</tr>
</tbody>
</table>

### Prevalence Index sheet:

<table>
<thead>
<tr>
<th>Total % Cover of:</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL species</td>
<td>1</td>
</tr>
<tr>
<td>FACW species</td>
<td>2</td>
</tr>
<tr>
<td>FAC species</td>
<td>3</td>
</tr>
<tr>
<td>FACU species</td>
<td>4</td>
</tr>
<tr>
<td>UPL species</td>
<td>5</td>
</tr>
<tr>
<td>Column Totals:</td>
<td>12</td>
</tr>
</tbody>
</table>

**Prevalence Index = 12/5**

### Hydrophytic Vegetation Indicators:

- 1. Rapid Test for Hydrophytic Vegetation
- 2. Dominance Test is >50%
- 3. Prevalence Index is ≤3.0'
- 4. Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet)

‘Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

### Definitions of Vegetation Strata:

- **Tree** – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
- **Sapling/shrub** – Woody plants less than 3 in. DBH and greater than or equal to 3.2 ft (1 m) tall.
- **Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
- **Woody vines** – All woody vines greater than 3.28 ft in height.

### Woody Vine Stratum (Plot size: 30)

<table>
<thead>
<tr>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Cover = 30**

### Remarks:

Include photo numbers here or on a separate sheet.
Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>D-8&quot;</td>
<td>10 YR 3/2</td>
<td>75</td>
<td>5 Y R 3/1</td>
<td>15</td>
<td>RM</td>
<td>M</td>
<td>silt/ clay loam</td>
<td>high clay depth</td>
<td></td>
</tr>
<tr>
<td>8&quot;-16&quot;</td>
<td>10 YR 3/3</td>
<td>80</td>
<td>5 Y R 3/3</td>
<td>10</td>
<td>C</td>
<td>M</td>
<td>clay loam</td>
<td>depth</td>
<td></td>
</tr>
</tbody>
</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

Hydric Soil Indicators:
- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S6)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR R, MLRA 149B)

Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
Loamy Mucky Mineral (F1) (LRR K, L)
Loamy Gleyed Matrix (F2)
Depleted Matrix (F3)
Redox Dark Surface (F6)
Depleted Dark Surface (F7)
Redox Depressions (F8)

Indicators for Problematic Hydric Soils:
- 2 cm Muck (A10) (LRR K, L, MLRA 149B)
- Coast Prairie Redox (A16) (LRR K, L, R)
- 5 cm Mucky Peat or Peat (S3) (LRR K, L, R)
- Dark Surface (S7) (LRR K, L)
- Polyvalue Below Surface (S8) (LRR K, L)
- Thin Dark Surface (S9) (LRR K, L)
- Iron-Manganese Masses (F12) (LRR K, L, R)
- Piedmont Floodplain Soils (F19) (MLRA 149B)
- Mesic Spodic (TA6) (MLRA 144A, 145, 149B)
- Red Parent Material (F21)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): None

Hydric Soil Present? Yes □ No □

Remarks:
Water 2 y" below surface
Clay content at depth
Standing water surrounding area
The undersigned Property Owner hereby unconditionally authorizes the New York State Housing Trust Fund Corporation ("HTFC"), and each of their respective employees, agents, consultants, contractors, assigns and/or representatives (collectively, the "Project Managers"), the Department of Housing and Urban Development ("HUD"), and its employees, agents, assigns, consultants, contractors and/or representatives (together with the Project Managers, the "Assistance Providers") to have the right of access and to enter in and onto the property described above (the "Property") for the purpose of performing, planning, design and construction related services including but not limited to environmental damage assessments and/or inspections, making assessments, environmental and cultural sampling and testing (including taking sample materials for any specialized testing and minor digging) and any other environmental assessments necessary to further a NY Rising ("Program") project, on, in or under the Property (collectively, the "Authorized Work"), all in connection with the Property Owner’s participation in the Program.

It is fully understood that this Right of Entry Permit ("ROE") does not create any obligation on the part of any Assistance Provider to perform inspections or any other Authorized Work or to undertake any repairs to the Property.

Property Owner understands and agrees:

1) No Authorized Work will be performed and no Program payments will be made, unless and until this ROE is completed in full and signed by the Property Owner.

2) Granting the Assistance Providers reasonable access with advance notification to the Property for the purpose of performing Authorized Work is a requirement of the Program.

3) Time Period: This ROE shall expire five (5) years after this form is signed, unless sooner cancelled according to the terms herein.

4) Inspections: This ROE authorizes inspections of the Property. Property Owner understands and agrees that the Assistance Providers shall, in their sole discretion, determine the extent of the required Authorized Work, including, without limitation, environmental and historic preservation reviews. Property Owner understands and agrees to provide access for any and all such Authorized Work.
5) Photos: Property Owner understands and authorizes the Assistance Providers to take photos, digital likenesses, and audio/video recordings of the property and damages thereto and authorizes the use of such items solely for the purposes of promotion of the Program on the Program website, newsletters, news releases or other media outlets.

6) Sampling: Property Owner understands and authorizes the Assistance Providers to enter the site to perform any Authorized Work, including but not limited to collection of samples (including but not limited to drywall compound, floor tile, piping insulation, paint, ceiling tile, soil) of housing materials for purposes of testing for potentially hazardous materials (including lead paint, asbestos, mold, etc.) in accordance with the requirements of local, state, and federal law. Property Owner understands this sampling may result in minor damage to the Property.

7) Disclosures: By signing this ROE, Property Owner acknowledges and agrees that none, some, or all of the above-mentioned Authorized Work may be performed pursuant to this ROE and the Program. Property Owner further acknowledges and agrees that such Authorized Work may cause some minor damage to the Property and/or to personal property. Property Owner understands and acknowledges that, if the Property Owner elects to discontinue participation in Program activities, then the areas or items damaged may not be repaired under the Program. However, certain limited damage to the Property caused by the Authorized Work may, in the sole discretion of the Assistance Providers, be fully or partially repaired by the Assistance Providers if it is practicable and feasible to do so and if such repairs would, in the sole discretion of the Assistance Providers, be reasonable and appropriate given the overall condition of the Property at the time. While reasonable efforts will be made as set forth in this paragraph 7, nothing in this ROE shall be construed to impose any legal requirement on any Assistance Provider and does not and shall not create any liability or other obligation of the Assistance Provider.

8) Waiver, Indemnity and Hold Harmless: The undersigned Property Owner hereby releases, remises, and agrees to indemnify and hold harmless each and every Assistance Provider for any and all property damage, liability, loss, claim, damage, or destruction of any type whatsoever to the Property or to personal property and fixtures situated on, or for any bodily injury or death to persons resulting from or related to the Authorized Work on the Property or any claims or causes of action related thereto which claims or causes of action are not the result of negligence on the part of any Assistance Provider as it relates to the Authorized Work. The Property Owner further releases, remises, discharges and waives any and all liability, claims, demands, damages, injuries, losses, penalties, fines, costs, causes of action, judgments, expenses, as well as any and all actions, either legal or equitable which the undersigned has, or that might arise, of any nature whatsoever and by whomever made, by reason of, or related to the Authorized Work, taken to accomplish the aforementioned purposes, provided, however, in the case of a liability, loss, cost, damage, claim, suit or judgment which results from negligence of a consultant, subconsultant, contractor and or subcontractor of Subrecipient (each a “Consultant”), the foregoing release and indemnification shall not apply to any such liability, loss, cost, damage, claim, suit or judgment apportioned to such Consultant. This provision shall indefinitely survive the termination, for any reason, of this ROE.
9) Authority: Property Owner expressly represents and warrants that Property Owner is the owner of the Property, and has full power and authority to execute and fully perform Property Owner's obligations under this ROE. The Assistance Providers require that this ROE be executed by all persons or entities having an ownership and/or controlling leasehold interests in the Property. To this end, that Property Owner (either individually or collectively) further represent(s) and warrant(s) that: (i) the parties signing as Property Owner(s) below represent the entire ownership interest in the Property, and (ii) no other party having an ownership interest in the Property exists for purposes of satisfying this requirement. If Property Owner is an entity, Property Owner also represents and warrants that Property Owner has such power and authority pursuant to its governing instruments, without the need for any further action, and that the person(s) executing this ROE on behalf of Property Owner are the duly authorized officers of Property Owner and are authorized to do so.

10) Tools and Equipment: All tools, equipment, and other property taken upon or placed upon the Property by any Assistance Provider, shall remain the property of such Assistance Provider, and may be removed by the Assistance Providers at any time within a reasonable period of this ROE, if necessary.

11) Information Sharing: Information is collected to make it possible for the Assistance Providers to enter Property Owner's Property, inspect for damage, and/or undertake emergency protective measures and perform any and all Authorized Work. Information submitted will be shared with other government agencies (Federal, State and applicable local municipality), their contractors, subcontractors and employees, as well as with vested agencies performing inspections and/or repairs, for official use only in accordance with the purposes stated in this ROE.

12) Cancellation: To cancel this Right of Entry Permit and Release of Information, I understand the cancellation must be signed by the Property Owner and provided in writing to the Project Managers. Phone-in and verbal cancellations will not be accepted.

13) Effect of Cancellation: By cancelling this form, the Property Owner acknowledges that inspections and repairs may not be performed by Subrecipient, the Project Managers or the Assistance Providers under the Program.

14) Counterpart Signatures: This Right of Entry Permit and Release of Information may be executed in any number of counterparts, each of which shall constitute an original and which counterparts together shall constitute one and the same instrument.
For the considerations and purposes set forth herein, I/we hereby set my/our hand(s) this __3__ day of __MAY__________ 20__16__.

This form is signed in order to gain access to:
Property address:  __112 E. BIDAS LADUREE RD, WEST FULTON, NY__

Property Owner or Property Owner Authorized Agent
Signature: __________________________
Date: __5/3/2016__
Print Name: William Cherry - County Treasurer
Current Telephone No.: 518-295-8366
Current Address:  PO Box 9, Schenectady, NY 12157

Additional Property Owner
Signature: __________________________
Date: __________________________
Print Name: _______________________  Current Telephone No.: ____________

Current Address: __________________________

Additional Property Owner
Signature: __________________________
Date: __________________________
Print Name: _______________________  Current Telephone No.: ____________

Current Address: __________________________
Resources

ENDANGERED SPECIES 1
MIGRATORY BIRDS 16
FACILITIES
WETLANDS

What’s next?
Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

Endangered species
Listed species are managed by the Endangered Species Program of the U.S. Fish and Wildlife Service. Additional information on endangered species data is provided below.
The following species are potentially affected by activities in this location:

Mammals

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Long-eared Bat</td>
<td>Threatened</td>
</tr>
<tr>
<td>Myotis septentrionalis</td>
<td></td>
</tr>
</tbody>
</table>

Critical habitats
Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

> What does IPaC use to generate the list of endangered species potentially occurring in my specified location?
> What is an ‘official species list’ and why would I need one?
By Electronic Mail

March 3, 2017

Robyn A. Niver
Endangered Species Biologist USFWS
New York Field Office
Cortland, NY 13045

Re: Section 7 Project Review - No Effect Determination for the Fulton Town Hall and Highway Garage Project, Town of Fulton, Schoharie County, New York

Dear Ms. Niver:

The Governor’s Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal’s (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD’s environmental review regulations (24 CFR Part 58) and New York State’s Environmental Quality Review Act (SEQRA) for the Fulton Town Hall and Highway Garage Project, located in the Town of Fulton, Schoharie County, New York (see Figure 1). GOSR is acting as HUD’s non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.


Program Overview: Hurricane Irene and Tropical Storm Lee forced road closures or detours on almost every major road in the Town of Fulton, with significant road damage occurring in a number of locations. Road closures and detours made it difficult for personnel to respond to emergencies, thus impacting the safety of the residents. The existing Town Hall/Highway Department building also served as an Emergency Operations Center (EOC), with approximately 100 officials and emergency personnel trying to work in a 1,000 square foot space that contains only one bathroom, a sink and no shower. The layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency equipment, personnel and resources. The purpose of this project is to enhance the Town’s emergency response capabilities and to maintain both administrative and highway department operations during the construction of the Project. This will allow the Town to more effectively and efficiently respond to future emergencies.
Area of Potential Effect: The Project would take place in two locations; the current Town Hall and Highway Department facilities’ location at 1168 Bear Ladder Road and a new five-acre undeveloped site located at 1125 Bear Ladder Road to the southeast of the current location (see Figure 1).

Proposed Project Description: The Project would proceed in two phases: 1) the Highway Department facilities would be relocated from their current location at 1168 Bear Ladder Road to new facilities that would be built on a new five-acre undeveloped site located at 1125 Bear Ladder Road to the southeast of the current location (Figure 2); 2) The existing Town Hall facilities would be demolished in part, renovated and expanded (Figure 3).

ESA, Migratory Bird Treaty Act, And Bald and Golden Eagle Protection Act Species: The USFWS, New York Ecological Services Field Office was contacted through the Information, Planning, and Conservation System (IPaC) regarding the potential presence of species under the jurisdiction of the USFWS within the project area. The IPaC review and Official Species List identified one threatened species that is potentially associated with the project site: the northern long-eared bat (NLEB) (Myotis septentrionalis) (see attached Official Species List). The IPaC review also indicated that there are several migratory birds of concern that could potentially be affected by the proposed project.

Analysis and Determination of Effects:

ESA

A request for species records within the project area was sent to the New York State Natural Heritage Program (NYSNHP). A response was received on February 24, 2017, indicating that there are no records of rare or state listed animals or plants, or significant natural communities at the project site or in its immediate vicinity (see attached NYSNHP Response).

Schoharie County is within the White-Nose Syndrome Zone. According to geospatial information provided by USFWS, the project site is not within 0.25 miles of known or assumed hibernacula (see Figure 4) for the NLEB, nor are there documented or assumed maternity roosts within 150 feet of the project site. The project site is not within 5 miles of NLEB hibernacula. As the proposed project would not result in the removal of trees, GOSR has determined that the proposed action will have No Effect on the NLEB. Additionally, the proposed project would not jeopardize the continued existence of ESA species or destroy or adversely modify their critical habitat.

MBA and BGEPA

GOSR has determined that the project would have no significant adverse impact on migratory birds, eagles, or their habitat. There is no tree clearing associated with this project.

Conclusions

Project implementation would be conditioned upon issuance of applicable federal and state permits and would be constructed in accordance with federal and state permit conditions. The proposed project would not jeopardize the continued existence of ESA species or destroy or adversely modify their critical habitat. GOSR is submitting the above information as notification of its No Effect determination and requests acknowledgement from USFWS that they have received this determination that the proposed project would have No Effect on endangered/threatened species, migratory birds, or critical habitat for species under USFWS jurisdiction.
If USFWS does not respond within 30 days from submittal of this letter, then GOSR may presume that its determination for each project is informed by the best available information and its project responsibilities under Section 7 of the ESA have been fulfilled. GOSR understands that the USFWS presumes that all activities will be implemented as described herein. GOSR will promptly report any departures from the described activities to the New York Field Office.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0647 or Alicia.Shultz@nyshcr.org. Thank you for your time and consideration.

Sincerely,

Alicia Shultz
Community Developer - Environmental Services
Governor’s Office of Storm Recovery
NYS Homes and Community Renewal

Attachments:
Figure 1: Project Area Map
Figure 2. Proposed Highway Garage Site Plan
Figure 3. Proposed Town Hall Site Plan
Figure 4. Bat maps
USFWS Official Species List
IPaC Trust Resources Report
NYSNHP Response
Project Area

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend
- Project Area
- Project Area Parcels

Tetra Tech, Inc
WARNING - IT IS A VIOLATION OF NEW YORK EDUCATION LAW SECTION 7209.2, FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER THIS DOCUMENT IN ANY WAY. IF ALTERED THE ALTERING PERSON SHALL COMPLY WITH THE REQUIREMENTS OF NEW YORK EDUCATION LAW, SECTION 7209.2.
Figure 4. Locations of nearest NLEB Hibernacula with five mile radius buffer zone indicated in red.
January 30, 2017

Event Code: 05E1NY00-2017-E-02489

Project Name: Fulton Town Hall and Highway Garage Project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: http://www.fws.gov/northeast/nyfo/es/section7.htm

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment
Official Species List

Provided by:
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2017-SLI-0962
Event Code: 05E1NY00-2017-E-02489

Project Type: ** OTHER **

Project Name: Fulton Town Hall and Highway Garage Project
Project Description: The Project would take place in two locations; the current Town Hall and Highway Department facilities’ location at 1168 Bear Ladder Road and a new five-acre undeveloped site located at 1125 Bear Ladder Road to the southeast of the current location. The Project would proceed in two phases: 1) the Highway Department facilities would be relocated from their current location at 1168 Bear Ladder Road to new facilities that would be built on a new five-acre undeveloped site located at 1125 Bear Ladder Road to the southeast of the current location; 2) The existing Town Hall facilities would be demolished in part, renovated and expanded. The proposed Highway Department facility conceptual design elements include: new administrative office space/6-bay (2 large vehicle) garage, new salt bunker, new equipment sheds, new storage areas for road and drainage materials, new septic system, new access road onto the site from Bear Ladder Road, new parking lot, new water supply well, and new diesel-fueled generator with a buried fuel storage tank. The proposed Town Hall facility conceptual design elements include: enlarged Town Hall administrative office space and conference/meeting space, enlarged EOC/administrative space and changing areas for first responders, enlarged emergency vehicle bay space, permanent back-up power diesel-fueled generator with a buried fuel storage tank and electrical connections, ADA-compliant bathrooms, and a refurbished dedicated drinking water supply for the facility and to residents.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by'
section of your previous Official Species list if you have any questions or concerns.
Project Location Map:

Project Coordinates: MULTIPOLYGON ((-74.42256924486594 42.536703294564816, -74.4226592796453 42.53657163373614, -74.4227419470457 42.53652198289321, -74.42292265197315 42.53642061229975, -74.4230518025458 42.5364247948782, -74.42302091871315 42.536325447919374, -74.42318937598179 42.536253040141595, -74.42326518175263 42.53612684352808, -74.42338029421954 42.53615787550583, -74.42334206188464 42.536118568331354, -74.4235010219287 42.536149600313294, -74.42352909814011 42.536095811534864, -74.42361051915324 42.53605857312264, -74.42363298012239 42.5360771923315, -74.42369194016644 42.53604202271014, -74.423958664175 42.53600892187188, -74.4239502413116 42.535977888982008, -74.42382109073904 42.53592823850509, -74.42374528496813 42.53581445409281, -74.42377616880073 42.535729632850554, -74.42388847364641 42.5357068759123, -74.4242646487965 42.53591168805806, -74.4233415011823 42.537378001177416, -74.42256924486594 42.536703294564816)), ((-74.42412823813572 42.5389550892281, -74.42444455624187 42.5386233958845, -74.42479493937476 42.538924593390185, -74.42447862126872 42.53911821959095, -
Project Counties: Schoharie, NY
Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the Has Critical Habitat column may or may not lie within your project area. See the Critical habitats within your project area section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

<table>
<thead>
<tr>
<th>Mammals</th>
<th>Status</th>
<th>Has Critical Habitat</th>
<th>Condition(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern long-eared Bat (Myotis septentrionalis)</td>
<td>Threatened</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Population: Wherever found</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Critical habitats that lie within your project area

There are no critical habitats within your project area.
IPaC resource list

Location
Schoharie County, New York

Local office
New York Ecological Services Field Office

- (607) 753-9334
- (607) 753-9699
3817 Luker Road
Cortland, NY 13045-9349

http://www.fws.gov/northeast/nyfo/es/section7.htm

Endangered species

This resource list is for informational purposes only and should not be used for planning or analyzing project level impacts.

Section 7 of the Endangered Species Act requires Federal agencies to “request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action” for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Review section in IPaC or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by creating a project and making a request from the Regulatory Review section.

Listed species1 are managed by the Endangered Species Program of the U.S. Fish and Wildlife Service.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.

The following species are potentially affected by activities in this location:

**Mammals**

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Long-eared Bat</td>
<td>Myotis septentrionalis</td>
</tr>
</tbody>
</table>

No critical habitat has been designated for this species.

http://ecos.fws.gov/ecp/species/9045
Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Birds are protected under the Migratory Bird Treaty Act\(^1\) and the Bald and Golden Eagle Protection Act\(^2\).

Any activity that results in the take (to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service\(^3\). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- Year-round bird occurrence data [http://www.birdscanada.org/birdmon/default/datasummaries.jsp](http://www.birdscanada.org/birdmon/default/datasummaries.jsp)

The migratory birds species listed below are species of particular conservation concern (e.g. Birds of Conservation Concern) that may be potentially affected by activities in this location, not a list of every bird species you may find in this location. Although it is important to try to avoid and minimize impacts to all birds, special attention should be made to avoid and minimize impacts to birds of priority concern. To view available data on other bird species that may occur in your project area, please visit the AKN Histogram Tools and Other Bird Data Resources.

<table>
<thead>
<tr>
<th>NAME</th>
<th>SEASON(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Bittern Botaurus lentiginosus</td>
<td>Breeding</td>
</tr>
<tr>
<td><a href="http://ecos.fws.gov/ecp/species/6582">http://ecos.fws.gov/ecp/species/6582</a></td>
<td></td>
</tr>
<tr>
<td>Bald Eagle Haliaeetus leucocephalus</td>
<td>Year-round</td>
</tr>
<tr>
<td>Black-billed Cuckoo Coccyzus erythropthalmus</td>
<td>Breeding</td>
</tr>
<tr>
<td>Blue-winged Warbler Vermivora pinus</td>
<td>Breeding</td>
</tr>
<tr>
<td>Canada Warbler Wilsonia canadensis</td>
<td>Breeding</td>
</tr>
<tr>
<td>Golden-winged Warbler Vermivora chrysoptera</td>
<td>Breeding</td>
</tr>
<tr>
<td>Least Bittern Ixobrychus exilis</td>
<td>Breeding</td>
</tr>
<tr>
<td>Louisiana Waterthrush Parkesia motacilla</td>
<td>Breeding</td>
</tr>
<tr>
<td>Olive-sided Flycatcher Contopus cooperi</td>
<td>Breeding</td>
</tr>
</tbody>
</table>
What does IPaC use to generate the list of migratory bird species potentially occurring in my specified location?

**Landbirds:**

Migratory birds that are displayed on the IPaC species list are based on ranges in the latest edition of the National Geographic Guide, *Birds of North America* (6th Edition, 2011 by Jon L. Dunn, and Jonathan Alderfer). Although these ranges are coarse in nature, a number of U.S. Fish and Wildlife Service migratory bird biologists agree that these maps are some of the best range maps to date. These ranges were clipped to a specific Bird Conservation Region (BCR) or USFWS Region/Regions, if it was indicated in the 2008 list of Birds of Conservation Concern (BCC) that a species was a BCC species only in a particular Region/Regions. Additional modifications have been made to some ranges based on more local or refined range information and/or information provided by U.S. Fish and Wildlife Service biologists with species expertise. All migratory birds that show in areas on land in IPaC are those that appear in the 2008 Birds of Conservation Concern report.

**Atlantic Seabirds:**

Ranges in IPaC for birds off the Atlantic coast are derived from species distribution models developed by the National Oceanic and Atmospheric Association (NOAA) National Centers for Coastal Ocean Science (NCCOS) using the best available seabird survey data for the offshore Atlantic Coastal region to date. NOAA/NCCOS assisted USFWS in developing seasonal species ranges from their models for specific use in IPaC. Some of these birds are not BCC species but were of interest for inclusion because they may occur in high abundance off the coast at different times throughout the year, which potentially makes them more susceptible to certain types of development and activities taking place in that area. For more refined details about the abundance and richness of bird species within your project area off the Atlantic Coast, see the Northeast Ocean Data Portal. The Portal also offers data and information about other types of taxa that may be helpful in your project review.

About the NOAA/NCCOS models: the models were developed as part of the NOAA/NCCOS project: Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf. The models resulting from this project are being used in a number of decision-support/mapping products in order to help guide decision-making on activities off the Atlantic Coast with the goal of reducing impacts to migratory birds. One such product is the Northeast Ocean Data Portal, which can be used to explore details about the relative occurrence and abundance of bird species in a particular area off the Atlantic Coast.

All migratory bird range maps within IPaC are continuously being updated as new and better information becomes available.

Can I get additional information about the levels of occurrence in my project area of specific birds or groups of birds listed in IPaC?

**Landbirds:**

The Avian Knowledge Network (AKN) provides a tool currently called the “Histogram Tool”, which draws from the data within the AKN (latest, survey, point count, citizen science datasets) to create a view of relative abundance of species within a particular location over the course of the year. The results of the tool depict the frequency of detection of a species in survey events, averaged between multiple datasets within AKN in a particular week of the year. You may access the histogram tools through the Migratory Bird Programs AKN Histogram Tools webpage.

The tool is currently available for 4 regions (California, Northeast U.S., Southeast U.S. and Midwest), which encompasses the following 32 states: Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North, Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

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Peregrine Falcon  *Falco peregrinus*
http://ecos.fws.gov/ecp/species/8831  
Breeding

Pied-billed Grebe  *Podilymbus podiceps*
Breeding

Prairie Warbler  *Dendroica discolor*
Breeding

Red-headed Woodpecker  *Melanerpes erythrocephalus*
Breeding

Short-eared Owl  *Asio flammeus*
http://ecos.fws.gov/ecp/species/9295  
Wintering

Willow Flycatcher  *Empidonax trailli*
http://ecos.fws.gov/ecp/species/3482  
Breeding

Wood Thrush  *Hylocichla mustelina*
Breeding
In the near future, there are plans to expand this tool nationwide within the AKN, and allow the graphs produced to appear with the list of trust resources generated by IPaC, providing you with an additional level of detail about the level of occurrence of the species of particular concern potentially occurring in your project area throughout the course of the year.

Atlantic Seabirds:
For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAANCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Facilities

Wildlife refuges
Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGES AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory
Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations
The Service’s objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions
Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving
modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.
In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 4 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nick Conrad
Information Resources Coordinator
New York Natural Heritage Program
To: Alicia Shultz  
USFWS File No: 17TA0927  
Regarding your: ___ Letter ___ Fax ___ Email  
Dated: Mar 3, 2017  
For project: Town hall and highway garage project  
Located: Bear Ladder Road  
In Town/County: Town of Fulton / Schoharie County  


___ Acknowledges receipt of your “no effect” and/or no impact determination. No further ESA coordination or consultation is required.

___ Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

___ Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (http://www.fws.gov/northeast/nyfo/es/section7.htm) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): Robyn Niver  
Supervisor: Anne D. Sevick  
Date: 3/6/17
Via Electronic Mail

February 2, 2017

Nicholas Conrad
New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program – Information Services
625 Broadway, 5th Floor
Albany, New York 12233-4757

Re: Natural Heritage Compliance Process for the Fulton Town Hall and Highway Garage Project, Town of Fulton, Schoharie County, New York

Dear Mr. Conrad:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD’s environmental review regulations (24 CFR Part 58) and New York State’s Environmental Quality Review Act (SEQRA) for the Fulton Town Hall and Highway Garage Project, located in the Town of Fulton, Schoharie County, New York (see Figures 1 and 2).

The purpose of this letter is to request a search of the files of the New York Natural Heritage Program for records of the occurrence of any rare animals, plants, and natural communities and/or significant wildlife habitats in the vicinity of this project. The information we receive will be used in NEPA and SEQRA documentation and/or any permit applications. We will retain the confidentiality, as needed, of any information received.

Program Overview: Hurricane Irene and Tropical Storm Lee forced road closures or detours on almost every major road in the Town of Futon, with significant road damage occurring in a number of locations. Road closures and detours made it difficult for personnel to respond to emergencies, thus impacting the safety of the residents. The existing Town Hall/Highway Department building also served as an Emergency Operations Center (EOC), with approximately 100 officials and emergency personnel trying to work in a 1,000 square foot space that contains only one bathroom, a sink and no shower. The layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency
equipment, personnel and resources. The purpose of this project is to enhance the Town’s emergency response capabilities and to maintain both administrative and highway department operations during the construction of the Project. This will allow the Town to more effectively and efficiently respond to future emergencies.

**Area of Potential Effect:** The Project would take place in tow locations; the current Town Hall and Highway Department facilities’ location at 1168 Bear Ladder Road and a new five-acre undeveloped site located at 1125 Bear Ladder Road to the southeast of the current location (see Figure 3).

**Proposed Project Description:** The Project would proceed in two phases: 1) the Highway Department facilities would relocated from their current location at 1168 Bear Ladder Road to new facilities that would be built on a new five-acre undeveloped site located at 1125 Bear Ladder Road to the southeast of the current location; 2) The existing Town Hall facilities would be demolished in part, renovated and expanded (Figure 4).

The proposed Highway Department facility conceptual design elements include:

- New administrative office space, 6 single bays and one tandem bay garage. This would cover approximately 7,200 square feet, with a: concrete slab foundation: 4-feet maximum depth of excavation and a foundation perimeter with a 6-feet maximum depth of excavation.
- New septic system (5,400 square feet, 3 feet maximum depth of excavation)/sand mound system
- New access road onto the site from Bear Ladder Road (2,723 square feet, 1 foot maximum depth of excavation)
- New parking lot (21,255 square feet, 1 foot maximum depth of excavation)
- New water supply well
- New emergency generator (diesel fuel with a buried fuel tank, 6-foot maximum depth of excavation)

The proposed Town Hall facility would be renovated/reconstructed within the existing developed site footprint. The conceptual elements include:

- Enlarged Town Hall administrative office space and conference/meeting space
- Interior walls and flooring of Town Hall will be refurbished
- Enlarged EOC/administrative space and changing areas for first responders
- Installation of a permanent stand-by power generator and electrical connections (diesel fuel with a buried fuel tank)
- ADA-compliant bathrooms
- The existing well would be refurbished to provide a dedicated drinking water supply for the facility and to residents.

**Compliance:** According to information reviewed from the New York State Environmental Resource Mapper (ERM), the project area is not within a half mile of significant natural communities, and no rare plants or animals exist within the project area (see attached Figure 5). The proposed project would involve ground disturbance. As such, GOSR respectfully requests that the New York Natural Heritage Program review its records of concern for any rare or state-listed animals or plants, or significant natural communities, at this site.
or in its immediate vicinity. In addition, information regarding the presence of any other species or habitats of special concern in the vicinity of the proposed projects is also requested.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0647 or Alicia.Shultz@nyshcr.org. Thank you for your time and consideration.

Sincerely,

Alicia Shultz
Community Developer - Environmental Services
Governor’s Office of Storm Recovery
NYS Homes and Community Renewal

Enclosures:
Figure 1: Project Area Map
Figure 2. Topographic Map
Figure 3. Proposed Highway Garage Site Plan
Figure 4. Proposed Town Hall Site Plan
Figure 5. Environmental Resource Mapper Findings Attachments:
Project Area

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend

- Project Area
- Project Area Parcels
Figure 3. Proposed Highway Garage Site Plan
Figure 4. Proposed Town Hall Site Plan
Environmental Resource Map of the Proposed Project Site
February 24, 2017

Alicia Shultz
Governor’s Office of Storm Recovery
38-40 State Street
Albany, NY 12207

Re: Fulton Town Hall and Highway Garage Project
County: Schoharie Town/City: Fulton

Dear Ms. Shultz:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 4 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nick Conrad
Information Resources Coordinator
New York Natural Heritage Program
Legend

Bulk Storage Facilities

- Chemical Bulk Storage
- Petroleum Bulk Storage

Project Area
Fulton Town Hall 1 Mile Buffer

Bulk Storage Facilities
Fulton Town Hall
Town of Fulton
Schoharie County, New York
Legend

- State Superfund Program Hazardous Waste Sites
- Project Area
- Fulton Town Hall 1 Mile Buffer

Remediation Sites

Fulton Town Hall
Town of Fulton
Schoharie County, New York
February 23, 2017

Re: Lead Agency Designation for Environmental Review of the Fulton Town Hall and Highway Garage Project (Schoharie County, NY)

Dear Involved/Interested Agency:

The Governor’s Office of Storm Recovery (“GOSR”) proposes to serve as lead agency under the National Environmental Policy Act (“NEPA”) and State Environmental Quality Review Act (“SEQRA”) and related laws for the environmental review of the proposed Fulton Town Hall and Highway Garage (the “Proposed Action”). GOSR is conducting an environmental review of the Proposed Action on behalf of the State of New York as the recipient of Community Development Block Grant - Disaster Recovery (“CDBG-DR”) funds from the U.S. Department of Housing and Urban Development under 42 U.S.C. § 5304(g).

The Proposed Action consists of renovating the existing Fulton Town Hall and the design and construction of a new highway garage for the Town of Fulton in Schoharie County, New York. The highway garage would be constructed on an approximately 6-acre parcel donated to the Town of Fulton by Schoharie County located at 1125 Bear Ladder Road, which is across the road and southeast of the existing Town Hall. The existing Town Hall located on approximately 1.8 acres at 1168 Bear Ladder Road would be renovated.

Hurricane Irene and Tropical Storm Lee forced road closures or detours on almost every major road in the Town of Fulton, with significant road damage occurring in a number of locations. Road closures and detours made it difficult for personnel to respond to emergencies, thus impacting the safety of the residents. The existing Town Hall served as an Emergency Operations Center (EOC), with approximately 100 officials and emergency personnel trying to work in a 1,000 square foot space that contains only one bathroom, a sink and no shower. The current layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency equipment, personnel and resources. The purpose of this project is to enhance the Town’s emergency response capabilities and to maintain both administrative and highway department operations during the construction of the Project. Having the highway department and its equipment available and in close proximity to the Town Hall will make the response more effective.

1 The Governor’s Office of Storm Recovery, operating under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation, is the responsible entity for the administration of the CDBG-DR grants to the State of New York.
The highway garage would contain a new administrative office space with 6 single bays and one tandem bay garage, septic system, access road onto the site from Bear Ladder Road, parking lot, water supply well, and emergency generator. The Town Hall facility would contain an enlarged Town Hall administrative office space and conference/meeting space with refurbished interior walls and flooring, enlarged EOC/administrative space and changing areas for first responders, installation of a permanent stand-by power generator and electrical connections, ADA-compliant bathrooms, and a refurbished water well to provide a dedicated drinking water supply for the facility and to residents.

This action has been preliminarily classified as an Unlisted action pursuant to SEQRA. Additional information regarding the Proposed Action and its location are provided in the enclosed Short Environmental Assessment Form. The review of the Proposed Action under SEQRA would satisfy the requirements of 6 NYCRR Part 617.

Your agency or organization has been identified as a potential cooperating, involved, or interested agency for the review and approval of the Proposed Action. If your agency consents to GOSR’s serving as the lead agency for review under SEQRA, please so indicate by signing this letter and returning it at your earliest convenience to Lori A. Shirley at 38-40 State Street, Albany, New York 12207 or simply email a signed copy to Lori.Shirley@nyshcr.org. If we have not heard from you by March 23, 2017 your consent will be assumed.

If you have any questions, please feel free to contact me at (518) 474-0755. Thank you for your consideration and cooperation.

Sincerely,

Lori A. Shirley
Certifying Officer
Governor’s Office of Storm Recovery
New York State Homes & Community Renewal
The undersigned hereby consents to The Governor’s Office of Storm Recovery serving as lead agency for the Fulton Town Hall and Highway Garage Project.

Agency/Organization: __________________________

By: __________________________

Name: __________________________

Title: __________________________

Date: ________________

Permits/Approvals/Comments:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Enclosure:
Short Environmental Assessment Form Part 1
List of Involved and Interested Agencies
Site Location Map
Project Site Plan
Short Environmental Assessment Form
Part 1 - Project Information

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

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Telephone: 518-295-8770</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fulton Town Hall and Garage, Highway Department Facility</td>
<td>E-Mail: <a href="mailto:shanerickie@schoharie.ny.us">shanerickie@schoharie.ny.us</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Location (describe, and attach a location map):</th>
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<tbody>
<tr>
<td>1125 and 1168 Bear Ladder Road, West Fulton, NY 12194</td>
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<table>
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<tr>
<th>Brief Description of Proposed Action:</th>
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<tr>
<td>The Proposed Action consists of the design and construction of a new Highway Department facility and renovation of the existing Town Hall for the Town of Fulton in Schoharie County, New York. The Highway Department facility would be constructed on an approximately 5-acre vacant parcel donated by Schoharie County located at 1125 Bear Ladder Road. The Highway Department facility would contain a new administrative office with 8 single bays and one tandem bay garage, septic system, access road onto the site from Bear Ladder Road, parking lot, water supply well, and emergency generator. The existing Town Hall located at 1168 Bear Ladder Road would contain an enlarged Town Hall administrative office space and conference/meeting space with refurbished interior walls and flooring, enlarged Emergency Operations Center (EOC)/administrative space and changing areas for first responders, installation of a permanent stand-by power generator and electrical connections, ADA-compliant bathrooms, and a refurbished water well to provide a dedicated drinking water supply for the facility and to residents. The close proximity of the Highway Department and Town Hall are necessary for the efficient operation of EOC which require the Town Hall space for responders and the Highway Department for equipment.</td>
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<tr>
<th>Name of Applicant or Sponsor:</th>
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<tbody>
<tr>
<td>Schoharie County (contact Shane Nickle)</td>
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<table>
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<tr>
<th>Address:</th>
<th></th>
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<tbody>
<tr>
<td>276 Main Street, Suite 2</td>
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<table>
<thead>
<tr>
<th>City/PO:</th>
<th>State:</th>
<th>Zip Code:</th>
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</thead>
<tbody>
<tr>
<td>Schoharie</td>
<td>NY</td>
<td>12157</td>
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</table>

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. NO YES

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: Town of Fulton: Building Permit; Schoharie County Department of Health: Permit to Construct Sewage Treatment System NO YES

3a. Total acreage of the site of the proposed action? 6.4 acres

3b. Total acreage to be physically disturbed? 3 acres

3c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.4 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

- [ ] Urban
- [X] Rural (non-agriculture)
- [ ] Industrial
- [ ] Commercial
- [X] Residential (suburban)
- [X] Forest
- [X] Agriculture
- [ ] Aquatic
- [ ] Other (specify): 
- [ ] Parkland

Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      NO  YES  N/A
   b. Consistent with the adopted comprehensive plan?  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   NO  YES

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   b. Are public transportation service(s) available at or near the site of the proposed action?  
   c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  
   NO  YES

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:  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  

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 archaeological sensitive area?  

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:  

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
    Shoreline  Forest  Agricultural/grasslands  Early mid-successional  
    Wetland  Urban  Suburban  NO  YES

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?  

16. Is the project site located in the 100 year flood plain?  

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?  
      NO  YES
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
      NO  YES

Page 2 of 3
<table>
<thead>
<tr>
<th>Question</th>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
<td>18. Does the proposed action include construction or other activities</td>
<td>✓</td>
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<td>that result in the impoundment of water or other liquids (e.g.</td>
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<td>retention pond, waste lagoon, dam)?</td>
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<td>If Yes, explain purpose and size:</td>
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<td>19. Has the site of the proposed action or an adjoining property</td>
<td>✓</td>
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<tr>
<td>been the location of an active or closed solid waste management</td>
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<td>facility?</td>
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<tr>
<td>If Yes, describe:</td>
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<tr>
<td>20. Has the site of the proposed action or an adjoining property</td>
<td>✓</td>
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<td>been the subject of remediation (ongoing or completed) for</td>
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<td>hazardous waste?</td>
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<td>If Yes, describe:</td>
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I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Zachary Thompson                               Date: February 22, 2017
Signature: Zachary Thompson
<table>
<thead>
<tr>
<th>Part 1 / Question 7</th>
<th>Critical Environmental Area</th>
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<tbody>
<tr>
<td>Part 1 / Question 12a</td>
<td>National Register of Historic Places</td>
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<td>Part 1 / Question 12b</td>
<td>Archeological Sites</td>
<td>Yes</td>
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<tr>
<td>Part 1 / Question 13a</td>
<td>Wetlands or Other Regulated Waterbodies</td>
<td>No</td>
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<tr>
<td>Part 1 / Question 15</td>
<td>Threatened or Endangered Animal</td>
<td>No</td>
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<tr>
<td>Part 1 / Question 16</td>
<td>100 Year Flood Plain</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 20</td>
<td>Remediation Site</td>
<td>No</td>
</tr>
</tbody>
</table>
**Project Area**
Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend
- Project Area
- Project Area Parcels

Tatra Tech, Inc
Involved/Interested Agencies – Fulton Town Hall and Highway Garage Project – Schoharie County

Involved

William J. Clarke, Regional Permit Administrator
New York State Department of Environmental Conservation Region 4 Office
1130 North Westcott Rd
Schenectady, NY 12306-2014

Brian Caron, Building Inspector
Town of Fulton
PO Box 19
North Blenheim, NY 12131

Philip R. Skowfoe Jr., Supervisor
Town of Fulton
126 Chapman Road
Fultonham, NY 12071

Peter Shulman, Planning Board Chairman
Town of Fulton
1168 Bear Ladder Road
West Fulton, NY 12194

Roger C. Sokol, Ph.D., Director
NYS Department of Health
Bureau of Water Supply Protection
Empire State Plaza
Corning Tower Rm. 1110
Albany, NY 12237

Michael J. Montysko, P.E., Chief
NYS Department of Health
Bureau of Water Supply Protection
Design Section
Empire State Plaza
Corning Tower Rm. 1110
Albany, NY 12237

Interested

Shane Nickle, Senior Planner
Schoharie County Office of Community Development Services
276 Main Street, Suite 2
Schoharie, NY 12157

William D. Jaycox Jr., Superintendent
Town of Fulton
3758 State Route 30
Middleburgh, NY 12122

Earl VanWormer III, Chairman
Schoharie County Board of Supervisors
County Office Building, Room 365
284 Main Street
Schoharie, New York 12157

Michael Hartzel, Director
Schoharie County Office of Emergency Services
2783 State Route 7, Suite 1
Cobleskill, NY 12034

Anthony F. Desmond, County Sheriff
Schoharie County Sheriff’s Office
Public Safety Facility
157 Depot Lane
Schoharie, NY 12157

Dawn Skowfoe, Clerk and Collector
Town of Fulton
1168 Bear Ladder Road
West Fulton, NY 12194

Sheryl Largeteau, Clerk
Schoharie County Board of Supervisors
County Office Building, Room 365
284 Main Street
Schoharie, New York 12157

Larry Moss, Technical Specialist
Division for Historic Preservation
New York State Historic Preservation Office
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189
Mr. Richard Lord  
Chief of Mitigation Programs & Agency Preservation Officer  
NYS Division of Homeland Security & Emergency Services  
1220 Washington Avenue  
Bldg 7A, Floor 4  
Albany NY 12242

Mr. Ron Rausch, Director  
Environmental Management Bureau  
Office of Parks, Recreation and Historic Preservation  
625 Broadway, 2nd Floor  
Albany, New York 12238