APPENDIX I

WETLANDS

SUMMARY OF 5-STEP WETLAND ANALYSIS FOR THE CIRCLE DRIVE NEIGHBORHOOD DEVELOPEMENT PROJECT VILLAGE OF SIDNEY DELAWARE COUNTY, NEW YORK

Governor's Office of Storm Recovery
U.S. Department of Housing and Urban Development Community Development Block Grant – Disaster Recovery

Below is a summary of the analysis conducted in accordance with 24 CFR Part 55 (Floodplain Management and Protection of Wetlands) and Executive Orders 11988 (Floodplain Management). The proposed action is not located in a 100-year floodplain.

The requirements of 24 CFR §55 apply to actions with the 100-year floodplain or wetlands as defined by 55.2.b.11. The responsible entity must make a determination whether the proposed action is a new construction located in a wetland. Proposed actions in a wetland must be assessed through the procedures outlined in 55.20. Portions of the Circle Drive Neighborhood Development are adjacent to riverine and freshwater forested/shrub wetlands. These portions of the project also abut wetlands identified by NYSDEC. It is not anticipated that the Project would involve disturbance of the wetlands; however, grading plans have not yet been finalized. Given the presence of wetland on the proposed project site and the preliminary level of the grading plans, the Governor's Office of Strom Recovery, has determined to go through the 5-step process outlined under 55.12 to assess potential impacts.

The project involves the development of 22 single family homes, 10 two-family unit townhomes, and roads, water, sewer and stormwater infrastructure extending from existing village connections to service the project. The project site includes three parcels (9.2 acres) near the intersection of Circle Drive and West Main Street, Village of Sidney, Delaware County, New York (**Figures 1 and 2a through f**). In addition, to the main Circle Drive Development area, the project would affect a sliver of the parcel adjacent to northeast corner of the site for the proposed entrance driveway right-of-way (0.1 acre), one of the three locations shown for the water booster pump [Alternate Site 1 (0.9 acre), Alternate Site 2 (0.4 acre), or Alternate Site 3 (0.5 acre)], and a portion of West Main Street to the north of the Circle Drive Development for modification of the water main (0.3 acre). The total project area would be approximately 10 to 10.5 acres, depending on the water booster option chosen. The existing 8-inch sanitary sewer main would be extended 800 feet to the project site; the existing 1.5-inch water main would be replaced with 1,100 feet of new 8-inch water main; and the existing water booster pump station to the west of the Project site would be replaced at one of the alternate sites.

Step 1: Determine if the proposed action is in a 100-year floodplain or wetland.

The Project site is not within the 100-year Special Flood Hazard Area (SFHA), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36025C0242D, dated June 19, 2012) (attached to this document). See the attached **Figure 3**.

The Project site is not on wetlands, as identified by the National Wetlands Inventory. However,

portions of the project site are within 100 feet of a NYSDEC jurisdictional wetland (SD-5). Additionally, this wetland was also defined as R4SBC on the NWI maps. The wetland area and unnamed tributary delineated in the field are hydraulically connected. Based on the U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook, the wetlands identified on this Site are hydraulically connected and therefore, may be federally jurisdictional (**Figure 4**). The eastern boundary of water booster Alternate Site 1, and the western boundary of water booster Alternate Site 3 are adjacent to riverine and freshwater forested/shrub wetlands.

While portions of the project site are immediately adjacent to wetlands, the proposed action does not include construction of structures within the wetlands or within the 100 foot buffer zone of the wetlands.

Step 4: Identify and describe the proposed action's direct and indirect effects associated with occupying or modifying the floodplain or wetland.

The proposed action does not include construction of structures within the wetlands or within the 100-foot wetland buffer. Final grading plans will be submitted to the USACE and the NYSDEC for review and approval. A state Freshwater Wetlands Permit would be obtained for any physical disturbance within 100 feet of the boundary of the NYSDEC wetland. There will be no direct or indirect impacts to the wetlands.

Step 5: Identify methods to minimize the potential adverse impacts within a floodplain and wetland and to restore and preserve the natural and beneficial values.

The proposed action does not include development in the floodplain. The proposed action does not include construction of structures within the wetlands or within the 100-foot wetland buffer. Final grading plans will be submitted to the USACE and the NYSDEC for review and approval. A state Freshwater Wetlands Permit would be obtained for any physical disturbance within 100 feet of the boundary of the NYSDEC wetland. There will be no direct or indirect impacts to the wetlands.

Prior to construction, the appropriate permits would be obtained in accordance with 6NYCRR PART 608, Protection of Waters Program; NYSDEC stormwater discharge from construction activities regulations; and Section 401 of the Clean Water Act. A stormwater pollution prevention plan (SWPPP) would be prepared for the Project. It will describe the use of best management practices to control runoff during construction, which would mitigate any temporary effects on these wetland areas.

Step 6: Reevaluate the proposed action to determine if it is still practicable given its floodplain effects.

There are no floodplain effects. The proposed action does not include construction of structures within the wetlands or within the 100-foot wetland buffer. Final grading plans will be submitted to the USACE and the NYSDEC for review and approval. A state Freshwater Wetlands Permit would be obtained for any physical disturbance within 100 feet of the boundary of the NYSDEC wetland. The proposed action is still practicable.

Step 8: The proposed action can be implemented after the above steps have been completed.

Implementation of the proposed action may require additional local and state permits, which

could place additional design modifications or mitigation requirements on the project.

Legend

Project Area

- Circle Drive Neighborhood Development
- Street Alignment Property
- Water Booster Alternative Locations
- Water Main Modification Area

Tetra Tech, Inc

Project Area

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York

Figure 1. Project Area

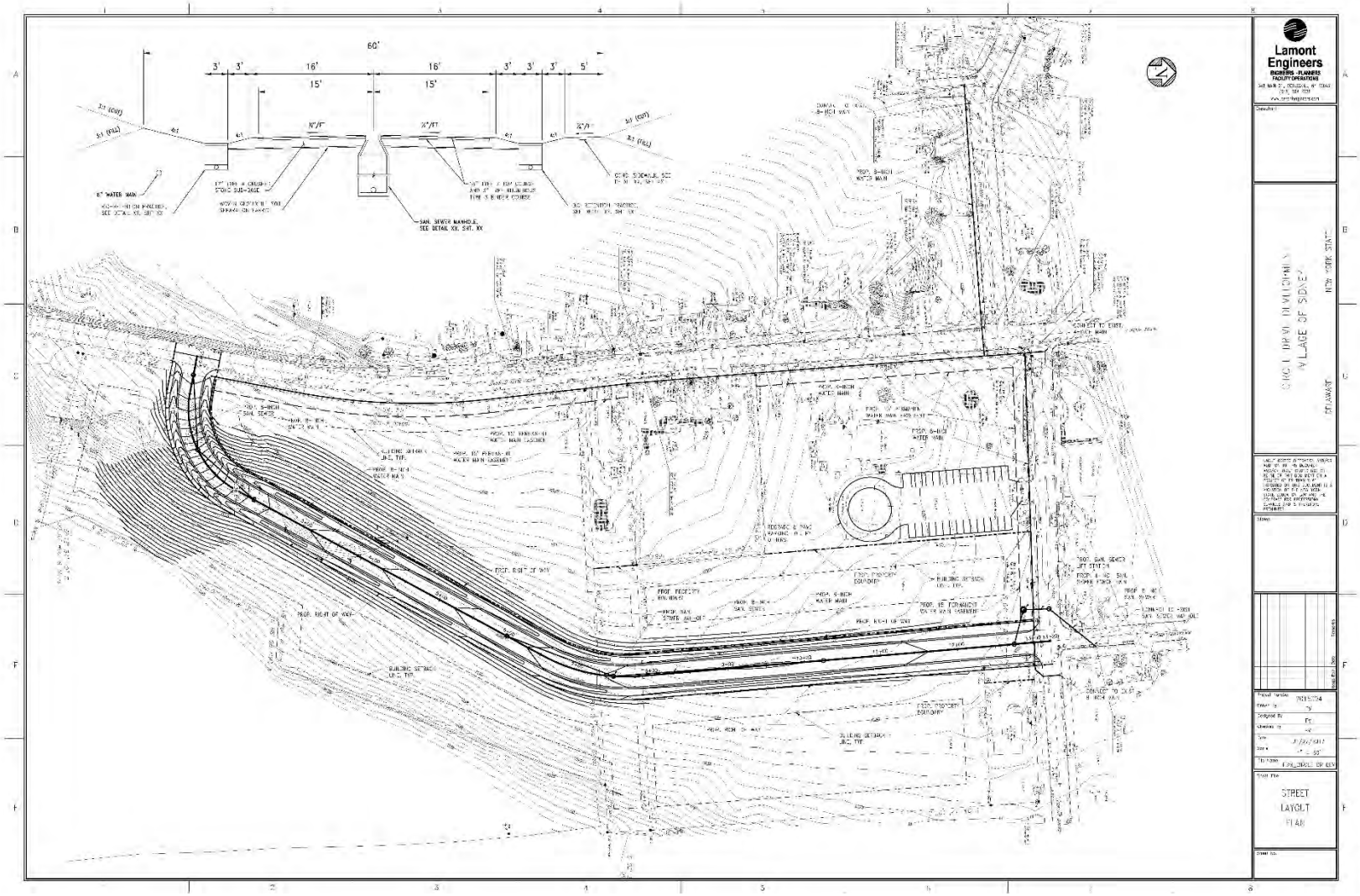


Figure 2a. Site Plan

Lamont Engineers
ENGINEERS - PLANNERS
FACILITY OPERATIONS
340 MAIN ST, CHARLOTTE, NY 12043
(716) 334-4238
www.lamontengineers.com

CIRCLE DRIVE DEVELOPMENT
VILLAGE OF SIDNEY
DELAWARE NEW YORK STATE

Project Number 2015004
Drawn By FV
Designed By FV
Checked By FV
Date 11/15/2016
Scale 1" = 200'
File Name "DM_CIRCLE DR DEV

Sheet Title
PRELIMINARY LAYOUT PLAN

Sheet No.
C-10

Figure 2b. Site Plan

Figure 2c. Site Plan

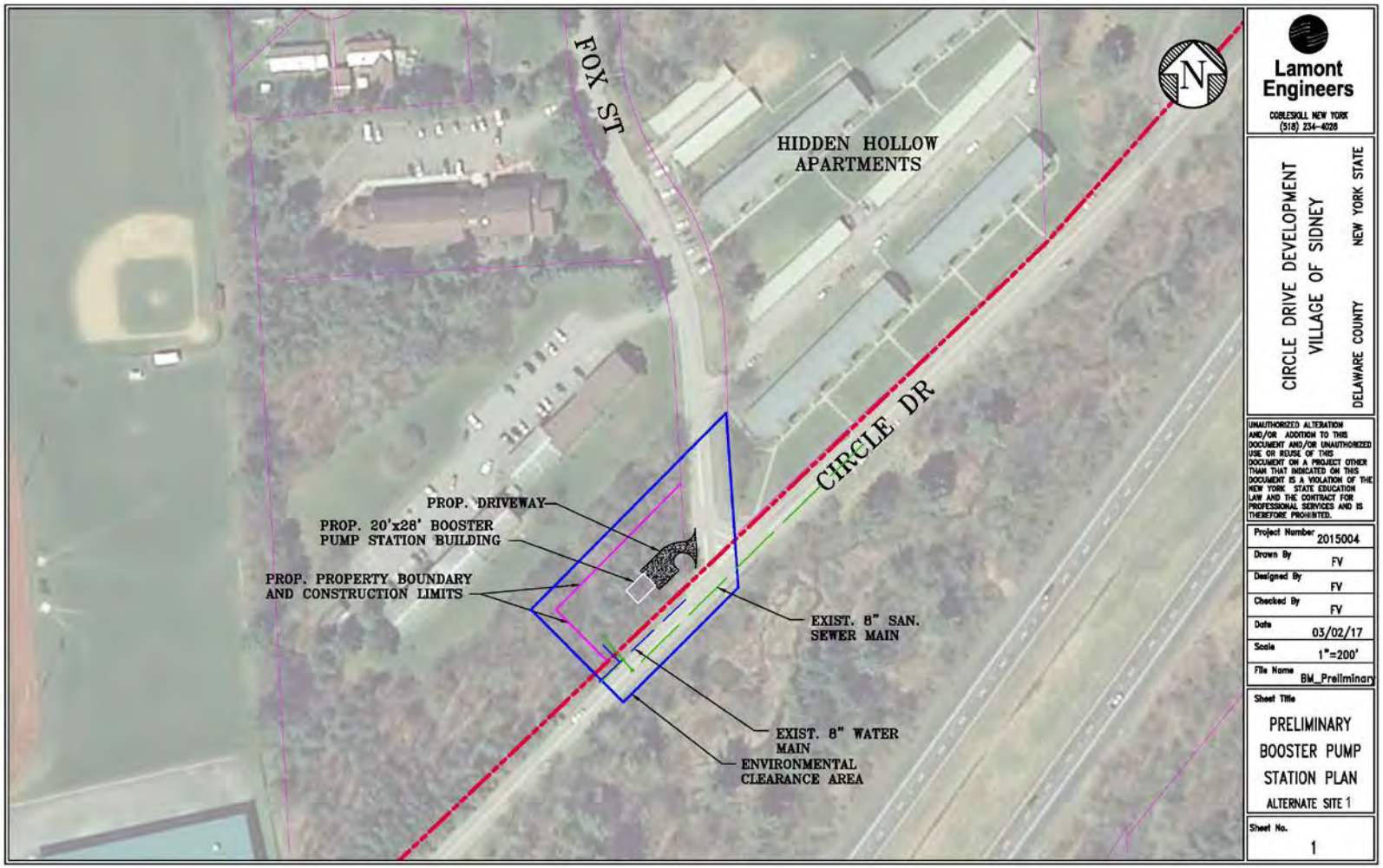


Figure 2d. Site Plan

Figure 2e. Site Plan

Figure 2f. Site Plan

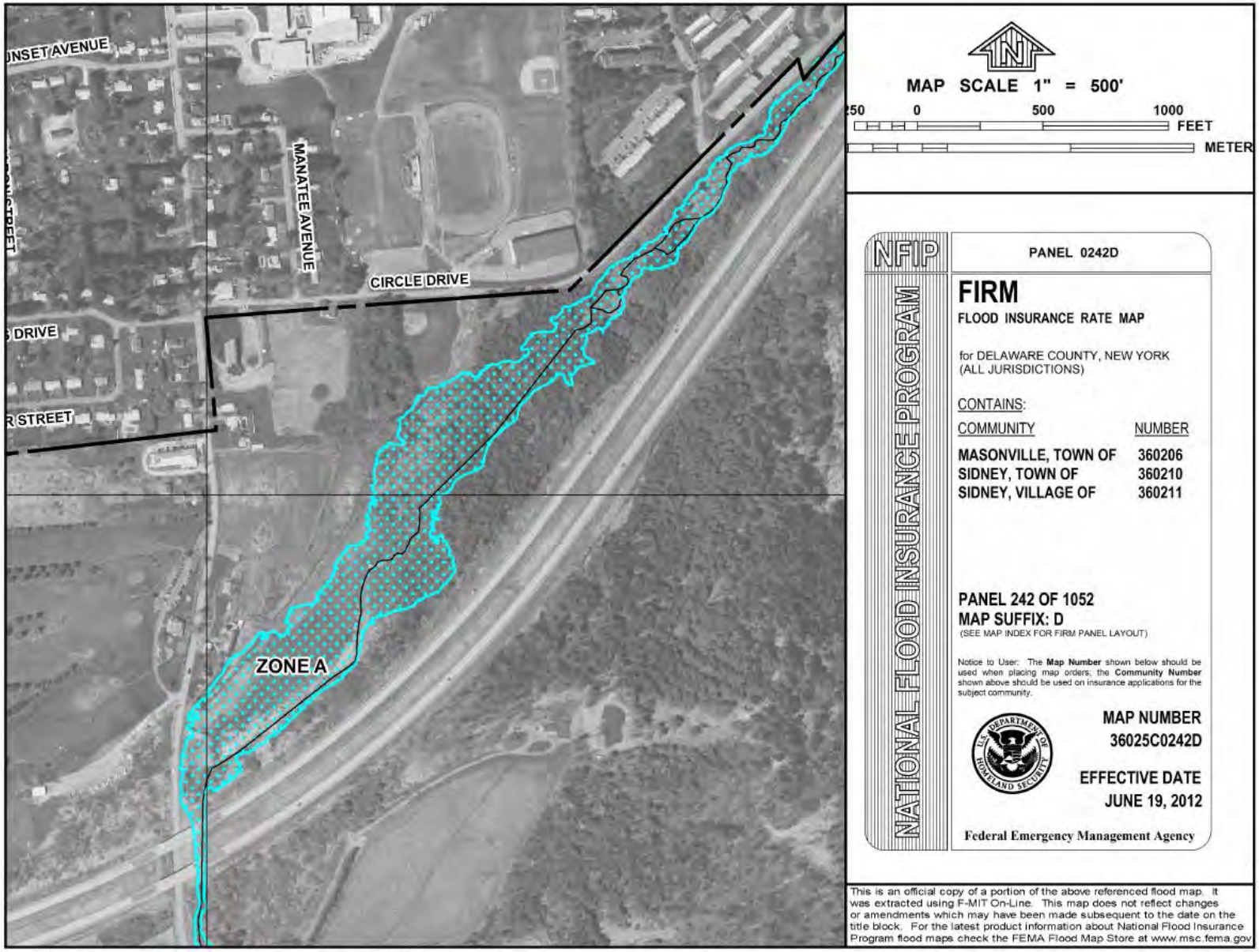
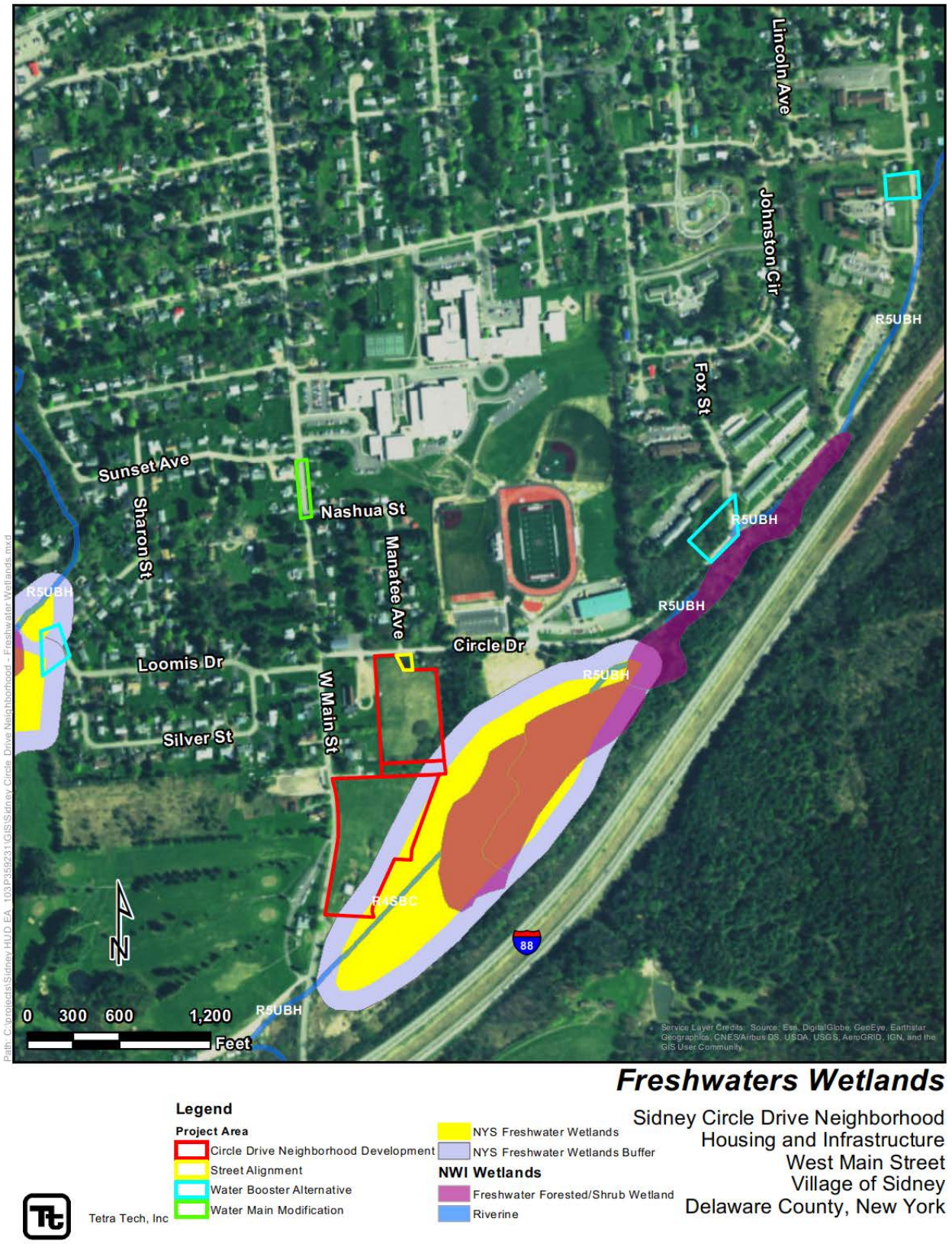


Figure 3. Floodplain map



Freshwaters Wetlands

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York

Legend

Project Area
- Circle Drive Neighborhood Development
- Street Alignment
- Water Booster Alternative
- Water Main Modification
- NYS Freshwater Wetlands
- NYS Freshwater Wetlands Buffer

NWI Wetlands
- Freshwater Forested/Shrub Wetland
- Riverine

Tetra Tech, Inc

Figure 4. Wetland Map

LiRo Engineers, Inc.
A LiRo Group Company
Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421

Ms. Lori A. Shirley
Director of Bureau of Environmental Review and Assessment
The Governor's Office of Storm Recovery
99 Washington Avenue, Suite 1010
Albany, New York 12231

Re: Wetland Assessment
Circle Drive Development Project
West Main Street and Circle Drive
Sidney, New York

Dear Ms. Shirley:

LiRo Engineers, Inc. (LiRo) was retained by the Governor's Office of Storm Recover (GOSR) to conduct a wetland assessment and delineation at a 9-acre property located on the east side of West Main Street in Sidney, New York (Site). Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. (Foit-Albert) conducted the assessment under the direction of LiRo. It is our understanding that

Site Description

The Site is approximately 9 acres and is identified in the Delaware County, New York Property Services Tax Records as Tax IDs 123.-2-7-12 (Parcel 1), 138.-2-8 (Parcel 2), and 139.-2-14-22 (Parcel 3). The Site is situated on a mildly sloped tract of land on the eastern side of West Main Street and to the south of Circle Drive in Sidney, New York. The Site's topography is depicted on the 2013 Sidney North, NY USGS 7.5 Minute Topographic Quadrangle Map (Figure 1). Elevation of the property is approximately 1,160 to 1,040 feet above mean sea level (AMSL). Overland drainage would tend to follow natural contours to the east towards an unnamed tributary located approximately 100 feet to the east of the Site.

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.

Map Review

Topographic, wetland, and soils maps were reviewed using 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. United States Fish and Wildlife Service National Wetlands Inventory (USFWS NWI) Maps and NYSDEC Freshwater Wetlands Inventory Maps were reviewed for the project area (Figures 2 and 3, respectively). Both state and federal wetlands were observed on a portion of

DRAFT

Parcel 3 during the map review. Based on this review and a review of the aerial photographs (e.g., standing water), soil maps (e.g., hydric soil indicators), a wetland assessment and delineation was requested by the GOSR.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate (FIRM) Maps for Delaware County, New York were reviewed as part of this Phase I ESA. According to FEMA FIRM map number 36025C0242D, coverage of the property is listed as Zone X, indicating "Areas Determined to Be Outside of the 500-year floodplain."

According to the USDA Natural Resources Conservation Service Web Soil Survey for Delaware County, New York, the Site soil is classified as Mardin channery silt loam which is described as very deep, moderately well drained soils on glaciated uplands. The saturated hydraulic conductivity is moderately high and low in the lower part of the subsoil and the substratum. Details on this classification are provided in Attachment A.

Wetland Assessment and Delineation

The wetland assessment and delineation was conducted on December 7, 2016. Photographs taken during the wetlands assessment and delineation are provided in Attachment B.

Three parameters were assessed and evaluated as part of this wetland assessment: vegetation, soils, and hydrology. The 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 were also dug at the Site as part of this assessment (Figure 4).

Findings

The following wetland indicator vegetation was identified during the wetland assessment and delineation: *Juncus effusus*, *Cornus sericea, Phragmites australis,* and *Carex sp.* The extent of the wetland vegetation on the Site is depicted on Figure 4.

A total of two test pits (approximately 12" x 12" x 18") were dug as part of this wetlands assessment; one in the wetlands (TPW1) and one outside the wetlands (TPU1). Hydric soils were encountered in TPW1. Based on the field observations, the hydric soils were identified as silty clay loam. The top six inches of soil had a reduced matrix, which is hydric soil indicator. Standing water was also observed in the test pit and the surrounding area. The soil in the other test pit (TPU1) was identified as non-hydric and was dug in the upland section of the Site on a hillside. The soil in this test pit was composed of poorly sorted silty loam with cobbles and no standing water was observed in the pit.

The upland-wetland boundary and the ordinary high water mark of the intermittent stream was defined with a GPS unit during the wetland delineation. The completed Data Sheets are located in Attachment C.

Conclusions

The wetland assessment and delineation identified a portion of the NYSDEC jurisdictional wetland SD-5 within the proposed project area (NYSDEC 2016). Additionally, this wetland was also defined as R4SBC on the NWI maps. The wetland area and unnamed tributary delineated in the field hydraulically connect to one another. Based on the "U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook", the wetlands identified on this Site are hydraulically connected and therefore, may be federally jurisdictional. To confirm whether these wetlands are federally jurisdictional, a preliminary jurisdictional determination should be requested from the USACE. Prior to redevelopment, a joint permit application should be submitted to the USACE and the NYSDEC for review and approval. Based on the conceptual project plans (Attachment D), it does not appear that the new structures will impact or be within the 100 foot buffer zone of the wetlands; however, once the construction and grading plans are finalized, the impacts should be re-evaluated.

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

Sincerely,

Maria Drakos
LiRo Engineers, Inc.

Attachments:
Attachment A - USDA Soils Map and Data
Attachment B - Photographic Log
Attachment C - Wetland Data Sheets
Attachment D - Proposed Site Plan

Figure 1 – Site Topographic Map
Figure 2 – NYSDEC Wetlands Map
Figure 3 – USFWS NWI Map
Figure 4 – Wetland Delineation

References:

Environmental Laboratory. 1987. "Corps of Engineers Wetlands Delineation Manual" Technical Report Y-87-1. US Army Engineer Waterways Experiment Station, Vicksburg, Miss.

Environmental Laboratory. 2009. "Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region". Technical Report ERDC/EL TR-09-19. US Army Engineer Research and Development Center, Vicksburg, Miss.

Federal Interagency Committee for Wetland Delineation. 1989. Federal Manual for Identifying and Delineation Jurisdictional Wetlands. U.S. Army Corps of Engineers, U.S.

Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S.D.A. Soil Conservation Service, Washington D.C. Cooperative technical publication. 76 pp. plus appendices.

NYSDEC, 1995. New York State Freshwater Wetlands Delineation Manual. New York State Department of Environmental Conservation, July 1995.

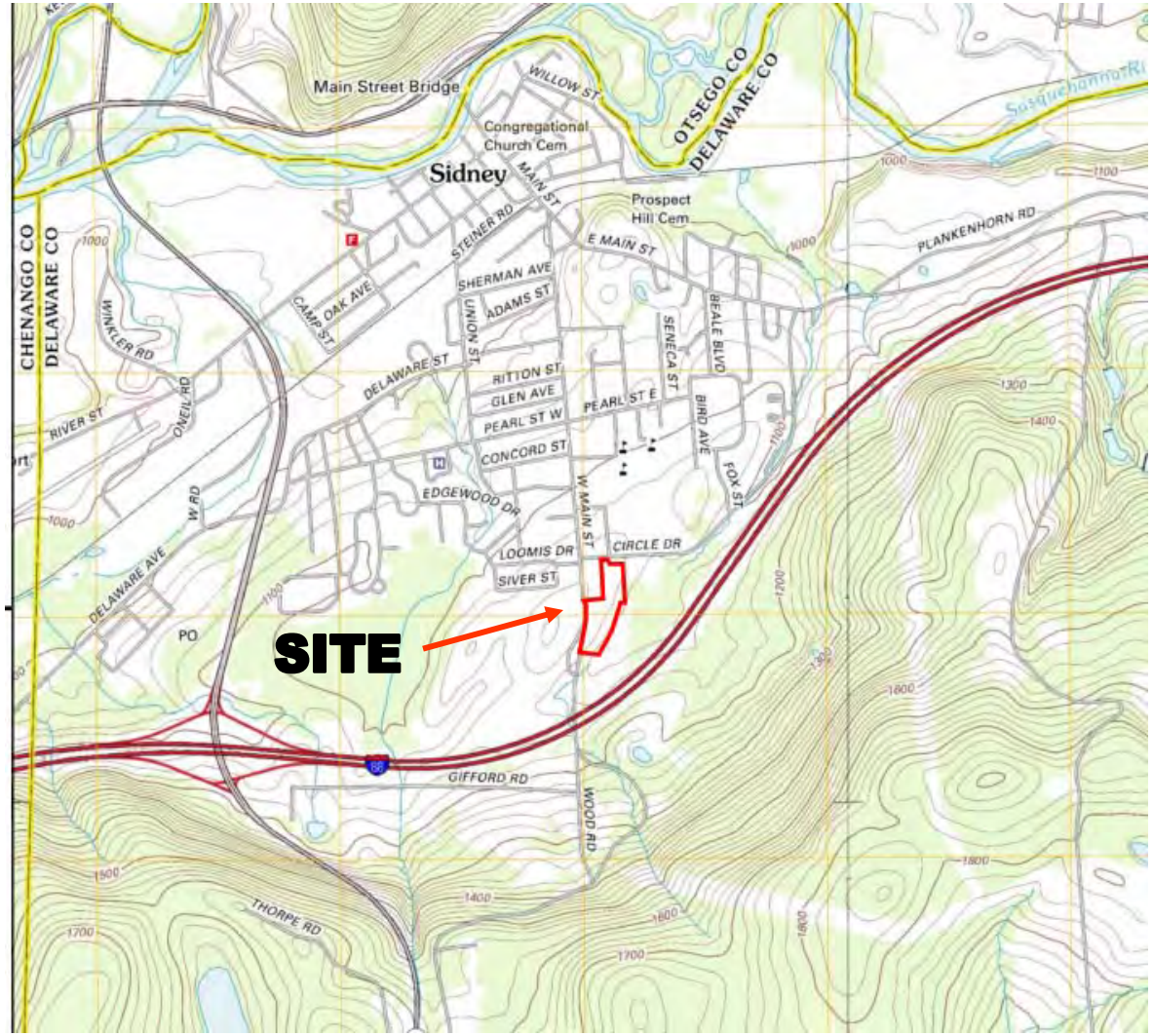
NYSDEC, 2016. "Environmental Resource Mapper", http://www.dec.ny.gov/imsmaps/ERM/viewer.htm. Website accessed March 2016.

NRCS, 2015. Web Soil Survey. Available online at http://websoilsurvey.nrcs.usda.gov/. Accessed December 2016.

USACE, 2007. "U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook." U.S. Army Corps of Engineers, U.S. May 30, 2007.

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 TOPOGRAPHIC MAP



Source:
2013 Sidney, NY
7.5 Minute Series USGS Topographic Quadrangle Map

Circle Drive Development Project, West Main Street, Sidney, Delaware County, New York

Figure 2
NYSDEC Wetlands Map

Legend:

- Site Boundary
- Wetland Check Zone
- Wetland Boundary as Mapped on NYSDEC Mapper

Circle Drive Development Project, West Main Street, Sidney, Delaware County, New York

Figure 3
USFWS NWI Map

Legend:

Site Boundary

PFO1E Palustrine, Forested, Broad-Leaved Deciduous, Seasonally Flooded/Saturated

PFO4/1E Palustrine, Forested, Needle-Leaved Evergreen, Broad-Leaved Deciduous, Seasonally Flooded/Saturated

PSS1E Palustrine, Scrub-Shrub, Broad-Leaved Deciduous, Seasonally Flooded/Saturated

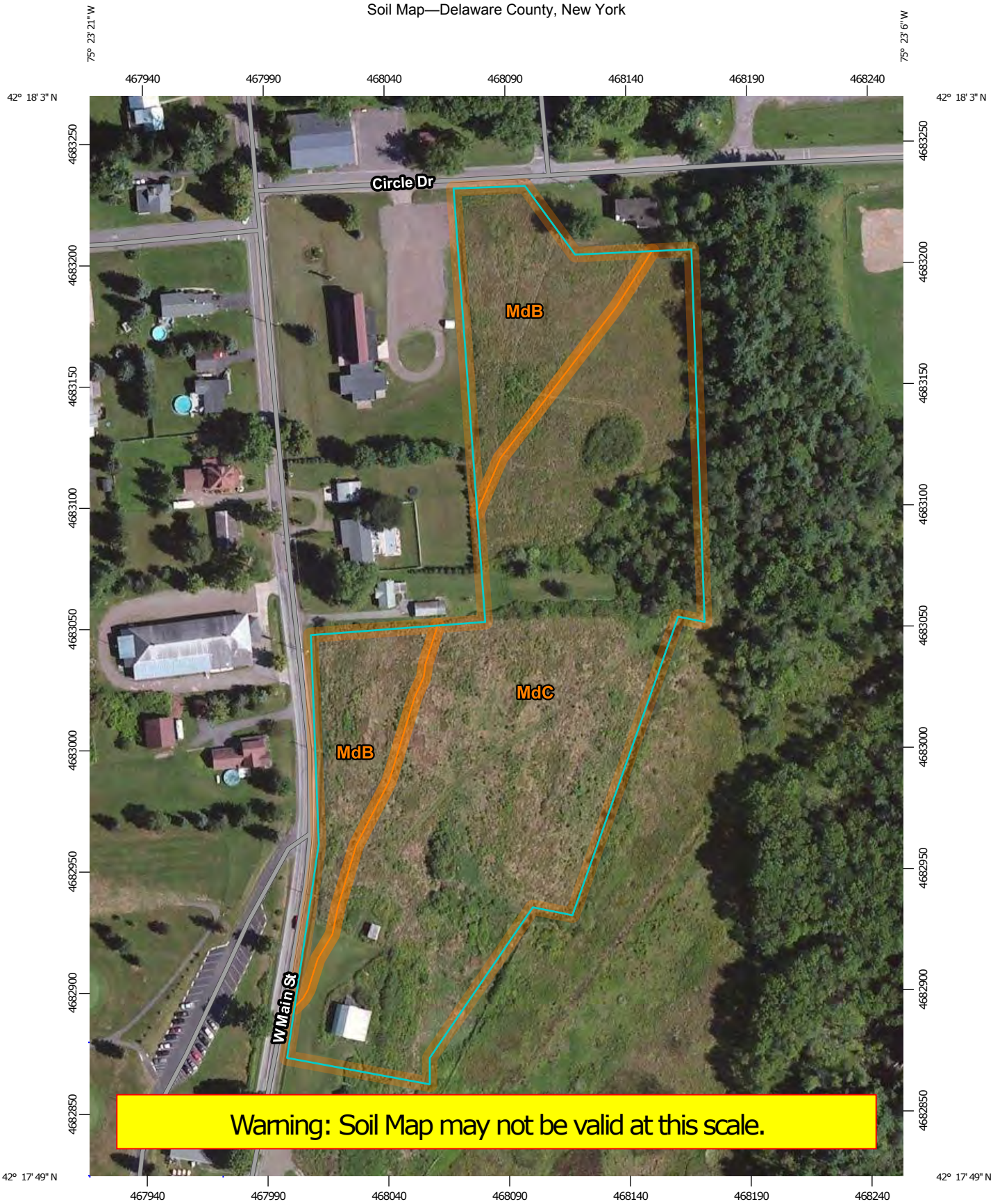
R4SBC Riverine, Intermittent, Streambed, Seasonally Flooded

Circle Drive Development Project, West Main Street, Sidney, Delaware County, New York

FIGURE 4
WETLAND DELINEATION MAP

Legend:
Aerial Imagery Source: Google Earth (dated May 2016)
Approximate Site Boundary
Wetland Boundary
X Test Pit

Circle Drive Development Project, West Main Street, Sidney, Delaware County, New York



Map Scale: 1:2,170 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 30 60 120 180

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

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
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

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

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

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
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
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: Delaware County, New York
Survey Area Data: Version 18, Sep 23, 2016

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

Date(s) aerial images were photographed: May 10, 2011—Oct 8, 2011

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

Delaware County, New York (NY025)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
MdB	Mardin channery silt loam, 3 to 8 percent slopes	2.2	25.3%
MdC	Mardin channery silt loam, 8 to 15 percent slopes	6.6	74.7%
Totals for Area of Interest		**8.8**	**100.0%**

Attachment B
Photo Log

01	
Photo facing northeast showing the border of NYSDEC Wetland SD-5 and the upland on the eastern perimeter of the Site.	
02	
Photo facing southeast showing a portion of NYSDEC Wetland SD-5 on the Site and the property boundary.	

Attachment B
Photo Log

03 Photo facing southwest showing the eastern perimeter of the Site and upland.	
04 Photo facing northeast showing the eastern property boundary	

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Circle Drive Dev't Project City/County: Sidney / Delaware Sampling Date: 12/7/16

Applicant/Owner: Village of Sidney State: NY Sampling Point: TP-W1

Investigator(s): Georgie Nugent Section, Township, Range: NS Sidney, NY

Landform (hillslope, terrace, etc.): base of hill Local relief (concave, convex, none): none Slope (%): ~5%

Subregion (LRR or MLRA): MLRA Lat: 42.17'49.71 N Long: 75°23'14.71" W Datum: NAD 1927

Soil Map Unit Name: Mardin silt loam NWI classification: PFO1E

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.

Hydrophytic Vegetation Present?	Yes ✓ No _____	**Is the Sampled Area within a Wetland?** **Yes** ✓ **No** _____
Hydric Soil Present?	Yes ✓ No _____	
Wetland Hydrology Present?	Yes ✓ No _____	If yes, optional Wetland Site ID: _____

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

NYSDEC Wetland SD-5 as shown on map

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)
- ___ 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)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ✓ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ✓	No _____	Depth (inches): 0"
Water Table Present?	Yes ✓	No _____	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes ✓	No _____	Depth (inches): _____

Wetland Hydrology Present? **Yes** ✓ **No** _____

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

aerials

Remarks:

Standing water

VEGETATION – Use scientific names of plants.

Sampling Point: TP-W1

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2. N/A			
3.			
4.			
5.			
6.			
7.			
	= Total Cover		

Sapling/Shrub Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. Cornus sericea	10	y	facw
2.			
3.			
4.			
5.			
6.			
7.			
	10 = Total Cover		

Herb Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. Carex sp.	10	y	obl
2. Juncus effusus	50	y	obl
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	60 = Total Cover		

Woody Vine Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2. N/A			
3.			
4.			
	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:
OBL species	2	x 1 = 2
FACW species	1	x 2 = 2
FAC species		x 3 =
FACU species		x 4 =
UPL species		x 5 =
Column Totals:	3 (A)	4 (B)

Prevalence Index = B/A = 3/4

Hydrophytic Vegetation Indicators:

- y 1 - Rapid Test for Hydrophytic Vegetation
- y 2 - Dominance Test is >50%
- y 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.

Hydrophytic Vegetation Present? Yes ✓ No _____

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

SOIL

Sampling Point: TP-W1

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

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-6"	10YR 3/1	70	7.5YR 4/2	20	RM	M	silty clay	w/ cobble
6-18"	7.5YR 4/6	50	7.5YR 6/3	10	C	M	clay loam	w/ silt

[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 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)
- ✓ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 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)

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

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks:

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Circle Drive Dev't Project City/County: Sidney / Delaware Sampling Date: 12/7/16

Applicant/Owner: Village of Sidney State: NY Sampling Point: TP-U1

Investigator(s): Georgie Nugent Section, Township, Range: NS Sidney, NY

Landform (hillslope, terrace, etc.): hillside Local relief (concave, convex, none): none Slope (%): 35%

Subregion (LRR or MLRA): MLRA Lat: 42.17'49.71 N Long: 75°23'14.71" W Datum: NAD 1927

Soil Map Unit Name: Mardin NWI classification: N/A

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.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** **Yes** _____ **No** ✓
Hydric Soil Present?	Yes _____	No ✓	If yes, optional Wetland Site ID: _____
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks: (Explain alternative procedures here or in a separate report.)
hillside, former agr area

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)
- ___ 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)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (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? (includes capillary fringe)	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

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2. N/A			
3.			
4.			
5.			
6.			
7.			
	= Total Cover		

Sapling/Shrub Stratum (Plot size: _____)			
1.			
2. N/A			
3.			
4.			
5.			
6.			
7.			
	= Total Cover		

Herb Stratum (Plot size: _____)			
1. Dactylis glomerata	60	Y	upl
2. Digitaria sanguinalis	20	Y	
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	80 = Total Cover		

Woody Vine Stratum (Plot size: _____)			
1.			
2.			
3. N/A			
4.			
	= Total Cover		

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 of:		Multiply by:
OBL species		x 1 =
FACW species		x 2 =
FAC species		x 3 =
FACU species		x 4 =
UPL species		x 5 =
Column Totals:	(A)	(B)

Prevalence Index = B/A = _____

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.

Hydrophytic Vegetation Present? Yes _____ No ✓

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

former ag field/ hillside

SOIL

Sampling Point: TP-U1

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

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-5	10 YR 3/3	100					silt loam w/ rocks	
5-16"	10 YR 5/3	100					silt loam w/ cobbles	

[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)
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- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

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

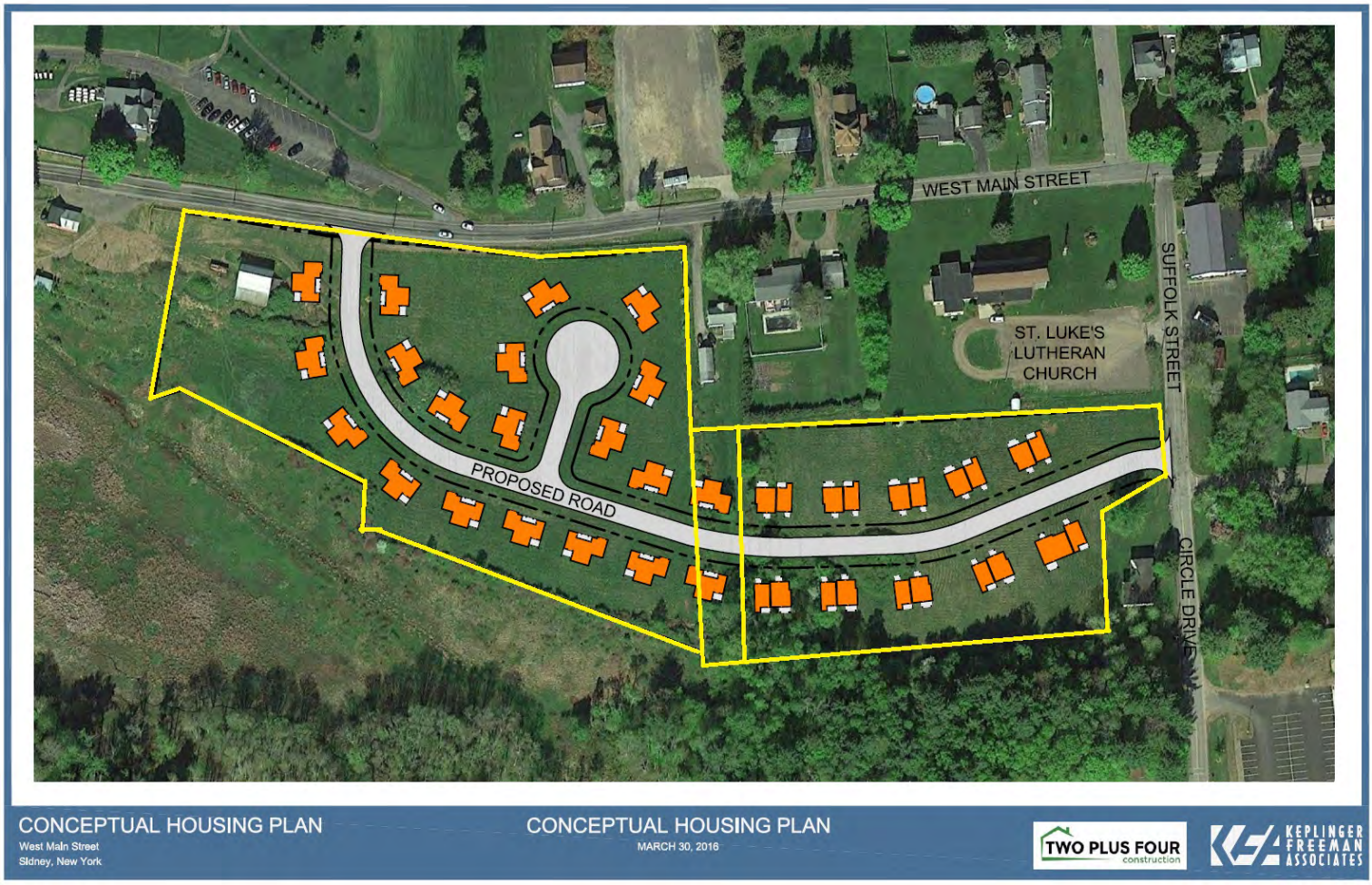
Restrictive Layer (if observed):

Type: rocks/cobbles

Depth (inches): 16"

Hydric Soil Present? Yes _____ No ✓

Remarks: hillside



• Small Project Affordable Rental Construction (SPARC), CDBG – Disaster Recovery: Two-Plus-Four Construction, LLC's application to the SPARC Program to develop affordable multi-family rental housing on a site within the Village of Sidney was approved earlier this year. The village has since identified a location near the intersection of Circle Drive and West Main Street and is immediately adjacent to the properties contemplated for purchase under this funding application.

• Infrastructure Extension Project, GOSR New York Rising Community Reconstruction Program: GOSR has accepted a $2,700,000.00 CDGB – Disaster Recovery application to implement design and construction of road, water, sewer and stormwater infrastructure from existing village connections through the properties purchased for multi and single-family housing in the new Circle Drive Neighborhood.

• New York State Homes and Community Renewal Program: The Village of Sidney has been approved to receive up to $600,000.00 in NYSHCR funding to augment the implementation of infrastructure improvements within the anticipated Circle Drive Neighborhood Development.

As previously stated, DCPD and its non-profit partner, Delaware Opportunities, Inc., on behalf of the village, have identified two suitable, developable properties on which to construct single-family homes and the infrastructure necessary to support the homes:

• Parcel 138.-2-14-22: This is a 5.6 acre parcel, fronted on the west by Delaware County Road No 4 (West Main Street). According to preliminary subdivision layouts provided by the Village's developer, this parcel is capable of being the site of up to 22 single-family homes, following the installation of necessary infrastructure to prepare the site for homes' construction. The parcel contains a barn, currently utilized for agricultural use for adjacent pasture land on a separate parcel owned by the same landowner. It is presently anticipated that this barn will not be demolished.

• Parcel 138.-2-8: This is a 0.75 acre parcel, fronted on the west by Delaware County Road No. 4 (West Main Street). The project envisions the purchase of the eastern half of this property. This property will be the site of stormwater, sewer, and road infrastructure.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits & Pollution Prevention
625 Broadway, 4th Floor, Albany, New York 12233-1750
P: (518) 402-9167 | F: (518) 402-9168 | deppermitting@dec.ny.gov
www.dec.ny.gov

November 28, 2016

Mr. Thomas J. King
Governor's Office of Storm Recovery
99 Washington Avenue
Suite 1224
Albany, NY 12260

RE: Circle Drive Neighborhood Development
Town of Sidney, Delaware County

Dear Mr. King:

We received your jurisdictional inquiry request for Circle Drive Neighborhood Development located at Circle Drive and Main Street in the Town of Sidney, Delaware County. It is our understanding that projects includes design and construction of a road, water, sewer and stormwater infrastructures from the existing village connections for 22 single family housing in a new housing development. The existing barn on site is not planned to be demolished. Based on our understanding of the project and review of the Application for Funding dated September 2016, we have the following comments on the project:

FRESHWATER WETLANDS

Your project/site is near or in Freshwater Wetland SD-5, Class 1. Please be aware that an Article 24, Freshwater Wetlands Permit is required for any physical disturbance within these boundaries or within the 100 foot adjacent area. Please be advised that wetland boundaries are subject to change over time, and the boundaries depicted on the enclosed map are intended to give you a general idea of where wetlands are located. It is recommended that you have wetlands delineated prior to starting any project to be sure you know where the exact boundaries lie within your project/site.

Protection of Waters: A *stream/pond* is located within your project/site. The following provides a summary of the *stream(s)/pond(s)* within the project/site:

Name	Class	Waters Index Number
unnamed	C	SR-148

An Article 15, Protection of Waters Permit is not required to physically disturb the bed or banks of *this/these stream(s)/pond(s)* or to dredge or fill within the waterway.

Please note that **any project undertaken shall not result in the degradation or contravening of water quality standards of the stream**. Activities resulting in sedimentation and/or turbid waters may constitute a violation of water quality standards and the Environmental Conservation Law (ECL). Care needs to be taken to stabilize the disturbed areas promptly after construction, and all necessary precautions be taken to prevent contamination of the stream by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

Stormwater Permit: If your project will disturb more than one acre of land, you must comply with the State Pollutant Discharge Elimination System (SPDES) Phase II regulations for Stormwater Discharges Associated with Construction Activities. Information regarding the SPDES General Permit for Stormwater Discharges can be found on the Department's website at: http://www.dec.ny.gov/chemical/8468.html.

STATE-LISTED SPECIES

We have reviewed the available information in the New York Natural Heritage Program database on known occurrences of rare or state-listed animals and plants, significant communities and other significant habitats. No records of *known* occurrences were found in the (immediate) vicinity of the project/site.

The absence of data does not necessarily mean that any other rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which 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 sources may be required to fully assess impacts on biological resources.

CULTURAL RESOURCES

Your project/site appears to be located within an area of potential historical or archeological significance. If approvals/permits are needed from this Department, we may require consultation with the Office of Parks, Recreation and Historic Preservation (OPRHP) in order to better evaluate this project's impact to these resources.

For more information, please visit the New York State Office of Historic Preservation website at http://www.nysparks.com/shpo/.

OTHER

Work in certain wetlands and other waters of the United States may require a permit from the U.S. Army Corps of Engineers (USACOE). If a USACOE permit is required, the Department may need to make a determination that discharges from the proposed activities will comply with the applicable effluent limitations, water quality standards, and any other applicable conditions of the State Law. A Water Quality Certification, pursuant to Section 401 of the Federal Clean Water Act, may be required from this Department for impacts to federally regulated wetlands. Please contact the Department for further details. It is recommended that you contact the Corps at (518) 266-6350 to discuss their permitting requirements.
Please note that this letter only addresses the requirements for the following permits from the Department:

Protection of Waters Freshwater Wetlands

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at www.dec.ny.gov under “Programs” then “Division of Environmental Permits.”

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

May O'Malley

May O’Malley
Division of Environmental Permits
may.omalley@dec.ny.gov
518-402-9154

Cc: NYSDEC Region 4 Environmental Permits

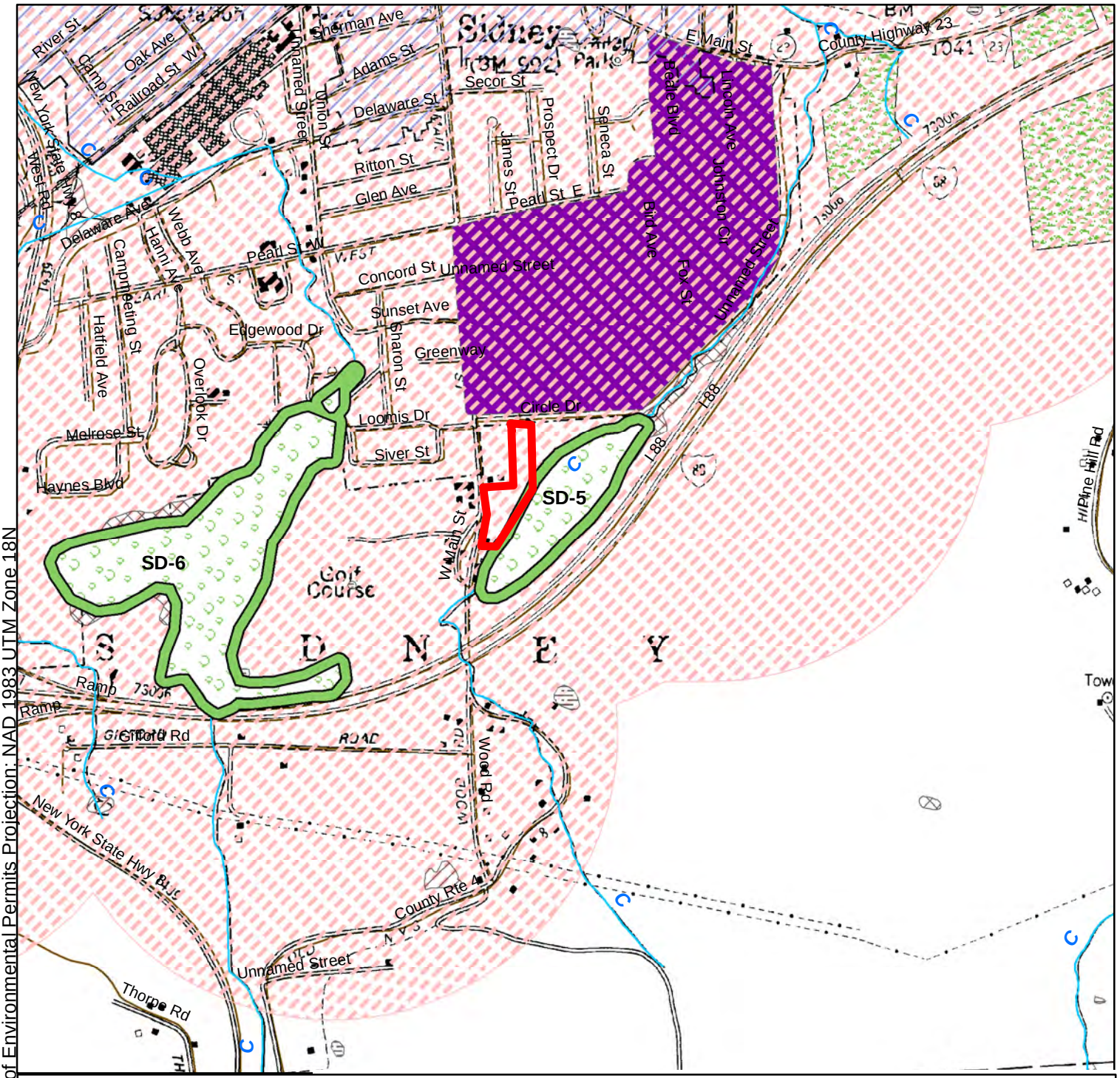
NYS Resources Map

Circle Drive Neighborhood
Town of Sidney,
Delaware County

Prepared by MHO Date: 11/28/16

Feet
0 250 500 1,000 1,500 2,000 2,500 3,000

1 inch equals 444 yards



Division of Environmental Permits Projection: NAD 1983 UTM Zone 18N

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Disclaimer: This map was prepared by the NYSDEC using the most current data available. It is deemed accurate but is not guaranteed. NYSDEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data. This map may contain information that is considered sensitive and therefore the distribution of this map is strictly prohibited.

Legend

NYS Fresh Water Wetlands

- Class 1 Freshwater Wetland
- Class 2 Freshwater Wetland
- Class 3 Freshwater Wetland
- Class 4 Freshwater Wetland
- Uncoded Freshwater Wetland
- Regulated Adjacent Area Boundary
- Protected Streams (C(t) and higher)
- Non-protected Streams (C and D)
- Other
- Water Quality Classifications (Polygon)

National Wetland Inventory

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- Other

Other Resources

- Archeological Sites of Sensitivity
- National/State Register Site
- State Historic Site
- Agricultural Districts
- Aquifers, Primary
- Local Waterfront Revitalization Program
- Hudson River Submerged Aquatic Vegetation Documented Habitat
- Coastal Management Area Boundaries
- Significant Coastal Fish & Wildlife Habitat
- Critical Environmental Areas
- Potential EJ area
- NYC Watershed Basins
- Scenic Areas of Statewide Importance
- State Park
- Listed Animal
- Unlisted Rare Animal
- Animal Concentration Area
- Wetland/Aquatic Community
- Upland/Terrestrial Community
- All except fish
- Fish