Village of Johnson City Water Department and Maintenance and Storage Building Replacement
Village of Johnson City, New York
Environmental Review Record

New York Governor’s Office of Storm Recovery
May 5, 2017
An Environmental Assessment (EA) was completed for Johnson City Water Department Maintenance/Storage Building Replacement on March 16, 2016 (See Attachment 1). This document represents GOSR’s review and update to the EA in response to a request for additional Community Development Block Grant-Disaster Recovery (CDBG-DR) funds for the project. No significant additions to the March 16, 2016 EA were required. After the EA was completed, the northern-long eared bat (NLEB) has been listed a Federal endangered species and is known to occur in Broome County; an asbestos survey has been completed for the building to be demolished; design drawings were updated; and the project location was determined to be outside a 100-year floodplain based on best available information. The attached pages provide updates to 24 CFR 50.12 and 58.32 and 40 CFR 1508.25.

**Project Name:** Johnson City Water Department Maintenance/Storage Building Replacement  
**Project Location:** 44 Camden Street, Broome County, Johnson City, NY  
**Federal Agency:** US Department of Housing and Urban Development  
**Responsible Entity:** New York State Homes and Community Renewal  
**Responsible Agency’s Certifying Officer:** Lori A. Shirley, Environmental Certifying Officer  
**Project Sponsor:** Village of Johnson City  
243 Main Street  
Johnson City, NY 13790  
**Primary Contact:** Greg Deeme, Mayor  
(607) 798-9803 – jcmayor@villageofjc.com  
**Project NEPA Classification:** 24 CFR 58.36 (Environmental Assessment)  

<table>
<thead>
<tr>
<th>Environmental Finding</th>
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<tbody>
<tr>
<td>X Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.</td>
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<tr>
<td>☐ Finding of Significant Impact - The project may significantly affect the quality of the human environment.</td>
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**Certification**  
The undersigned hereby certifies that New York State Homes and Community Renewal has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.

**Environmental Assessment Re-Evaluation Prepared By:** Alicia Shultz, Senior Environmental Scientist, GOSR  
38-40 State Street, 408N, Hampton Plaza  
Albany, NY 12207
CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2015 NYS CDBG-DR project, Johnson City Water Department Maintenance/Storage Building Replacement, are:

Check the applicable classification.

☐ Exempt as defined in 24 CFR 58.34 (a).

☐ Categorically Excluded as defined in 24 CFR 58.35(b).

☐ Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statues and executive orders [i.e., exempt under 58.34(a)(12)].

☐ Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statues and executive orders.

☒ "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35).

☐ Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other", attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.

Lori A. Shirley
Environmental Certifying Officer

Signature of Certifying Officer

May 5, 2017
Date
CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2015 NYS CDBG-DR project, Johnson City Water Department Maintenance/Storage Building Replacement constitute a:

Check the applicable classification:

☐ Type I Action (6NYCRR Section 617.4)
☐ Type II Action (6NYCRR Section 617.5)
☒ Unlisted Action (not Type I or Type II Action)

Check if applicable:

☐ Environmental Impact Statement (EIS) Prepared
☐ Draft EIS
☐ Final EIS

__________________________________  May 5, 2017
Signature of Certifying Officer       Date
Lori A. Shirley
Environmental Certifying Officer
Background:

An Environmental Assessment (EA) was completed for the project activities by the Town of Union Department of Planning on March 16, 2016. The Town of Union is designing and constructing a new maintenance and storage building for the Village at the site of existing Water Department administration and operations building. The Town is using $716,000 of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding for this project which they received as a CDBG entitlement community. Because of a potential $300,000 shortfall, the Village is requesting that $300,000 of the Village’s CDBG-DR allotment also be used to contribute to the project. CDBG-DR funds provided through NY Rising Community Reconstruction program will not be used to pay for any A/E service, permits, goods or materials for this project provided prior to the date of the NY Rising program pre-application dated March 7, 2017. The March 16, 2016 EA prepared by the Town of Union has been reviewed by GOSR to re-evaluate and update the findings of the EA in accordance with 24 CFR 50.12 and 58.32 and 40 CFR 1508.25. The March 16, 2016 EA is attached (Attachment 1). This environmental record includes only additional documentation for the compliance with 24 CFR 50.12 and 58.32 and 40 CFR 1508.25 that are not included in the March 16, 2016 EA.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The Village of Johnson City is requesting CDBG-DR funding from the NY Rising Program to supplement the Town of Union’s CDBG-DR funding to demolish the village’s retired Water Department administration and operations building and construct a new flood-resistant maintenance and storage building within the same footprint of the existing building in Johnson City, New York (see Figures 1 and 2 in Appendix A). The new building will be at a higher elevation (836.06 feet above mean sea level) and is north of a levee and outside the 100 year floodplain (see Figure 3 in Appendix A). The project will require the following construction activities:

1. Demolition of the damaged and retired water treatment plant
2. Earthwork
3. Utility installation
4. Foundation construction and installation
5. Installation of vapor barrier
6. Elevating the first floor of the new maintenance and storage building (836.06 feet above mean sea level)

The new building will be waterproof using the following construction practices:

1. Concrete slab: Provide mud slab with waterproofing membrane glued or loose laid to mud slab and topped with protection board. Pour Concrete slab on top of protection board. The membrane will be turned up to go along the wall. This protection is to negate
Buoyancy force from water pressure in upward direction. The installation will be monitored to ensure property installation.

2. Foundation walls: Glue down waterproofing membrane on the walls with provide protection board. The protection board will protect membrane from backfilling the trench. All the joints and penetrations will be sealed. This will help protecting walls from pressure from saturated soil.

3. Exterior walls: Provide waterproofing membrane on the exterior side of wall and seal to membrane coming up from the concrete slab. The new walls maybe CMU or concrete to resist water pressure. Additionally a 4’ high concrete wall will be constructed around the exterior wall as additional protection from water pressure.

4. Openings: Doors will be protected with removable flood walls. The windows will be above the 4’, so no protection will be necessary.

5. Sump pit with pump will be provided in case water enters the building and water diverted above 4’.

The existing 4,300 square foot Water Department building located on the west side of Camden Street was damaged by floodwaters during Tropical Storm Lee. The existing building will be demolished and a new 4,890 square foot maintenance and storage building will be constructed within the footprint of the demolition. The new maintenance and storage building will be used by the Village of Johnson City. The building will provide storage space for materials, equipment and vehicles used by the Village’s adjacent Water Department Administration building (see Appendix A, Design Drawings).

No acquisition will be required.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

In 2011, during Tropical Storm Lee, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance/storage facility.

The proposed project will enable the maintenance and storage buildings to be constructed in a more resilient way and provide protection and storage for vehicles and other critical equipment necessary for effective supply of water to the Village. Implementation of the proposed project will ensure continuous water operational reliability during future floods and will improve overall resiliency of the adjacent and associated water treatment plant and mitigate against
interruption of the supply of fresh water to Village residents and businesses during future flood events.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

The existing Water Department administration and operations building was built circa 1970. The existing water treatment plant building, built in 1999, was developed to treat water for leached chemicals from neighboring industrial uses. The treatment process involves aerating the water, pumping it into a wet well, then adding sodium hypochlorite and polyphosphate to treat the water. The well houses feed the Village of Johnson City potable water system, which includes the following areas: the Village of Johnson City, portions of the Village of Endicott, the Town of Union (Westover, Fairmont Park, Choconut Center Water District), the Town of Dickinson (Prospect Terrace), the Reynolds Road Area, and the Broome Airport and Landfill. During Tropical Storm Lee, power to the main plant was lost and the emergency generator was submerged when an earthen levee was overtopped.

The project site is located at 44 Camden Street in Johnson City, NY, the location of the current water treatment plant which includes the vehicle and administrative operations. The site is located along the Susquehanna River (see Figures 1 and 2 in Appendix A). The existing water treatment plant is comprised of several structures including the treatment plant building, main building, the administration and operations building, three well houses, and a generator (see Figure 2 and Existing Conditions Plan in Appendix A). The proposed building is not located within a 100-year floodplain, a state regulated wetland or adjacent wetland area or a designated federal wetland (see Figure 3 in Appendix A and Attachment 1, Maps).

The area surrounding the project site includes a mix of residential, open space, and industrial uses. William Hill Park, which includes several baseball diamonds and large grassy areas, is located directly to the west of the project site. Residential uses are located directly to the north of the project site, across Elbon Street. A large industrial building is located to the east of the project site. This building is owned by the United States Air Force building and is in the process of being demolished. The former AES Westover Power Station, also known as the Goudy Power Station, is located to the south of the project site, across Little Choconut Creek.

**Funding Information**

**Estimated Total HUD Funded Amount:** $300,000  
Town of Union CDBF-DR Funds: $716,000,000  
**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: $1,016,000
Compliance with 24 CFR 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</th>
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</thead>
<tbody>
<tr>
<td>Airport Hazards</td>
<td>See attached EA.</td>
<td></td>
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<tr>
<td>24 CFR Part 51 Subpart D</td>
<td>Yes</td>
<td>No</td>
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<tr>
<th>Coastal Barrier Resources</th>
<th>See attached EA.</th>
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<tbody>
<tr>
<td>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td>Yes</td>
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</table>

| Flood Insurance | Almost two-thirds of Broome County’s flood hazards maps are more than 30 years old and no longer accurately reflect the county's risk for flooding. Storms in Broome County in 2006 underscored the need for updated flood maps. Based on preliminary floodplain data which is the best available information and data, the proposed building is NOT located within a Special Flood Hazard Area (see Figure 3 attached). The new building will be located on the north side of the levee outside the 100–year floodplain. The preliminary data is based Federal Emergency Management Agency (FEMA) updated flood maps. The EA completed in March 16, 2016 stated that the project was in a 100-year floodplain and that flood insurance was required. However, flood insurance will NOT be required because based on best |
|---|---|---|
available data the project site is NOT located in the 100-year floodplain. The levee protects the project location against 100-year floods.

<table>
<thead>
<tr>
<th>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</th>
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<tbody>
<tr>
<td><strong>Clean Air</strong></td>
</tr>
<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
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<tr>
<td><strong>Coastal Zone Management</strong></td>
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<tr>
<td>Coastal Zone Management Act, sections 307(c) &amp; (d)</td>
</tr>
<tr>
<td><strong>Contamination and Toxic Substances</strong></td>
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</table>
| 24 CFR Part 50.3(i) & 58.5(i)(2) | ☑ ☐ | The Proposed Project is an active water treatment facility which stores sodium hypochlorite indoors and above ground. The project location was not identified as hazardous waste site (see Attachment 2). No other hazardous or solid waste storage is evident on the site, and the Project would not expose new populations to hazardous or nuisances because no new populations would reside on the Subject Project.

The Subject Project is not listed on a U.S. Environmental Protection Agency (EPA) Superfund National Priorities or CERCLA List, or equivalent State list, located within 3,000 feet of a toxic or solid waste landfill site, does not have an underground storage tank, and is not known or suspected to be contaminated by toxic chemicals or radioactive materials. Therefore, the proposed project would not result in any significant adverse impacts related to toxic, hazardous, or radioactive materials (Attachment 2).

A database search was completed per the *Standard Practice for Environmental Site Assessments: Phase I Environmental Site*
Assessment Process, ASTM International. No unregulated hazardous waste sites, releases of hazardous substances or spills were identified that may pose a threat or are considered a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the Subject Property (See Attachment 2).

A pre-demolition survey for asbestos containing materials was conducted for the building to be demolished (See Attachment 3). Each area of the interior and exterior of the structure slated for demolition was thoroughly inspected by visual means to identify potential ACM. 56 bulk samples were collected representing 32 types of homogeneous suspect ACM. The following materials tested positive for asbestos:

- Parapet tile seam sealant. Approximately 70 square feet of this material exists on the parapets of roofs R01, R02, R03 and R04;
- Built-up roofing and roof flashing. Approximately 3260 square feet of these materials exist on roofs R01, R02 and R04;
- Roof flashing. Approximately 250 square feet of this material exists on roof R03;
- Floor patch material. Approximately 165 square feet of this material exists in space B001;
- Chimney flue patch. Approximately one square foot of this material exists in space 1004.

The above noted ACM total more than 160 square feet and any abatement work to address the ACM is considered a large asbestos project (Attachment 3). The asbestos abatement floor plan is provided in drawing AA100 in the design drawings included in Appendix A.

Upon demolition of the proposed work areas an individual qualified in ACM abatement should supervise the work in the
event hidden or inaccessible ACM is discovered. If hidden or inaccessible ACM is found the work shall stop and the ACM shall be removed by a licensed contractor using certified workers before proceeding with the demolition. Asbestos removal will be performed by a licensed asbestos abatement contractor in conformance with all standards presented in the attached asbestos survey report.

Any work involving the disturbance of ACM or assumed ACM shall be performed by a licensed New York State Asbestos Contractor and shall be performed in conformance with all applicable Federal, State and local rules and regulations to clean up asbestos fibers previously released and prevent the release of asbestos fibers into the environment, by minimizing ACM disturbance and/or damage and monitor the condition of the ACM/Assumed ACM.

The building may contain lead-based paint. All renovation activities would follow Lead-Safe Work Practices and would comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, the US Environmental Protection Agency (EPA) Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80 Subpart E), HUD’s lead-based paint regulations in 24 CFR Part 35 Subparts A, B, H, J, and R. The Guidelines complement regulations that have been issued by HUD, the EPA, and the Occupational Safety and Health Administration (OSHA), and policies from the Centers for Disease Control and Prevention (CDC).

The building to be demolished must conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations

According to the EPA, the proposed building is in Radon Zone 1, Counties with predicted average indoor radon screening levels greater than 4 pCi/L. The action level does not apply to businesses or commercial buildings. The action level was developed for residential use which includes long duration and long term occupancy. Also the structure of a home, which includes small closed rooms, is not comparable to large open commercial structures. Currently, no federal regulations govern acceptable radon levels for commercial and industrial environments.

However, due to the potential for high radon levels a vapor barrier will be installed in the new structure.

HUD regulations at 24 CFR 50.3(i) and 58.5(i)(2) require all property to be free of contamination where a hazard could affect the health and safety of occupants or conflict with the intended use of the property. Section 50.3(i) states that “It is HUD policy that all property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property”.

<table>
<thead>
<tr>
<th>Endangered Species</th>
<th>Yes</th>
<th>No</th>
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The US Fish and Wildlife Service (USFWS) online review process found one threatened
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

☑️ ☐ species on the USFWS official list of species that may occur in the boundary of the Proposed Project, the threatened northern long-eared bat (*Myotis septentrionalis*) (NLEB) (Attachment 4). Data provided by NYSDEC indicates that there were no known hibernacula or known roosts near the Project (see Attachment 5).

GOSR determined that the project will have "no effect" on the NLEB because NLEB habitat will NOT be disturbed. The USFWS acknowledged this determination (See Attachment 6).

Several migratory birds of concern that could be affected by the Proposed Project also were identified in the online review process (Attachment 7). However, no habitat used by migratory birds would be disturbed. During construction migratory birds are expected to leave the area due to noise.

On March 24, 2017 the NYSDEC provided a jurisdictional inquiry response for the Proposed Project. The response stated that a nesting bald eagle pair has been documented approximately 0.5 mile from the proposed building and recommended additional consultation with NYSDEC Wildlife Biologist. GOSR consulted with the regional biologist who responded that work is NOT likely to have impact on the Bald Eagle and visual barriers (trees) already in place should stay in place, unless they work outside of the breeding season during the months of October to December (see Attachment 8).

Explosive and Flammable Hazards

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Explosive and Flammable Hazards</th>
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<tbody>
<tr>
<td>☐</td>
<td>☒</td>
<td>24 CFR Part 51 Subpart C</td>
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See attached EA.
<table>
<thead>
<tr>
<th><strong>Environmental Policy</strong></th>
<th><strong>Yes/No</strong></th>
<th><strong>Additional Information</strong></th>
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<tbody>
<tr>
<td>Farmlands Protection</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</td>
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<tr>
<td>Floodplain Management</td>
<td>Yes/No</td>
<td>This proposed building is NOT located within a Special Flood Hazard Area (see Figure 3 in Appendix A).</td>
</tr>
<tr>
<td>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</td>
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<tr>
<td>Historic Preservation</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.</td>
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<tr>
<td>Noise Abatement and Control</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</td>
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<tr>
<td>Sole Source Aquifers</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</td>
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<tr>
<td>Wetlands Protection</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Executive Order 11990, particularly sections 2 and 5</td>
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<tr>
<td>Wild and Scenic Rivers</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</td>
<td></td>
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<tr>
<td>ENVIRONMENTAL JUSTICE</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Environmental Justice</td>
<td>Yes/No</td>
<td>See attached EA.</td>
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<tr>
<td>Executive Order 12898</td>
<td>Yes/No</td>
<td></td>
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</table>
Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. All conditions, attenuation or mitigation measures have been clearly identified.

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.
(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
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<tbody>
<tr>
<td>LAND DEVELOPMENT</td>
<td></td>
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<tr>
<td>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</td>
<td>2</td>
<td>See attached EA.</td>
</tr>
<tr>
<td>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</td>
<td>2</td>
<td>See attached EA.</td>
</tr>
<tr>
<td>Hazards and Nuisances including Site Safety and Noise</td>
<td>3</td>
<td>Suring construction, all demolition activities will completed in accordance with the Attachment 3 which outlines the asbestos abatement requirements. All work will be completed in accordance with Lead-Safe Work Practices. Asbestos and lead hazardous at the site shall be removed. A vapor barrier will be installed to prevent radon gases from entering the new building because the building is located in a high radon zone.</td>
</tr>
<tr>
<td>Energy Consumption</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Environmental Assessment Factor</td>
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<td>Impact Evaluation</td>
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<td><strong>SOCIOECONOMIC</strong></td>
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<td>Employment and Income Patterns</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Demographic Character Changes, Displacement</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td><strong>COMMUNITY FACILITIES AND SERVICES</strong></td>
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<tr>
<td>Educational and Cultural Facilities</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Commercial Facilities</td>
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<td>See attached EA.</td>
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<tr>
<td>Health Care and Social Services</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Solid Waste Disposal / Recycling</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Waste Water / Sanitary Sewers</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Water Supply</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Public Safety - Police, Fire and Emergency Medical</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Parks, Open Space and Recreation</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Transportation and Accessibility</td>
<td>2</td>
<td>See attached EA.</td>
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### Environmental Assessment Factor

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<tr>
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<tbody>
<tr>
<td><strong>NATURAL FEATURES</strong></td>
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<tr>
<td>Unique Natural Features, Water Resources</td>
<td>2</td>
<td>See attached EA.</td>
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<tr>
<td>Vegetation, Wildlife</td>
<td>2</td>
<td>The USFWS official threatened and endangered list identified the threatened NLEB as potentially affected by activities at the location of the Proposed Project. GOSR determined that the Proposed Project will have “no effect” on the NLEB because habitat used by the bat will not be disturbed and there are currently no known maternity roost trees or hibernacula known to be occupied by NLEB within the vicinity of the Proposed Project location according to geospatial information provided by the USFWS (See Attachments 4 and 5). On March 24, 2017 the NYSDEC provided a jurisdictional inquiry response for the Proposed Project. The response stated that a nesting bald eagle pair has been documented approximately 0.5 mile from the proposed building and that additional consultation with NYSDEC Wildlife Biologist was recommended. GOSR consulted with the regional biologist who responded that work is NOT likely to have impact on the Bald Eagle and visual barriers (trees) already in place should stay in place, unless they work outside of the breeding season during the months of October to December (see Attachment 8).</td>
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<tr>
<td>Other Factors</td>
<td>2</td>
<td>See attached EA.</td>
</tr>
</tbody>
</table>
List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:


List of Attachments


2 EDR VISTACheck®. 44 Camden Street, Johnson City, NY 13790. March 2, 2017.


8 Correspondence between NYSDEC and GOSR Regarding Water Department Maintenance/Storage Building Replacement and Bald Eagle. March 2017.
List of Appendices
Appendix A  Figures including design drawings

List of Permits Obtained or Required:
See attached EA.

Public Outreach [24 CFR 50.23 & 58.43]:
See attached EA.

Cumulative Impact Analysis [24 CFR 58.32]:
See attached EA.

Summary of Findings and Conclusions:
In addition to the findings made in the attached EA, GOSR requires building demolition be overseen by a person qualified in asbestos and lead demolition and disposal and be performed by a licensed NYS Asbestos Contractor in areas where asbestos was positively identified. See section contamination and toxic substances for additional requirements during demolition related to lead paint hazardous and emissions. Further, because the building will be constructed in a Radon high hazard area, the installation of a vapor barrier is required.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]
Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

<table>
<thead>
<tr>
<th>Law, Authority, or Factor</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clean Air Act</td>
<td>All Project activities would comply with applicable federal, state, and local laws and regulations regarding construction emissions, including but not limited to NYCRR, NYSDEC Air Quality Management Plan, and the New York SIP. All necessary measures would be used to minimize fugitive dust emissions during activities, such as demolition of existing structures. The preferred method for dust suppression is water sprinkling.</td>
</tr>
<tr>
<td>Flood Insurance/Management</td>
<td>The project is located outside the 100-year floodplain.</td>
</tr>
<tr>
<td>Contamination and Toxic Substances</td>
<td>All Project-related solid waste materials generated during construction will be managed and transported in</td>
</tr>
</tbody>
</table>
accordance with the NYS solid and hazardous waste rules.

<table>
<thead>
<tr>
<th>Contamination and Toxic Substances</th>
<th>Asbestos and lead abatement activities or special work practices would be done prior to or during the renovation or alteration of the structure to protect workers and the environment from these materials.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contamination and Toxic Substances</td>
<td>According to the EPA, the proposed building is in Radon Zone 1. A vapor barrier must be included in the building design.</td>
</tr>
<tr>
<td>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</td>
<td>Since the native soils underlying the fill consist of silt that may be wet and sensitive to disturbance during wet periods of the year, removal and replacement of the fills should be planned, if possible, during a seasonal dry period.</td>
</tr>
</tbody>
</table>

**Determination:**

- **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

- **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: ____________________________ Date: May 5, 2017
Name/Title/Organization: ____________________________

Certifying Officer Signature: ____________________________ Date: May 5, 2017
Name/Title: ________________________________________

28, 2017

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).
Town of Union, New York - Johnson City Water Department
Maintenance and Storage Building Replacement - 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
Figure 2

Vehicle Maintenance
Administration and Operations
Well #2
Generator
Well #3
Elbon St
Camden St
Berwin St
Treatment Building
Air Strippers
Storage Building
Well #1
Well #2
Well #3

Town of Union, New York
Figure 2
Date: 1/13/2016  Prepared By: Sara Zubalsky

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York
The information contained may be incorrect, incomplete or outdated, and New York State disclaims any responsibility for the accuracy or correctness of the information. New York State, its officers, employees, or agents shall not be liable for damages or losses of any kind, consequential or otherwise, incurred as a result of the use of this information, directly or indirectly.

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**Legend**

- **44 Camden St, Johnson City**
- **FLD_ZONE**
  - 0.2 PCT ANNUAL CHANCE
  - A
  - AE
  - AH
  - AO
  - V
  - VE

**Figure 3**

**Floodplain**

Sources of Data: USFWS, FEMA, ESRI, State of NY

Governor's Office of Storm Recovery

Drawn By: R.Ferres
Version: 1.1
Date: 04/04/2017
JOHNSON CITY
WATER DEPARTMENT MAINTENANCE BUILDING
CAMDEN STREET, JOHNSON CITY
BROOME COUNTY, NY
PROJECT NUMBER 0081.17516.1
01/06/2017

FUNDED:
NEW YORK STATE GOVERNOR’S OFFICE OF STORM RECOVERY (GOSR)
NEW YORK RISING COMMUNITY RECONSTRUCTION PROGRAM (NYRCR)

ARCHITECT / ENGINEER:

KEYSTONE ASSOCIATES
ARCHITECTS, ENGINEERS AND CONSULTANTS, LLC
5 Exchange Street
Binghamton, New York 13901
Phone: 607.722.1300
Fax: 607.722.2515
Email: info@keyscomp.com
www.keyscomp.com

RAM-TECH Engineers, P.C.
6100 Fairway Dr.
PO Box 10
Syracuse, NY 13211-0010
Ph: 315-463-7716
Fx: 315-463-7758

LIST OF DRAWINGS

<table>
<thead>
<tr>
<th>SHEET</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>C000</td>
<td>COVER</td>
</tr>
<tr>
<td>C100</td>
<td>EXISTING SITE CONDITIONS</td>
</tr>
<tr>
<td>C150</td>
<td>LAYOUT AND DIMENSION PLAN</td>
</tr>
<tr>
<td>C110</td>
<td>GRADING AND UILITY PLAN</td>
</tr>
<tr>
<td>C120</td>
<td>DETAILS</td>
</tr>
<tr>
<td>AA100</td>
<td>ASBESTOS ABATEMENT FLOOR PLANS</td>
</tr>
<tr>
<td>AB100</td>
<td>TYPICAL ACCESSIBILITY DETAILS</td>
</tr>
<tr>
<td>AB150</td>
<td>SCHEDULES AND CODE INFORMATION</td>
</tr>
<tr>
<td>AB160</td>
<td>DETAILS</td>
</tr>
<tr>
<td>AB100</td>
<td>BUILDING DEMOLITION</td>
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<td>AB120</td>
<td>BUILDING ELEVATIONS</td>
</tr>
<tr>
<td>AB130</td>
<td>BUILDING SECTIONS</td>
</tr>
<tr>
<td>AB140</td>
<td>FEATURES</td>
</tr>
<tr>
<td>AB160</td>
<td>ROOF PLAN AND DETAILS</td>
</tr>
<tr>
<td>AB100</td>
<td>WALL SECTIONS</td>
</tr>
<tr>
<td>AB110</td>
<td>ARCHITECTURAL INTERIORS</td>
</tr>
</tbody>
</table>

LOCATION MAP

SET NO.
**GENERAL NOTES: (APPLY TO "AA" DRAWINGS)**

- **AB**: ISOLATION BARRIERS TO ISOLATE ASBESTOS ABATEMENT WORK FROM OTHER AREAS OF THE BUILDING. UPON COMPLETION OF ASBESTOS ABATEMENT WORK (AS EVIDENCED BY PANEL AREA ISOLATION WITH OPENINGS FOR PASSAGE OF EXHAUST DUCTS FROM NEGATIVE AIR)

- **D**: PROVIDE ISOLATION BARRIERS TO PROTECT ELECTRICAL/ELECTRONIC/PNEUMATIC EQUIPMENT AND CONTROLS. SUCH AS ENERGY MANAGEMENT SYSTEM EQUIPMENT, ELECTRICAL PANELBOARDS AND SWITCHES, TELEPHONE PANELBOARDS, ETC., OR EQUIPMENT NOT SCHEDULED OTHERWISE FOR DEMOLITION, OR SPECIAL EXISTING FEATURES OF THE BUILDING, WHICH ARE TO REMAIN IN PLACE.

- **E**: PROVIDE ISOLATION BARRIERS TO PROTECT ALL ASBESTOS CONTAINING OR ASBESTOS CONTAMINATED WASTE (PER SPECIFICATION SECTION 028234), "HAZARDOUS" WASTE IF APPLICABLE, PER GOVERNING REGULATIONS.

- **F**: NOTES INDICATING TYPES AND SCOPE OF WORK INDICATED ON DRAWINGS IS SHOWN DIAGRAMMATICALLY. VERIFY IN FIELD (VIF).

- **J**: NOT USED.

- **K**: NOT USED.

- **L**: NOT USED.

- **N**: NOT USED.

- **R**: NOT USED.

- **S**: NOT USED.

- **T**: NOT USED.

- **V**: NOT USED.

- **W**: NOT USED.

- **X**: NOT USED.

- **Y**: NOT USED.

- **Z**: NOT USED.

- **H**: "HAZARDOUS MATERIALS AND WASTE". RECYCLE METAL PARTS OF THE BUILDING. UPON COMPLETION OF ASBESTOS ABATEMENT WORK (AS EVIDENCED BY PANEL AREA ISOLATION BARRIERS OR ISOLATION BARRIERS). AS REGULATED "UNIVERSAL MATERIALS AND WASTE" OR WHICH ARE NOT CLASSIFIED AS REGULATED "HAZARDOUS MATERIALS AND WASTE".

- **P**: PROVIDE ISOLATION BARRIERS TO PROTECT ALL ASBESTOS CONTAINING OR ASBESTOS CONTAMINATED WASTE (PER SPECIFICATION SECTION 028234).

- **Q**: ANY UNAUTHORIZED PERSONNEL ENTERING THE WORK AREA WILL BE REFERRED TO THE ARCHITECT FOR AUTHORIZATION PRIOR TO ENTRY.

- **U**: NOT USED.

- **M**: NOT USED.

- **A**: REMOVE & DISPOSE ALL ACM/ACRM DEBRIS ENCOUNTERED.

- **B**: "HAZARDOUS" WASTE IF APPLICABLE, PER GOVERNING REGULATIONS.

- **C**: "UNIVERSAL" WASTE IF APPLICABLE, PER GOVERNING REGULATIONS.

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GENERAL NOTES

1. GENERAL CONTRACTOR SHALL CUT AND FRAME OPENINGS FOR MECHANICAL CONTRACTOR TO INSTALL LOUVERS, INTAKE VENTS OR EXHAUST VENTS. COORDINATE SIZE OF SUPPORTS WITH MECHANICAL CONTRACTOR. PATCH AND PAINT LOUVERS, SUPPORTS, FLASHINGS AND TRIM (REFER TO MECHANICAL DRAWINGS).

2. GENERAL CONTRACTOR SHALL REVIEW PLUMBING AND MECHANICAL DRAWINGS FOR ANY ADDITIONAL ITEMS WHICH NEEDS TO BE CUT AND FRAMED. COORDINATE WITH PLUMBING AND MECHANICAL CONTRACTORS.

3. GENERAL CONTRACTOR SHALL CUT AND PATCH OPENING FOR LIGHT FIXTURES SHOWN ON THE BUILDING. COORDINATE LOCATION WITH ELECTRICAL CONTRACTOR.
TOILET ROOM 3

A600

FD

FD

1

1

1

A

1

A

104

105

3' - 0" 8" 4' - 0"

7' - 0" 3' - 4" 8" 8"

2' - 6"

4"

8" 4" 8"

4' - 8"

CMU WALL (PAINT)

CERAMIC TILE BASE

CMU WALL (PAINT)

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Village of Johnson City Water Department Maintenance and Storage Building Replacement

44 Camden Street, Johnson City, Broome County, New York

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects in accordance with 24 CFR Part 58 and the National Environmental Protection Act (NEPA)

Prepared By:
Town of Union Department of Planning
3/16/2016
Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Name: Johnson City Water Department Maintenance/Storage Building Replacement

Responsible Entity: Planning Department, Town of Union, New York

Grant Recipient: (same)

State/Local Identifier: B-12-MT-36-0001

Preparer: Sara L. Zubalsky

Certifying Officer Name and Title: Paul A. Nelson, Planning Director

Grant Recipient: (same)

Direct Comments to: Sara L. Zubalsky, Community Development Coordinator
3111 East Main Street, Endwell, NY 13760
Phone: (607) 786-2976
Email: szubalsky@townofunion.com

Project Location: 44 Camden Street, Johnson City, NY 13790
Parcel ID #: 143.61-1-24

Project NEPA Classification: 24 CFR 58.36 (Environmental Assessment)

Environmental Finding: ☒ Finding of No Significant Impact- The project will not result in a significant impact on the quality of the human environment

☐ Finding of Significant Impact- The project may significantly impact the quality of the human environment

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The Town of Union is requesting Community Development Block Grant-Disaster Recovery (CDBG-DR) funding to demolish an existing administration and operations building and construct a new maintenance and storage building at the existing water treatment plant site in Johnson City, New York (see attached figures). The proposed project would consist of:

1. Demolition of an existing administration and operations building;
2. Slightly elevating the first floor of the new maintenance and storage building;

3. The new building will be constructed to meet FEMA development in the floodplain standards.

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

During Tropical Storm Lee in 2011, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance/storage facility.

The proposed project will enable the water treatment plant to be constructed in a more resilient way. It will provide crucial storage and space for vehicle maintenance to allow the plant to maintain functions necessary for effective water supply service. Implementation of the proposed project will ensure continuous water operational reliability during future flood events.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

The existing administration and operations building was built circa 1970. The existing water treatment plant building, built in 1999, was developed to treat water for leached chemicals from neighboring industrial uses. The treatment process involves aerating the water, pumping it into a wet well, then adding sodium hypochlorite and polyphosphate to treat the water. The well houses feed the Village of Johnson City potable water system, which includes the following areas: the Village of Johnson City, portions of the Village of Endicott, the Town of Union (Westover, Fairmont Park, Choconut Center Water District), the Town of Dickinson (Prospect Terrace), the Reynolds Road Area, and the Broome Airport and Landfill. During Tropical Storm Lee in 2011, power to the main plant was lost and the emergency generator was submerged when an earthen levee was overtopped.

The project site, located at 44 Camden Street in Johnson City, NY, currently accommodates the existing water treatment plant. The site is located along the Susquehanna River (see Figure 1). The existing water treatment plant is comprised of several structures including the treatment plant building, main building, the administration and operations building, three well houses, and a generator (see Figure 2). It should be noted that the project site is located within a Special Flood Hazard Area, with portions located within the 100-year floodplain and the remainder of the site within the 500-year floodplain (see Figure). The project site is not located within a state-regulated wetland or adjacent wetland area (see Figure) or a designated federal wetland (see Figure).

The area surrounding the project site includes a mix of residential, open space, and industrial uses. William Hill Park, which includes several baseball diamonds and large grassy areas, is located directly to the west of the project site. Residential uses are located directly to the north of the project site, across Elbon Street. A large industrial building is located to the east of the project site. This building is owned by the United States Air Force building and is in the process
of being demolished. The former AES Westover Power Station, also known as the Goudy Power Station, is located to the south of the project site, across Little Choconut Creek.

**Funding Information**

<table>
<thead>
<tr>
<th>Grant Number</th>
<th>HUD Program</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-12-MT-36-0001</td>
<td>Community Development Block Grant- Disaster Recovery (CDBG-DR)</td>
<td>$716,000</td>
</tr>
</tbody>
</table>

**Estimated Total HUD Funded Amount:** $716,000

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: $716,000

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Airport Hazards</strong></td>
<td>Yes □ No ☒</td>
<td>This project site is not located within 1 mile of a military airport or within 2,500 feet of a civil airport. No impacts would result.</td>
</tr>
<tr>
<td>24 CFR Part 51 Subpart D</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Coastal Barrier Resources</strong></td>
<td>Yes □ No ☒</td>
<td>This project area is not located within a coastal barrier resource area.</td>
</tr>
<tr>
<td>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Flood Insurance</strong></td>
<td>Yes □ No ☒</td>
<td>This project site is located within a Special Flood Hazard Area; the vast majority of the site is located within the 100-year floodplain and the northeastern corner of the site is located within the 500-year floodplain. Proof of National Flood Insurance is required. See attached FEMA floodplain map.</td>
</tr>
<tr>
<td>Statute Area</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>-----</td>
<td>----</td>
</tr>
<tr>
<td><strong>Clean Air</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Broome County is in attainment status for all criteria pollutants. While construction activities may result in temporary increases in emissions from on-site equipment, construction-related vehicles and non-road engines, and fugitive dust, all activities resulting from the proposed project would comply with applicable federal, state, and local laws and regulations regarding construction emissions. Air quality impacts resulting from construction will be short-term and localized. New boiler/HVAC systems for the proposed project would be energy efficient and installed per applicable building codes and federal, state, and local ordinances. Therefore, the proposed project would be in compliance with the Clean Air Act and the State Implementation Plan (SIP). No significant impacts on air quality would result and further assessment is not required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Coastal Zone Management</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal Zone Management Act, sections 307(c) &amp; (d)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>This project site is not located within the boundaries of the New York State Coastal Zone (see attached map). Therefore, the proposed project would be in compliance with the Coastal Zone Management Act.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Contamination and Toxic Substances</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>The New York State Department of Environmental Conservation (NYSDEC) spill database does not identify any open chemical or petroleum spill incidents in areas where construction would take place. Therefore, no construction activity would occur in an area with known on-site or nearby toxic, hazardous, or radioactive substances that could affect health and safety.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Endangered Species</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>A review of the USFWS website indicates that one threatened species, the Northern Long Eared Bat, may lie within the vicinity of the project site. There are no endangered species within the vicinity of the project site. The USFWS was consulted. A letter</td>
<td></td>
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</tr>
</tbody>
</table>
requesting review was sent on January 13, 2016. A response was not received but based on the attached letter and IPaC Review for Phase I of the overall water department reconstruction project, (funded by Governor’s Office of Storm Recovery “GOSR”), dated November 9, 2015, USFWS has determined that the action will have “No Effect” on threatened or endangered species (see Appendix A for correspondence).

<table>
<thead>
<tr>
<th>Hazard Category</th>
<th>24 CFR Part 51 Subpart C</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explosive and Flammable Hazards</td>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Farmlands Protection</td>
<td>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Floodplain Management</td>
<td>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

The proposed project involves minor construction and does not result in an increased number of people being exposed to hazardous operations by increasing residential densities, converting the type of use of a building to habitation, or making a vacant building habitable. Therefore, the provisions of the 24 CFR Part 51 Subpart C do not apply.

The proposed project would not cause disturbance of Prime, Unique, or Statewide Important Farmland and would not involve the conversion of farmland to non-agricultural use. Therefore, the proposed project would not violate the Farmland Protection Policy Act.

This project site is located within a Special Flood Hazard Area, with a vast majority of the site located within the 100-year floodplain and a very tiny portion of the site located in the 500-year floodplain (see floodplain map). In accordance with Executive Order 11988, the Floodplain Management 8 Step Decision making Process was followed (see Appendix B).

The New York State Historic Preservation Office (SHPO) was consulted. Based on the attached CRIS map, the proposed project has no potential to affect archaeological or historic resources, including those listed on or eligible for the New York State and National Registers of Historic Places. Potentially affected tribal nations were also consulted. The proposed project was found
<table>
<thead>
<tr>
<th><strong>Noise Abatement and Control</strong></th>
<th>Yes</th>
<th>No</th>
<th>To be outside the area of interested for all tribes (see attached).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</td>
<td>Yes</td>
<td>No</td>
<td>The proposed project would not result in a new facility that would generate noise on the project site, nor would it introduce any new or rehabilitate any existing noise sensitive uses. While construction of the proposed project would cause temporary increased in noise levels, all construction activities would comply with local noise ordinances. Therefore, no significant noise impacts would occur as a result of the proposed project.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Sole Source Aquifers</strong></th>
<th>Yes</th>
<th>No</th>
<th>The project site is located over the Clinton Street-Ballpark Valley Aquifer System Sole Source Aquifer. The U.S. Environmental Protection Agency (USEPA) was consulted. Based on the attached letter dated February 18, 2016, USEPA has determined that the proposed project would not pose a significant threat to public health or groundwater resources and complies with Section 1424(e) of the Safe Drinking Water Act (see Appendix D for correspondence).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Wetlands Protection</strong></th>
<th>Yes</th>
<th>No</th>
<th>No portion of the project is located within a state-regulated wetland or wetland adjacent area or a federal wetland (see attached maps). Therefore, the proposed project would not violate Executive Order 11990.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Order 11990, particularly sections 2 and 5</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Wild and Scenic Rivers</strong></th>
<th>Yes</th>
<th>No</th>
<th>This project site is not located within the vicinity of any designated wild, scenic, or recreational rivers. Therefore, the proposed project would not violate the Wild and Scenic Rivers Act.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (e)</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>ENVIRONMENTAL JUSTICE</strong></th>
<th>Yes</th>
<th>No</th>
<th>The proposed site is not located in or adjacent to potential environmental justice areas as identified by the New York State Department of Environmental Conservation. Therefore the proposed project would not violate Executive Order 12898.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Justice Executive Order 12898</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]:

**Impact Codes:**

(1) Minor beneficial impact  
(2) No impact anticipated  
(3) Minor Adverse Impact – May require mitigation  
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LAND DEVELOPMENT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</td>
<td>2</td>
<td>The proposed project site is located in a parcel zoned for Urban Single Family; public utilities are permitted by Special Permit. However, because this is an existing facility the requirement for issuance of a new Special Permit is not required. Site plan review is applicable to the proposed project and the proposed project would comply with all site plan regulations. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</td>
<td>2</td>
<td>The proposed project includes the construction of a new maintenance/storage building at the existing water treatment plant. The new building would be constructed with a slightly elevated first floor. In Phase I of the overall water treatment plant reconstruction, a retention pond will be made. In order to minimize erosion, storm water runoff from the new building would drain into the retention pond before being discharged into the Susquehanna River. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Hazards and Nuisances including Site Safety and Noise</td>
<td>2</td>
<td>The development of the proposed project would consist of standard construction practices associated with a new maintenance/storage building for an existing water treatment plant. Typical effects of construction may include sidewalk closures and fugitive dust and noise, which would be addressed under existing regulations governing construction activity in New York State, Broome County, and Johnson City. Measures would be implemented to minimize the exposure of workers and the public to any hazardous materials present on-site. No impacts are anticipated.</td>
</tr>
<tr>
<td>Energy Consumption</td>
<td>2</td>
<td>The proposed project would not significantly increase energy generation or distribution and would meet New York State energy code requirements. The proposed project would connect to existing energy utilities serving the area. No impacts are anticipated.</td>
</tr>
<tr>
<td><strong>SOCIOECONOMIC</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment and</td>
<td>2</td>
<td>The actions comprising the proposed project are limited to</td>
</tr>
<tr>
<td>Income Patterns</td>
<td>the construction of a new maintenance/storage building for an existing water treatment plant. The proposed project has no potential to affect long-term employment opportunities or income patterns. Therefore, no impacts are anticipated.</td>
<td></td>
</tr>
<tr>
<td>Demographic Character Changes, Displacement</td>
<td>The proposed project is being undertaken to construct a new maintenance/storage building for an existing water treatment plant. The project is not expected to induce any change in the demographic character of the water treatment plant service area. In addition, the proposed project would not result in any new residential units and would therefore not change the demographic character of the area. Due to the nature of the project site as a water treatment plant, no residential or commercial space would be displaced. Therefore, no impacts are anticipated.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMUNITY FACILITIES AND SERVICES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational and Cultural Facilities</td>
<td>2</td>
<td>The proposed project would not result in any new residential units. Therefore, the proposed project would not result in impacts to education facilities. SHPO has determined that the proposed project would have no effect on historic/cultural resources (see Appendix C). Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Commercial Facilities</td>
<td>2</td>
<td>The proposed project is limited to the construction of a new maintenance/storage building for an existing water treatment plant and would not introduce any new development that would require retail services or other commercial facilities. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Health Care and Social Services</td>
<td>2</td>
<td>The proposed project is limited to the construction of a new maintenance/storage building for an existing water treatment plant and would not introduce any new development that would require the availability of routine or emergency health services. The proposed project would not significantly impact health care or social services. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Solid Waste Disposal / Recycling</td>
<td>2</td>
<td>The proposed project is limited to the construction of an approximately 4,300 square foot maintenance/storage building for an existing water treatment plant and would not introduce any new development that would generate significant levels of solid waste. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Waste Water / Sanitary Sewers</td>
<td>2</td>
<td>The proposed project involves the construction of a new approximately 4,300 square foot maintenance/storage building for an existing water treatment plant and would</td>
</tr>
</tbody>
</table>
not introduce any new development that would generate significant levels of waste water. Additionally, the project would enhance the ability to safely discharge existing flows of treated waste water during severe weather events. Therefore, no impacts are anticipated.

<table>
<thead>
<tr>
<th>Water Supply</th>
<th>2</th>
<th>The proposed project involves the construction of a new approximately 4,300 square foot maintenance/storage building for an existing water treatment plant and would not introduce any new development that would generate significant levels of demand for water. Therefore, no impacts are anticipated.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety - Police, Fire and Emergency Medical</td>
<td>2</td>
<td>The proposed project would result in a new maintenance/storage building for an existing water treatment plant and would not introduce any new development that would generate significant levels of demand for fire, police, or emergency services. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Parks, Open Space and Recreation</td>
<td>2</td>
<td>The proposed project would result in a new maintenance/storage building for an existing water treatment plant. It would not result in the creation of any open space or recreation resources nor would it directly impact any existing publicly accessible open space or recreation resources. As such, the proposed project would not result in negative impacts to open space or recreation resources. Therefore, no impacts are anticipated.</td>
</tr>
<tr>
<td>Transportation and Accessibility</td>
<td>2</td>
<td>The proposed project would not introduce any new development that would require new or improved transportation connections and would not add any new demand on transportation services. Therefore, no impacts are anticipated.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>NATURAL FEATURES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unique Natural Features, Water Resources</td>
<td>2</td>
<td>The Environmental Review Guide for Community Development Block Grant Programs defines unique natural features as “primarily geological features which are unique in the sense that their occurrence is infrequent or they are of special social, cultural, economic, educational, aesthetic, or scientific value. Development on or near those features may render them inaccessible to investigators or visitors, or otherwise limit potential future use and appreciation of these resources”. Examples of unique natural features include: sand dunes, waterfalls, unique rock outcroppings, caves, canyons, and petrified forests. Also included are unique stands of trees, or unique colonies of animals. The</td>
</tr>
</tbody>
</table>
NYSDEC does not list any designated Critical Environmental Areas (CEA) within or adjacent to the proposed project site; the only CEAs listed in Broome County are located across the Susquehanna River in Vestal, New York (see attached CEA maps). In addition, the proposed site does not contain any agricultural lands and is not suited for agricultural uses. Therefore, no impacts are anticipated.

Information has been received from the U.S. Fish and Wildlife Service New York Field Office (USFWS) and NYSDEC New York Natural Heritage Program. USFWS has confirmed that the action will have “No Effect” on threatened or endangered species (see Appendix A and Appendix E). NYSDEC identified one animal species of endangered, threatened, or special concern; the bald eagle (Haliaeetus leucocephalus). As the project site is at least 2,000 feet from the bald eagle nesting location, construction activities would fall well outside of the USFWS and NYSDEC recommended buffers (see Appendix E for correspondence and a full assessment of the proposed project’s potential effects on the bald eagle population). Therefore, no impacts are anticipated.

None identified

Additional Studies Performed: N/A

Field Inspection (Date and completed by): 12/11/2015, Sara Zubalsky-Site photos

List of Sources, Agencies, and Persons Consulted [40 CFR 1508.9(b)]:

- Federal Emergency Management Agency-Map Service Center
  - https://msc.fema.gov/portal
  - Last accessed 1/13/2016
- National Wild and Scenic Rivers- New York
  - Last accessed 1/25/2016
- New York State Department of Environmental Conservation- Chemical/Petrol Spills
  - Last accessed 1/25/2016
- New York State Department of Environmental Conservation- Critical Environmental Areas
New York State Department of Environmental Conservation-Environmental Justice
  - Last accessed 1/12/2016

New York State Department of Environmental Conservation- Environmental Resource Mapper
  - Last accessed 1/12/2016

New York State Department of Environmental Conservation- Natural Heritage Program
  - Letter dated 1/15/2016

New York State Department of State- NYS Coastal Zone Boundary
  - Last accessed 1/25/2016

New York State Governor’s Office of Storm Recovery Environmental Assessment
  - Prepared by Philip Habib & Associates, 102 Madison Avenue, New York, NY 10016

New York State Historic Preservation Office
  - Letter Dated 1/15/2016

New York State Parks, Recreation, and Historic Preservation- CRIS Mapper
  - https://cris.parks.ny.gov/
  - Last accessed 1/13/2016

United States Environmental Protection Agency- Nonattainment Areas for Criteria Pollutants
  - Last accessed 1/25/2016

United States Environmental Protection Agency-Sole Source Aquifer
  - http://www.epa.gov/dwssa/map-sole-source-aquifer-locations
  - Last accessed 1/18/2016

United States Environmental Protection Agency
  - Letter Dated 1/18/2016

United States Fish and Wildlife Service- New York Field Office
  - Letter dated 1/13/2016

United States Fish and Wildlife Service- Wetland Mapper
  - http://www.fws.gov/wetlands/Data/ Mapper.html
  - Last accessed 1/13/2016

United States Fish and Wildlife Service- Endangered Species
  - http://ecos.fws.gov/ipac/
  - Last accessed 1/18/2016

Delaware Nation
  - Letter Dated 1/14/2016
• Oneida Nation  
  o Letter dated 1/13/2016 
• Onondaga Nation  
  o Letters dated 1/13/2016 
• Stockbridge-Munsee Community Band of Mohicans  
  o Letter dated 1/14/2016 
• Tuscarora Nation of New York  
  o Letter dated 1/13/2016 

List of Reviews Obtained:

• State Environmental Quality Review Act (SEQRA) 
• New York State Department of Environmental Conservation (NYSDEC) 
• New York State Office of Parks, Recreation, and Historic Preservation (SHPO) 
• United States Fish and Wildlife Service (USFWS) 
• United State Environmental Protection Agency (USEPA) 

Public Outreach [24 CFR 50.23 & 58.43]:

The Town of Union Board holds public meetings twice per month. The public is encouraged to attend these meetings to discuss any potential issues with new projects. In addition, the town frequently posts information on its website and issues press releases for publication in the town’s official newspapers.

Both hard copies and digital copies of this report will be made available to the public by request. Public Notice of the Intent to Request Release of Funds (FONSI-RROF) will be published in the Binghamton Press & Sun- Bulletin on March 16, 2016 and posted on the town webpage. Any individual, group, or agency will be allowed to submit written comments that will be considered prior to authorizing submission of a request for release of funds.

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed maintenance and storage building is the second phase of a two phase project. Phase I involves the demolition of the existing storage building and construction of a new administration and operations building by the Village of Johnson City and the New York State Governor’s Office of Storm Recovery. A separate environmental review was completed for Phase I of the overall water treatment plant reconstruction by GOSR and Philip Habib & Associates. For consistency purposes, much of the terminology, nomenclature, and descriptive narrative contained in the report have been continued in the town’s review.
Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:

The approach for the construction of the new maintenance and storage building for the existing Johnson City water treatment plant included consideration of several alternatives for rehabilitation and replacement.

The Village of Johnson City considered several off-site locations for the proposed new maintenance and storage building. Selection of alternative site locations was based on proximity to existing well houses, as operations are most efficient when all uses are located adjacent to one another. Wells 1, 2, & 3 are located at 44 Camden Street (the existing site and proposed project site). The following backup well sites in Johnson City, New York were considered for placement of the proposed maintenance and storage building: Well 4 at 46 Olive Street, Well 5 at 121-141 Endwell Street, Well 6 at 15 Burns Street, and Well 7 at 110 N. Broad Street. Due to the status of well 4 as abandoned, it would not be appropriate to locate the maintenance and storage building at that site. It was determined well sites 5-7 were not acceptable for location of the maintenance and storage building due to space constraints. Situating the building in any of these backup well sites would prove to be operationally insufficient.

Another offsite location outside the floodplain was considered and rejected because it would not meet the project purpose of protecting the water treatment plant facilities. The offsite locations that were considered did not have sufficient space to accommodate the proposed project, nor did they have proximity to an existing water treatment plant operation. In order for the water department to function efficiently, the maintenance and storage building needs to be located on the same site as the water treatment plant. The site for the proposed new maintenance and storage building at the existing water treatment plant site is the most appropriate location.

No Action Alternative [24 CFR 58.40(e)]: Under the No Action alternative, conditions of the environment would remain unchanged and the utilization of outdated maintenance and storage buildings for an existing water treatment plant within the same elevation as the 2011 storm of record would continue. Under the No Action alternative, the construction of the new maintenance and storage building would not occur. Under the No Action alternative, the water treatment plant maintenance and storage buildings would be at risk of repeated flooding. There would be continued risk of the village’s service district losing access to water for general consumption and firefighting purposes that protect the safety of Johnson City’s assets and the citizens served by the water district.

Summary of Findings and Conclusions:

During Tropical Storm Lee in 2011, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance and storage facility. The proposed project will enable the water treatment plant to be constructed in a more resilient way. It will provide crucial storage and space for vehicle storage to allow the plant to maintain functions necessary for effective water supply service. Implementation of the proposed project will ensure continuous water operational reliability during future flood events.
As shown above in the Environmental Assessment Checklist, no significant land development, neighborhood, socioeconomic, natural resources, community facility, or other direct, indirect, or cumulative impacts would result from the proposed project. As shown in the accompanying Statutory Checklists, the proposed project would comply with all relevant regulations listed in 24 CFR subparts 58.5 and 58.6.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

<table>
<thead>
<tr>
<th>Law, Authority, or Factor</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>None Required</td>
</tr>
</tbody>
</table>

**Determination:**

- **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
  The project will not result in a significant impact on the quality of the human environment.

- **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
  The project may significantly affect the quality of the human environment.

---

**Preparer Signature**

Sara L. Zubalsky/Community Dev. Coordinator/Town of Union, NY

3/16/2016  
Date

---

**Certifying Officer Signature**

Paul A. Nelson/Planning Director/Town of Union, NY

3/16/2016  
Date

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).
CERTIFICATION OF SEQRA CLASSIFICATION

Johnson City Water Department Maintenance/Storage Building

Project Name

It is the finding of the Town of Union that the above referenced activity proposed in its CDBG-DR program is:

Check the applicable classification:

☐ Type I Action (6NYCRR Section 617.4)

☑ Type II Action (6NYCRR Section 617.5)

☐ Unlisted Action (Not Type I or Type II Action)

Check if applicable:

☐ Environmental Impact Statement (EIS) Prepared

☐ Draft EIS

☐ Final EIS

Signature of Certifying Officer: 

Paul A. Nelson

March 16, 2016

Date

Paul A. Nelson

Print Name

Planning Director

Title
CERTIFICATION OF NEPA CLASSIFICATION

Johnson City Water Department Maintenance/Storage Building

Project Name

It is the finding of the Town of Union that the above referenced activity proposed in its CDBG-DR program is:

Check the applicable classification.

[ ] Exempt as defined in 24 CFR 58.34 (a).
[ ] Categorically Excluded as defined in 24 CFR 58.35(b).
[ ] Categorically Excluded as defined in 24 CFR 58.35(a), and no activities are affected by federal environmental statues and executive orders [i.e., exempt under 58.34(a)(12)]

[ ] Categorically Excluded as defined in 24 CFR 58.35(a), and some activities are affected by federal environmental statues and executive orders.

[ ] "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35(a) and (b)).

[ ] Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other", attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.

Signature of Certifying Officer

Paul A. Nelson

Print Name

March 16, 2016

Date

Planning Director

Title
Figure 1

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geoamericas, IGN, IGP, swisstopo, and the GIS User Community
Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Figure 2

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

Source: NYSDEC Environmental Resource Mapper
http://www.dec.ny.gov/imsmaps/ERM/viewer.html
Johnson City NY Water Maintenance Building Wetlands

Visible Layers
- Classified Streams
- State-Regulated Freshwater Wetlands
- Wetland Checkzone
- State-Regulated Freshwater Wetlands
- Rare Plants and Rare Animals
- Interstate Highways

Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

MinX: 418519, MaxX: 421550, MinY: 4663934, MaxY: 4661547

Source: NYSDEC Environmental Resource Mapper
http://www.dec.ny.gov/imsmaps/ERM/viewer.html
Well Field 4-2, 4-3, and 4-4 Recharge Areas
Critical Environmental Area (CEA)

Effective Date of Designation: 9-28-90
Designating Agency: Town of Vestal

Legend
- Well Field 4-2, 4-3, and 4-4 Recharge Areas CEA

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data. Please contact the designating authority for additional information regarding legal boundary descriptions.

Base Map: DOT 1:24,000 Planimetric Images

1 inch equals 2,000 feet
8.2 sq. mile portion of the French Tract
Critical Environmental Area (CEA)

Effective Date of Designation: 10-29-93
Designating Agency: Town of Vestal

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data. Please contact the designating authority for additional information regarding legal boundary descriptions.
## Spill Incidents Database Search Results

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APPENDIX A
ENDANGERED SPECIES ACT DETERMINATION
Robyn A. Niver
Endangered Species Biologist
USFWS
New York Field Office
Cortland, NY 13405

January 13, 2016

Re: Early Coordination for the Section 7 Review for the Johnson City Water Department Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City, Broome County, New York

Dear Ms. Niver:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building (USFWS File #: 160177, IPaC Trust Resource Report: SPERT-DSGNB-EPLOI-U7V2F-CDFIM).

As a direct recipient of a grant through the Community Development Block Grant - Disaster Relief (CDBG-DR) program, the Town of Union is acting as HUD’s non-federal representative for the purposes of conducting a consultation pursuant to Section 7 of the Endangered Species Act. The proposed project also includes slightly raising the first floor elevation of the new building.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service-New York Field Office (USFWS) notice of the proposed project and to document Endangered Species Act Section 7 compliance.

**Project Overview**

During Tropical Storm Lee in 2011, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance/storage facility.
The Governor's Office of Storm Recovery has previously detailed Johnson City's proposal to develop a new, approximately 2,800 square foot, administration and operations building. That project would include the demolition of the existing storage building and the construction of a new administration and operations building at a more elevated location within the existing water treatment plant site.

Once that project has been completed, a new maintenance and storage building consisting of approximately 4,300 square feet will be built on the site of the former administration/operations building once it is demolished.

Compliance

According to the USFWS Environmental Conservation Online System (ECOS), there is one threatened species that is potentially associated with the project site – the Northern Long Eared bat. In addition, it appears that there are several migratory birds of concern that could potentially be affected by the proposed project. The Town of Union respectfully requests the USFWS review the proposed project and location to determine if there are known hibernacula or maternity roosts.

If you have any questions or require additional information regarding this request, please contact me at (607) 786-2976 or by e-mail at szubalsky@townofunion.com. Thank you for your time and consideration.

Sincerely,

Sara L. Zubalsky
Community Development Coordinator
Figure 1

Town of Union, New York - Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
Figure 2

Town of Union, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky

Town of Union, New York - Johnson City Water Department
Maintenance and Storage Building Replacement - 44 Camden Street, Village of Johnson City, Broome County, New York
To: Thomas King  
USFWS File No: 160177  

Regarding your:  x Letter  Fax  Email  
Dated: Oct 22, 2015  

For project: Johnson City Water Treatment Plant Resiliency Improvements  
Located: at current water treatment plant  
In Town/County: Village of Johnson City, Broome County  


  x  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):  

Supervisor:  David A. Stiles  Date: 11/9
This report is for informational purposes only and should not be used for planning or analyzing project-level impacts. For projects that require FWS review, please return to this project on the IPaC website and request an official species list from the Regulatory Documents page.
Project Description

NAME
Johnson City Water Treatment Plant

PROJECT CODE
SPERT-DSGNB-EPLOI-U7V2F-CDIFIM

LOCATION
Broome County, New York

DESCRIPTION
No description provided

U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9349
(607) 753-9334
Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the [Endangered Species Program](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE) and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under [Section 7](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE) of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an official species list on the Regulatory Documents page.

**Mammals**

**Northern Long-eared Bat** *Myotis septentrionalis*  
**Threatened**

- [CRITICAL HABITAT](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE)
- **No critical habitat** has been designated for this species.

**Critical Habitats**

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area.
Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](https://www.kenpratt.com/si/26-2a-bird-trayt-act) and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service ([1](https://www.kenpratt.com/si/26-2a-bird-trayt-act)). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

**American Bittern** *Botaurus lentiginosus*
Season: Breeding
[https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F3](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F3)

**Bald Eagle** *Haliaeetus leucocephalus*
Year-round
[https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B008](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B008)

**Black-billed Cuckoo** *Coccyzus erythropthalmus*
Season: Breeding
[https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HI](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HI)

**Blue-winged Warbler** *Vermivora pinus*
Season: Breeding

**Canada Warbler** *Wilsonia canadensis*
Season: Breeding

**Golden-winged Warbler** *Vermivora chrysoptera*
Season: Breeding
[https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0G4](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0G4)

**Kentucky Warbler** *Oporornis formosus*
Season: Breeding

**Least Bittern** *Ixobrychus exilis*
Season: Breeding

**Louisiana Waterthrush** *Parkesia motacilla*
Season: Breeding

**Pied-billed Grebe** *Podilymbus podiceps*
Season: Breeding

**Prairie Warbler** *Dendroica discolor*
Season: Breeding

**Red-headed Woodpecker** *Melanerpes erythrocephalus*
Season: Breeding

**Short-eared Owl** *Asio flammeus*
Season: Wintering
[https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD](https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD)

**Wood Thrush** *Hylocichla mustelina*
Season: Breeding

**Bird of conservation concern**
Worm Eating Warbler Helmitheros vermivorum
Season: Breeding
Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

There are no refuges within this project area.
Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

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.

There are no wetlands identified in this project area.
APPENDIX B
FLOODPLAIN 8-STEP PROCESS
The Town of Union is requesting funding from the U.S. Department of Housing and Urban Development ("HUD") for the “Johnson City Water Department Maintenance and Storage Building Replacement” project (“Proposed Action”), located in Johnson City, Broome County, New York (see Figure 1). The town is conducting an environmental review of the Proposed Action on behalf of HUD as the recipient of Community Development Block Grant- Disaster Recovery (“CDBG-DR”) funds under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014).

The Proposed Action involves the construction of a new maintenance and storage building for an existing water treatment plant. The Proposed Action would include the demolition of an existing administration and operations building and slightly elevating the first floor of a newly constructed maintenance and storage building within the existing water treatment plant site. The new building would be approximately 4,300 square feet.

During Tropical Storm Lee in 2011, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance and storage facilities. The Village of Johnson City’s water treatment plant is at risk of repeated flooding unless relocated or provided with additional resiliency measures. The Proposed Action would protect the water supply and maintenance and storage building. It would provide crucial storage and space for vehicle storage to allow the plant to maintain functions necessary for effective water supply service. It would reduce the risk of the village’s service district losing access to water for general consumption and firefighting purposes. Improvements to public infrastructure would increase community resilience in the face of future storm events and flooding, ensuring protection of the Village of Johnson City’s assets and the safety of its citizens. Based on available information and preliminary plans, upgrading the village’s water treatment plant would ensure continuous water operational reliability during future flood events.

**STEP ONE: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland.**

The Proposed Action is located within a FEMA Special Flood Hazard Area, with a portion of the site located in the 100-year floodplain and a portion of the site located within the 500-year floodplain, as indicated in FIRM panel 3600540025B, effective on November 21, 1980 (see FIRM map). The project site
is approximately 1.2 acres in size. The Town of Union considers the Proposed Action a critical action, as it would reduce the risk of the village’s service district losing access to water for general consumption and firefighting purposes.

The project is (a) new construction and (b) does not meet any of the exemptions in 24 CFR 55.12, therefore, E.O. 19988 applies. An evaluation of direct and indirect impacts associated with construction within a floodplain is required. This analysis considers impacts to flood levels, flood risk, or the flow of flood waters in the project area or to surrounding areas.

**Step TWO: Notify the public for early review of the proposal and involve the affected and interested public in the decision making process.**

A public notice describing the project was published in the Binghamton Press & Sun-Bulletin, the local and regional paper, on January 19, 2016. The notice was posted on the Town of Union’s official webpage (www.townofunion.com) on January 15, 2016. The notice targeted citizens who may be affected by activities in the floodplains and those who have an interest in the protection of the natural environment. As required by regulation, the notice included the name, proposed location and description of the activity, and the HUD official or responsible entity contact for information as well as the location and hours of the office at which a full description of the proposed action can be viewed. A copy of the published notification is attached hereto. The required 15 calendar days were allowed for public comment. No comments were received during the 15 calendar days following publication.

**Step THREE: Identify and evaluate practicable alternatives.**

After consideration of the following alternatives, the Town of Union has determined the best practicable alternative is the Proposed Action. The alternative actions considered are as follows: (1) No Action, (2) Utilization of existing sites with backup wells, and (3) The purchase of property offsite to locate the project outside the floodplain.

**No Action Alternative**

Under the No Action alternative, conditions of the environment would remain unchanged and the utilization of outdated maintenance and storage buildings for an existing water treatment plant within the same elevation as the 2011 storm of record would continue. Under the No Action alternative, the construction of the new maintenance and storage building would not occur. Under the No Action alternative, the water treatment plant maintenance and storage buildings would be at risk of repeated flooding. There would be continued risk of the village’s service district losing access to water for general consumption and firefighting purposes that protect the safety of Johnson City’s assets and its citizens.

**Utilization of Existing Sites with Backup Wells Alternative**

Wells 1, 2, & 3 are located at 44 Camden Street (the existing site and proposed project site). There are currently the following backup wells by which a maintenance and storage building could be placed: Well 4 at 46 Olive Street, Well 5 at 121-141 Endwell Street, Well 6 at 15 Burns Street, and Well 7 at 110 N. Broad Street. Due to the status of well 4 as abandoned, it would not be appropriate to locate the
maintenance and storage building at that site. It was determined well sites 5-7 were not acceptable for location of the maintenance and storage building due to space constraints. Situating the building in any of these backup well sites would prove to be insufficient.

**Locate the Project Offsite, Outside of the Floodplain Alternative**

This alternative was considered and rejected because it would not meet the project purpose of protecting the water treatment plant facilities. The offsite locations that were considered did not have sufficient space to accommodate the proposed project, nor did they have proximity to an existing water treatment plant operation. The maintenance and storage building needs to be located on the same site as the water treatment plant in order to function efficiently. The site for the proposed new maintenance and storage building at the existing water treatment plant site is the most appropriate location. The new maintenance and storage building will be constructed with a slightly elevated first floor to increase resiliency for future storm events and flooding.

**Step FOUR: Identify Potential Direct and Indirect Impacts Associated with Floodplain Development.**

The Proposed Action would not result in significant adverse impacts to floodplains and seeks to provide flood mitigation benefits to critical infrastructure. The Proposed Action would allow for the decommissioning of the current water treatment facilities and the rebuilding of the facility in a more resilient way through the construction of the new maintenance and storage building with a slightly elevated first floor. This would provide crucial maintenance and storage functions necessary to maintain effective water supply service.

The development footprint of the Proposed Action would not result in an increase in impervious cover as all structures would be located within the existing development footprint. No significant land development, neighborhood, socioeconomic, natural resources, or other direct, indirect, or cumulative impacts would result from the proposed project. As discussed above, the Proposed Action seeks to mitigate the risk of repeated flooding of the water treatment plant maintenance and storage building during extreme weather events. The Proposed Action also seeks to mitigate the risk of the village’s service district losing access to water services by improving resiliency by elevating a newly constructed facility. The Proposed Action would not result in a net increase of flood levels, flood risk, or the flow of flood waters on the project site or surrounding areas. Per the existing NYSDEC bulk storage permit for the site, the facility includes a 550-gallon above ground storage tank with secondary containment sufficient to hold the full contents of the tank as well as additional contents in the event of present rainwater.

**Step FIVE: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.**

During the design process, the project engineer was asked to support measures that protect the improvements from future storm events and accommodate resilience in the infrastructure design. The new maintenance and storage building would be constructed with a slightly elevated first floor within
the existing water treatment plant site. The proposed improvements to public infrastructure would increase community resilience in the face of future storm events and flooding, thereby ensuring protection of the Village of Johnson City’s assets and the safety of its citizens.

**Step SIX: Re-evaluate the Proposed Action**

Despite being located in a 100-year and 500-year floodplain, the Proposed Action would be designed to minimize the effects on floodplain values and seeks to provide resiliency and flood mitigation benefits by improving the health and safety associated with a protected water supply in the community.

The Town of Union has reevaluated the Proposed Action and determined that the Proposed Action is still practicable in light of its potential exposure to flood hazards in the floodplain. There is no practicable alternative to the Proposed Action. The No Action alternative is not practicable because it would provide no additional resiliency or flood mitigation benefit to meet the project purpose and need and the water treatment plant maintenance and storage buildings would remain at risk of repeated flooding. The backup sites alternative is not considered practicable because there is not enough area for the building to operate sufficiently. Finally, an alternative to purchase property offsite to locate the project outside of the floodplain was considered and rejected because it would not remedy the problem of inefficient functionality of the maintenance and storage building as it needs to be located within the same site for the water treatment plant to properly function. In addition, the offsite locations that were considered did not have sufficient space to accommodate the proposed project.

**Step SEVEN: Issue Findings and a Public Explanation**

It is determined by the Town of Union that there is no practicable alternative to locating the Proposed Action in the flood zone and the proposed Village of Johnson City Water Department Maintenance and Storage Building Replacement project is the preferred alternative. This is due to: 1) the need to prevent repeated flooding of the maintenance and storage buildings; 2) the project purpose of protecting water services and associated flood resiliency benefits that would improve the safety of the Village of Johnson City’s citizens and assets; 3) the need to construct an economically feasible and efficient project; and 4) the ability to mitigate risk and minimize impacts on public safety, water quality, and floodplain values.

The numerous benefits of the Proposed Action include protection of water services by constructing a new water treatment plant maintenance and storage building with an elevated first floor within the existing site. This would ensure protection of the Village of Johnson City’s assets and the safety of its citizens by reducing the risk of the village’s service district losing access to water for general consumption and firefighting services, and increasing community resilience in the face of future storm events and flooding.

A 7-day “Notice for Final Public Review of a Proposed Activity in a 500-Year Floodplain” was published in the Binghamton Press & Sun-Bulletin, the local and regional paper, on February 13, 2016. It was also posted to the Town of Union official webpage on February 12, 2016. The notice targeted citizens who may be affected by activities in the floodplains and those who have an interest in the protection of the natural environment. A copy of the published notification is attached hereto.
Step EIGHT: Implement the Proposed Action

The Town of Union will ensure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. Further, the Town of Union will see that all mitigation measures as prescribed in the following reviews are completed: National Environmental Policy Act (NEPA) review in accordance with 24 CFR Part 58 and a New York State Environmental Quality Review Act (SEQR) review in accordance with 6 NYCRR Part 617. Lastly, The Town of Union will take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.
Early Notice and Public Review of a Proposed Activity in a 500-year Floodplain

Johnson City Water Department Maintenance/Storage Building

44 Camden Street

Johnson City, Broome County, NY

TO: All interested Agencies, Groups and Individuals.

This is to give notice that the Town of Union under 24 CFR Part 58 has determined that the following proposed action in Johnson City, Broome County, New York ("Proposed Action") is located in the 500-year floodplain. The Town of Union is conducting an environmental review of the Proposed Action 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) and 79 Fed. Reg. 62,182 (Oct. 16, 2014). As required by Executive Orders 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, the Town of Union will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as the potential impacts on the floodplain. The Proposed Action is a federally funded undertaking involving federal, state and local regulatory approvals and discretionary permits associated with water treatment plant resiliency improvements located at 44 Camden St. in Johnson City ("Proposed Project"). During Tropical Storm Lee, the levee system surrounding the Village of Johnson City’s water treatment plant overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses. The proposed project involves the construction of a new maintenance/storage building for the existing water treatment plant.

The proposed project would include the demolition of an existing operations and administration building and the construction of a new approximately 4,300 square foot maintenance/storage building at a slightly more elevated location within the existing footprint of the current building. The purpose of the proposed project is to maintain water distribution activities for the Village of Johnson City and three other adjacent areas during major flood events. The Village of Johnson City’s water treatment plant complex is at risk of repeated flooding unless relocated or provided with additional resiliency measures. The proposed project would reduce the risk of the village’s service district losing access to water for general consumption and firefighting purposes. Improvements to public infrastructure would increase community resilience in the face of future storms and flooding, thereby ensuring protection of the Village of Johnson City’s assets and the safety of citizens served by the facility. Based on available information and preliminary plans, upgrading the resiliency of the village’s water plant functions would ensure continuous operational reliability during floods. There are three
primary reasons for this notice. First, citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

COMMENTS:
Written comments are requested and will be accepted by the person noted below, on or before February 4, 2016.

FOR FURTHER INFORMATION CONTACT:
Town of Union
Department of Planning
3111 E. Main St.
Endwell, New York 13760
Attn: Paul A. Nelson,
Planning Director
(607) 786-2977
pnelson@townofunion.com

Comments may also be submitted or further information can be requested via email to: recovery@townofunion.com

A full description of the project may also be reviewed from 8:00 AM - 4:00 PM, Mondays through Fridays, at the Town of Union office address listed above.
Second base

Kanye, who reached her First Grand Slam semifinal at the Australian Open, found off two set points in the match game coming back to win the first in a tie-breaker. She then raced out to a 5-0 lead in the sec- ond set to put the match away.

I think I’m just playing. I thought I just hope I stay there more than an hour,” Keys said after the match.

Madison Keys had a late start to her return to Melbourne Park, where she was defeated in the first round with a 7-6(5), 6-4 win over Zara Dinia.

Keys, who has a new coach to start the new season. Last year, she had a successful partnership with former No. 1 Li Na. During December reaching the second week of three of the four Grand Slam tournaments.

But Dane’s coach couldn’t travel fully with Keys because of her family and commenting responsibili- ties, so Keys is now working with former ATP Player Development Program director Leondro Gebhard at the Victoria in Melbourne Park.

Keys has a new coach to start the new season.
Public Notices

- Contracting Opportunities For Women and Minority Owned Businesses
- Town of Union Fair Housing information
- Huron Assessment Timeline Information
  - Federal Fiscal Year 2014 CDBG Annual Performance Report
    - Click Here To View The FFY 2014 CDBG Performance Report
- NYS Route 201 Pavement Improvement Project
  - NYS Route 201 Pavement Improvement Project Map
- Increase cost of disposal for tires and the new "Environmental Fee" effective 4/1/15
- Town of Union - Chocorut Water System - 2014 Water Supply Statement/Annual Water Quality Report (AWQR) - PWS ID# NY0320870
- CDBG-DR Action Plan Amendment #16 - Fairmont Park Flood Protection - Comments Due By 2/2/16

Public Hearings/Legal Notices

- Public Hearing Zoning Board of Appeals January 18, 2016 at 7:00 PM -
  - 1235 Campville Road
- Public Hearing Zoning Board of Appeals January 18, 2016 at 7:10 PM -
  - 3003 Hall Street

Bids / RFPs (Please check back for updates before submitting bids)

New policy for bidders awarded contracts that deal in excavating within the Town of Union's Right-of-Way (Please click on link to read).
Final Notice And Public Explanation of Proposed Activity
In A 100/500-year Floodplain
Johnson City Water Department Maintenance/Storage Building Replacement
44 Camden Street, Johnson City, Broome County, NY

TO: All interested Agencies, Groups and Individuals

This is to give notice that the Town of Union under 24 CFR Part 58 has determined that the following proposed action in Johnson City, Broome County, New York ("Proposed Action") is located in the 500-year floodplain. The Town of Union is conducting an environmental review of the Proposed Action 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) and 79 Fed. Reg. 62,182 (Oct. 16, 2014). As required by Executive Orders 11988, and in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, the Town of Union will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as the potential impacts on the floodplain.

The Proposed Action is a federally funded undertaking involving federal, state, and local regulatory approvals and discretionary permits associated with water treatment plant resiliency improvements in Johnson City ("Proposed Project"). During Tropical Storm Lee, the levee system surrounding the Village of Johnson City’s water treatment plant overtopped for the first time, leading to structural damage to the water treatment plant. The proposed project involves the demolition of the existing operations/administration building and construction of a new maintenance/storage building within essentially the same footprint of the old building. The proposed building would be approximately 4,300 square feet in size on a project site that is approximately .95 acres and is located within a Special Flood Hazard Area. A majority of the site is located within the 100-year floodplain and the remaining portion of the site is located within the 500-year floodplain.

The purpose of the proposed project is to protect the water supply capabilities of the Village of Johnson City to provide drinking water to village residents and three other adjacent areas. The Village of Johnson City’s water treatment plant and potable water well houses are at risk of repeated flooding unless relocated or provided with additional resiliency measures. The proposed project would reduce the risk of the village’s service district losing access to water for general consumption and firefighting purposes. Improvements to public infrastructure would increase community resilience in the face of future storms and flooding, thereby ensuring protection of the village of Johnson City’s assets and the safety of its citizens. Based on available information and preliminary conceptual plans, upgrading the village’s water treatment plant by constructing a new maintenance/storage building would enhance their resiliency and ensure continuous operational reliability during floods.

Citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. An adequate public notice program can be an important public
educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. As a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk. This serves to give notice that the Town of Union has conducted evaluations of the Proposed Project as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR § 55.20 Subpart C Procedures for Making Determinations on Floodplain Management.

COMMENTS:
Written comments are requested and will be accepted by the person noted below, on or before February 25, 2016.

FOR FURTHER INFORMATION CONTACT:
Town of Union
Department of Planning
3111 E. Main St.
Endwell, New York 13760
Attn: Paul A. Nelson, Planning Director
(607) 786-2977
pnelson@townofunion.com

Comments may also be submitted or further information can be requested via email to:
recovery@townofunion.com

A full description of the project may also be reviewed from 8:00 AM - 4:00 PM, Monday through Friday, at the Town of Union office address listed above.
1.3 BID SECURITY

The successful bidder shall submit a bond in an amount mutually agreed to at the time of the award of the contract, which shall be executed by the successful bidder, or in the alternative, the Village of Johnson City shall execute a bond to perform the contract for the successful bidder. The bond shall include the execution of a Notice to Proceed and shall be valid for 194 calendar days, or such other period as agreed to in writing by the Village of Johnson City and the successful bidder, and shall remain in force for three years from the date of the Notice to Proceed.

1.4 PROGRESS PAYMENTS

The Village of Johnson City may make progress payments, up to an amount equal to less than five (5) percent of the contract amount, to the successful bidder during the performance of the work, subject to the approval of the village comptroller, provided that the Village of Johnson City has received the full performance bond.

2. BID SUBMITTAL AND BID OPENING

The bid documents shall be submitted in the manner provided for in the Notice for Bidders and shall be opened in a public meeting at the time and place stated in the Notice for Bidders.

3. LOCATION: Newark Valley

Eastside Elementary School and High School, in the Town of Madison, Endwell, New York 13760.

4. CONTRACT DURATION

The contract is to be completed within 194 calendar days, or such other period as agreed to in writing by the Village of Johnson City and the successful bidder, and shall remain in force for three years from the date of the Notice to Proceed.

5. NOTIFICATION OF INTEREST

Those who have an interest in the protection of the natural resources, including the potential impacts on the floodplain, as well as the potential impacts on the floodplain. As required by Executive Orders 11988, and in accordance with the Instructions to Bidders for this project, a Notice of Intent to Proceed was issued on February 12, 2016.

6. CLOSING DATE OF BIDS

Bids shall be received by the Village of Johnson City at its office, 68 Wilson Creek Road, Endwell, New York 13760, on or before 2:00 PM on March 8, 2016 at Binghamton University, Purchasing, 19 S Washington Street, Binghamton, New York 13902-6000.

7. BID SECURITY

The successful bidder shall submit a bond in an amount mutually agreed to at the time of the award of the contract, which shall be executed by the successful bidder, or in the alternative, the Village of Johnson City shall execute a bond to perform the contract for the successful bidder. The bond shall include the execution of a Notice to Proceed and shall be valid for 194 calendar days, or such other period as agreed to in writing by the Village of Johnson City and the successful bidder, and shall remain in force for three years from the date of the Notice to Proceed.

8. PROGRESS PAYMENTS

The Village of Johnson City may make progress payments, up to an amount equal to less than five (5) percent of the contract amount, to the successful bidder during the performance of the work, subject to the approval of the village comptroller, provided that the Village of Johnson City has received the full performance bond.

9. NOTIFICATION OF INTEREST

Those who have an interest in the protection of the natural resources, including the potential impacts on the floodplain, as well as the potential impacts on the floodplain. As required by Executive Orders 11988, and in accordance with the Instructions to Bidders for this project, a Notice of Intent to Proceed was issued on February 12, 2016.

10. CLOSING DATE OF BIDS

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Public Notices

- Contracting Opportunities For Women and Minority Owned Businesses
- Town of Union Fair Housing Information
- Huron Assessment Timeline Information
- Federal Fiscal Year 2014 CDBG Annual Performance Report
  - Click Here To View The FFY 2014 CDBG Performance Report
- NYS Route 201 Pavement Improvement Project
  - NYS Route 201 Pavement Improvement Project Map
- Increase cost of disposal for tires and the new "Environmental Fee" effective 4/1/15
- Town of Union - Choconut Water System - 2014 Water Supply Statement/Annual Water Quality Report (AWQR) - PWS ID# NY0320870
- Applications for the Section 8 Housing Choice Voucher Program Will Be Available Beginning Monday, February 8, 2016
- Fairmont Park Floodwall Project - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain - Comments Due 2/26/16
- Johnson City Water Department Maintenance/Storage Building Replacement Project - Final Notice and Public Review of a Proposed Activity in a 100/500-Year Floodplain - Comments Due 2/25/16

Public Hearings/Legal Notices

- Bids / RFPs (Please check back for updates before submitting bids)
  - Johnson City Water Dept. Maintenance/Storage Building Design/Engineering RFQ Public Notice
    - Johnson City Water Dept. Maintenance/Storage Building Design/Engineering RFQ Package - Due Date 2/18/16
    - Johnson City Water Dept. Maintenance/Storage Building Design/Engineering Prevailing Wage Rate Schedule
  - Johnson City Interceptor B Storm/Sanitary Separation Design/Engineering RFP Public Notice - Due Date 2/25/16
    - Johnson City Interceptor B Design/Engineering RFP Package - Due Date 2/25/16
    - Johnson City Interceptor B Design/Engineering Prevailing Wage Rate Schedule

New policy for bidders awarded contracts that deal in excavating within the Town of Union's Right-of-Way (Please click on link to read).
APPENDIX C
HISTORIC/CULTURAL RESOURCES DETERMINATION
Larry K Moss
Historic Preservation Technical Specialist
New York State Division for Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188-0189

January 15, 2016

Re: Review for the Johnson City Water Department Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City, Broome County, New York

Dear Mr. Moss:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery (“GOSR”) for the water treatment plant administration and operations building. Your office may have already done a review for GOSR’s project (15PR05828).

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f), and its implementing regulation, 36 CFR 800, “Protection of Historic Properties,” and as authorized by the U.S. Department of Housing and Urban Development (HUD), as a direct recipient of a grant through the Community Development Block Grant - Disaster Relief (CDBG-DR) program, the Town of Union is acting as HUD’s non-federal representative for the purposes of conducting a consultation with your office regarding the proposed Johnson City Water Department Maintenance and Storage Building Replacement. Please find enclosed the necessary documentation per §800.11.

Project Overview

During Tropical Storm Lee in 2011, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance/storage facility.
The Governor's Office of Storm Recovery has previously detailed Johnson City's proposal to develop a new, approximately 2,800 square foot, administration and operations building. That project would include the demolition of the existing storage building and the construction of a new administration and operations building at a more elevated location within the existing water treatment plant site.

Once that project has been completed, a new maintenance and storage building consisting of approximately 4,300 square feet will be built on the site of the former administration/operations building once it is demolished.

**Compliance**

Based on the New York State Department of Environmental Resource Mapper Short Form, the proposed project site does not contain a structure listed on either the State or National Register of Historic Places, nor is it located in an archeologically sensitive area. We respectfully request written confirmation of this information from your office.

If you have any questions or require additional information regarding this request, please contact me at (607) 786-2976 or by e-mail at szubalsky@townofunion.com. Thank you for your time and consideration.

Sincerely,

Sara L. Zubalsky
Community Development Coordinator
PROJECT REVIEW COVER FORM

Please complete this form and attach it to the top of any and all information submitted to this office for review. Accurate and complete forms will assist this office in the timely processing and response to your request.

This information relates to a previously submitted project.  

If you have checked this box and noted the previous Project Review (PR) number assigned by this office you do not need to continue unless any of the required information below has changed.

PROJECT NUMBER ___PR_________

COUNTY ________________________

If you have checked this box you will need to complete ALL of the following information.

2. This is a new project.  

Project Name Johnson City Water Department Maintenance and Storage Building Replacement

Location 44 Camden Street  

You MUST include street number, street name and/or County, State or Interstate route number if applicable

City/Town/Village Village of Johnson City, Town of Union, New York  
List the correct municipality in which your project is being undertaken. If in a hamlet you must also provide the name of the town.

County Broome County

If your undertaking* covers multiple communities/counties please attach a list defining all municipalities/counties included.

TYPE OF REVIEW REQUIRED/REQUESTED  (Please answer both questions)

A.  Does this action involve a permit approval or funding, now or ultimately from any other governmental agency?

No

Yes

If Yes, list agency name(s) and permit(s)/approval(s)

Agency involved

Type of permit/approval

State

Federal

U.S. Department of Housing and Urban Development

Community Development Block Grant: Disaster Recovery Program

☐ ☑

☐ ☐

B. Have you consulted the NYSHPO web site at **http://nysparks.state.ny.us** to determine the preliminary presence or absence of previously identified cultural resources within or adjacent to the project area?  

If yes:

Was the project site wholly or partially included within an identified archeologically sensitive area?

☐ Yes ☑ No

Does the project site involve or is it substantially contiguous to a property listed or recommended for listing in the NY State or National Registers of Historic Places?

☐ Yes ☑ No

CONTACT PERSON FOR PROJECT

Name Sara Zubalsky

Title Community Development Coordinator

Firm/Agency Town of Union, New York

Address 3111 East Main Street

City Endwell

STATE NY

Zip 13760

Phone (607) 786-2976

Fax (607) 748-0041

E-Mail szubalsky@townofunion.com

**http://nysparks.state.ny.us then select HISTORIC PRESERVATION then select On Line Resources**
The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978. regulations on line at:
http://nysparks.state.ny.us then select HISTORIC PRESERVATION then select Environmental Review

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).

** Project Description

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.

** Maps Locating Project

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.

** Photographs

Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

- **If the project involves rehabilitation**, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.

- **If the project involves new construction**, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.

NOTE: Projects submissions will not be accepted via facsimile or e-mail.

*Undertaking* is defined as an agency’s purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.
Figure 1

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
Figure 3

Vehicle Maintenance
Administration and Operations
Well #2
Generator

Treatment Building
Air Strippers
Storage Building
Well #1
Well #2
Well #3

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Current Administration and Operations Building Exterior
(site for proposed maintenance/storage building replacement)
January 27, 2016

Sara Zubalsky  
Town of Union Department of Planning  
3111 East Main Street  
Endwell, NY 13760

Re: HUD/ CDBG-DR  
Johnson City Water Department Maintenance and Storage Building Replacement.  
44 Camden St, Johnson City, Town of Union/ Broome County

16PR00348

Dear Ms. Zubalsky:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 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, please contact me at (518) 268-2187 or Larry.moss@parks.ny.gov.

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist
Mr. Kerry Holton  
Delaware Nation  
P.O. Box 825  
Anadarko, OK 73005

January 13, 2016

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City, Broome County, New York

Dear Mr. Kerry Holton:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately 4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic
Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act (“NEPA”) and the State Environmental Quality Review Act (“SEQRA”), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Delaware Nation the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Delaware Nation Community. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky  
Community Development Coordinator  
Town of Union Planning Department  
3111 East Main Street  
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sincerely,

Sara Zubalsky  
Community Development Coordinator

Enclosures:
Figure 1: Aerial Map of Project Site  
Figure 2: Aerial Photograph of Complex

Electronic Letter Sent to:
Nekole Alligood, Cultural Preservation Director, Delaware Nation (nalligood@delawarenation.com)  
Corey Smith, Cultural Preservation Assistant Director, Delaware Nation (csmith@delawarenation.com)  
Jason Ross, Section 106 Manager, Delaware Nation (jross@delawarenation.com)
Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York
Figure 2

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016 Prepared By: Sara Zubalsky
Mr. Ray Halbritter  
Oneida Nation  
5218 Patrick Road  
Verona, NY 13478

January 13, 2016

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department  
Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City,  
Broome County, New York

Dear Mr. Halbritter:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately 4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic
Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act (“NEPA”) and the State Environmental Quality Review Act (“SEQRA”), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Oneida Nation on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Oneida Nation Community. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky
Community Development Coordinator
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sincerely,

Sara Zubalsky
Community Development Coordinator

Enclosures:
Figure 1: Aerial Map of Project Site
Figure 2: Aerial Photograph of Complex

Electronic Letter Sent to:
Jesse Bergevin, Historic Resources Specialist, Oneida Nation (jbergevin@oneida-nation.org)
Figure 1

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
Figure 2

Vehicle Maintenance
Administration and Operations
Well #1
Well #2
Well #3
Generator
Air Strippers
Storage Building
Treatment Building

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, GeoEye, IGP, swisstopo, and the GIS User Community

Town of Union, New York
Date: 1/13/2016
Prepared By: Sara Zubalsky
Sara Zubalsky

From: Jesse Bergevin [jbergevin@oneida-nation.org]
Sent: Thursday, January 14, 2016 9:15 AM
To: Sara Zubalsky
Subject: New York State CDBG Disaster Recovery Program: Johnson City Water Department
         Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City,
         Broome County, New York

Sara,

I have reviewed the materials sent regarding this project in the Village of Johnson City, Broome County, New York.

The project appears to lie outside of the Oneida aboriginal territory and is, therefore, beyond our purview.

Please let me know if you have any questions.

Thank you,

Jesse Bergevin | Historic Resources Specialist
Oneida Indian Nation | 2037 Dream Catcher Plaza, Oneida, NY 13421-0662
jbergevin@oneida-nation.org | www.oneidaindiannation.com
315.829.8463 Office | 315.829.8473 Fax

From: Sara Zubalsky [mailto:szubalsky@townofunion.com]
Sent: Wednesday, January 13, 2016 3:18 PM
To: Jesse Bergevin
Subject: Town of Union NHPA Review

Dear Jesse Bergevin,

I mailed the following letter out today regarding a project the town is undertaking. Please let me know if you have any questions or concerns.

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department Maintenance
   and Storage Building Replacement, 44 Camden Street, Village of Johnson City, Broome County, New York

"The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is
preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for
the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to
participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44
Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National
Historic Preservation Act (NHPA; 36 CFR§ 800).

To avoid confusion, it should be noted this project is for the parcel across from a project already evaluated
by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and
operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately
4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions
are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).
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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act (“NEPA”) and the State Environmental Quality Review Act (“SEQRA”), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Oneida Nation on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Oneida Nation Community. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky  
Community Development Coordinator  
Town of Union Planning Department  
3111 East Main Street  
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sara L. Zubalsky  
Community Development Coordinator  
Town of Union  
Phone: (607) 786-2976  
Fax: (607) 748-0041
Mr. Anthony Gonyea
Onondaga Nation
P.O. Box 245
Onondaga Nation via Nedrow, NY 13120

January 13, 2016

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department
Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City,
Broome County, New York

Dear Mr. Anthony Gonyea:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately 4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic
Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Onondaga Nation on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Onondaga Nation Community. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky
Community Development Coordinator
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sincerely,

Sara Zubalsky
Community Development Coordinator

Enclosures:
Figure 1: Aerial Map of Project Site
Figure 2: Aerial Photograph of Complex

Electronic Letter Sent to:
Anthony Gonyea, Faithkeeper, Beaver Clan, Onondaga Nation (ononationhispres@aol.com)
Town of Union, New York - Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
Figure 2

Vehicle Maintenance
Administration and Operations
Well #1
Well #2
Well #3
Generator
Treatment Building
Air Strippers
Storage Building

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Mr. Irving Powless  
Onondaga Nation  
P.O. Box 319-B  
Onondaga Nation via Nedrow, NY 13120

January 13, 2016

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department  
Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City,  
Broome County, New York

Dear Mr. Irving Powless:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately 4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic
Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Onondaga Nation on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Onondaga Nation Community. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky  
Community Development Coordinator  
Town of Union Planning Department  
3111 East Main Street  
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sincerely,

[Signature]

Sara Zubalsky  
Community Development Coordinator

Enclosures:  
Figure 1: Aerial Map of Project Site  
Figure 2: Aerial Photograph of Complex
Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
Figure 2

Vehicle Maintenance
Administration and Operations
Well #1
Well #2
Well #3
Generator
Air Strippers
Storage Building
Treatment Building

Administration and Operations
Vehicle Maintenance
Well #1
Generator
Air Strippers
Storage Building
Treatment Building

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Mr. Wallace Miller  
Stockbridge-Munsee Community Band of Mohicans  
N8476 Moh He Con Nuck Road  
Bowler, WI 54416

January 13, 2016

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City, Broome County, New York

Dear Mr. Wallace Miller:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately 4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic
Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Oneida Nation on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Stockbridge-Munsee Community Band of Mohicans. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky  
Community Development Coordinator  
Town of Union Planning Department  
3111 East Main Street  
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sincerely,

[Signature]

Sara Zubalsky  
Community Development Coordinator

Enclosures:
Figure 1: Aerial Map of Project Site  
Figure 2: Aerial Photograph of Complex

Electronic Letter Sent to:  
Bonney Hartley, Tribal Historic Preservation Officer, Stockbridge-Munsee Community Band of Mohicans (Bonney.hartley@mohican-nsn.gov)
Figure 1

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016  Prepared By: Sara Zubalsky

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Figure 2

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Date: 1/13/2016
Prepared By: Sara Zubalsky
Hi Sara,

Thank you for the request for input on the project. Thank you also for clarifying that it is a different undertaking from the Water Treatment plant project in the vicinity that we had previously reviewed.

On behalf of Stockbridge-Munsee Mohican Tribe, I confirm that this location is outside of our cultural area of interest so we do not have concerns with the project and do not require further information.

Please note also that we had elections a few months ago and our new President is Ms. Shannon Holsey, who has replaced Wallace Miller, if you would like to kindly update future correspondence.

Thank you,
Bonney

Bonney Hartley
Tribal Historic Preservation Officer
Stockbridge-Munsee Mohican Tribal Historic Preservation
New York Office
65 1st Street
Troy, NY 12180
(518) 244-3164
Bonney.Hartley@mohican-nsn.gov
www.mohican-nsn.gov
Physical Address: 37 1st Street

Dear Bonney Hartley,

I have mailed a letter to Mr. Wallace Miller requesting input from the Stockbridge-Munsee Community Band of Mohicans on a project the Town of Union is undertaking. I have attached the project site maps and copied the letter below. I appreciate your time and consideration in this matter.

“Mr. Wallace Miller
Stockbridge-Munsee Community Band of Mohicans
N8476 Moh He Con Nuck Road
Bowler, WI 54416

January 14, 2016
Dear Mr. Wallace Miller:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1). This letter invites you to participate as a consulting party for review of the proposed Water Department Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of approximately 4,300 square feet on the site of the former administration/operations building once it is demolished. The Proposed Actions are currently under review by the New York State Office of Parks, Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Stockbridge-Munsee Community Band of Mohicans on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Stockbridge-Munsee Community Band of Mohicans. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky
Community Development Coordinator
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.
Sincerely,
Sara Zubalsky
Community Development Coordinator

Enclosures:
Figure 1: Aerial Map of Project Site
Figure 2: Aerial Photograph of Complex

Electronic Letter Sent to:
Bonney Hartley, Tribal Historic Preservation Officer, Stockbridge-Munsee Community Band of Mohicans (Bonney.hartley@mohican-nsn.gov)

Sara L. Zubalsky
Community Development Coordinator
Town of Union
Phone: (607) 786-2976
Fax: (607) 748-0041
January 13, 2016

Mr. Leo Henry
Tuscarora Nation of New York
2006 Mt. Hope Road, Tuscarora Nation
Lewiston, NY 14902

RE: New York State CDBG Disaster Recovery Program: Johnson City Water Department
Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City,
Broome County, New York

Dear Mr. Leo Henry:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development
(HUD), is preparing an Environmental Assessment (EA) for the construction of a replacement maintenance and
storage building for the existing water treatment plant in the Village of Johnson City, New York (see Figure 1).
This letter invites you to participate as a consulting party for review of the proposed Water Department
Maintenance and Storage building at 44 Camden Street, Johnson City, NY 13790 (collectively the “Proposed
Actions”) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

To avoid confusion, it should be noted this project site is for the parcel across from a project already
evaluated by the New York State Governor’s Office of Storm Recovery for the water treatment plant
administration and operations building.

The Proposed Actions will include construction of a new maintenance and storage building consisting of
approximately 4,300 square feet on the site of the former administration/operations building once it is
demolished. The Proposed Actions are currently under review by the New York State Office of Parks,
Recreation, and Historic Preservation (SHPO).

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 Town of Union is acting as a recipient of Community
Development Block Grant-Disaster Recovery (“CDBG-DR”) funds from the United States Department of
Housing and Urban Development (“HUD”). The Town of Union is the entity responsible for compliance with
the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead
agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your
Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-
case basis. A consultation request for the project described herein has also been sent to the State Historic
Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Tuscarora Nation of New York on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Tuscarora Nation of New York Community. We would appreciate your response within 15 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below.

Sara Zubalsky  
Community Development Coordinator  
Town of Union Planning Department  
3111 East Main Street  
Endwell, New York 13760

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 (607) 786-2976 or via email at the address listed above.

Thank you for your time and consideration.

Sincerely,

Sara Zubalsky  
Community Development Coordinator

Enclosures:  
Figure 1: Aerial Map of Project Site  
Figure 2: Aerial Photograph of Complex

Electronic Letter Sent to:  
Bryan Printup, Nation Rep For Section 106, Tuscarora Nation of New York (bprintup@heff.org)
Figure 2

Vehicle Maintenance
Administration and Operations
Well #2
Generator
Well #3
Treatment Building
Air Strippers
Storage Building
Well #1

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Town of Union, New York
Date: 1/13/2016
Prepared By: Sara Zubalsky
APPENDIX D
SOLE SOURCE AQUIFER REVIEW
Grace Musemeci  
Chief of the Environmental Review Section  
U.S. Environmental Protection Agency  
Region 2 Main Regional Office  
290 Broadway  
New York, NY 10007-1866

January 18, 2016

RE: Sole Source Aquifer Analysis- CDBG Disaster Recovery Program: Johnson City Water Department Maintenance and Storage Building Replacement, 44 Camden Street, Village of Johnson City, Broome County, New York

Dear Grace Musemeci:

The Town of Union has received a funding application for the proposed “Johnson City Water Department Maintenance and Storage Building Replacement” located in Johnson City, Broome County, New York (see Figure 1). The proposed project involves the construction of a new maintenance and storage building on the existing site where the former building is demolished.

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 Town of Union 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 Unites States Department of Housing and Urban Development (“HUD”) and is the entity responsible for compliance with the HUS NEPA environmental review procedures set forth in 24 C.F.R. Part 58. 24 C.F.R. Part 58 requires the Town of Union to review projects for conformance with the Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C.349) as amended, and Environmental Protection Agency (“EPA”) regulations pertaining to Sole Source Aquifers found at 40 C.F.R. Part 149.

Responses can be sent to me via email at szubalsky@townofunion.com or via mail at 3111 East Main Street, Endwell NY, 13760. If you have any questions, please feel free to contact me at (607) 786-2976. Thank you for your time and consideration.

Sincerely,

Sara Zubalsky  
Community Development Coordinator
I. Project/Activity Location

1. Provide the geographic location and total acreage of the project/activity site. Include a site location map which identifies the site in relation to the surrounding area. [Examples of maps which can be used include: 1:24,000 or 1:25,000 U.S. Geological Survey quadrangle sheet, Hagstrom Street Map.]

The existing water treatment plant is located at 44 Camden Street in Johnson City, NY. The site has frontage along the Susquehanna River and Little Choconut Creek and has an area of approximately one acre. The project site is located approximately 3.5 miles northwest of downtown Binghamton. An aerial location map is provided in Figure 1.

2. If applicable, identify which groundwater sensitive areas (Special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.) the project/activity is located within or adjacent to. [This information may be obtained from the County or Regional planning board, the local health department, the State health department or the State environmental agency.]

The project site is located within the boundaries of two overlapping groundwater sensitive areas identified as Source Water Assessment Program (SWAP) 2549839 and 2549838. SWAPs are designated in areas that provide public drinking water where potential sources of contamination may exist. A map illustrating “SWAP Polygons” in the surrounding area is provided in Figure 2.

II. Nature of Project Activity

3. Provide a general narrative describing the project/activity including but not limited to: type of facility; type of activities to be conducted; number and type of units; number of residents etc. Provide the general layout of the project/activity site and a site-plan if available.

The proposed project involves the demolition of an existing administration and operations building for an existing water treatment plant and the construction of a new 4,300 square foot maintenance/storage building at a slightly more elevated location within the footprint of the existing building. The project site layout is provided in Figure 3.

III. Public Water Supply

4. Provide a description of plans to provide water supply.

The proposed project is anticipated to draw from existing water supplies (PWS #0301668) and would not require or provide a new water supply.

5. Provide the location of nearby existing or proposed public water supply wells or wellfields within a one half mile radius (2640 feet) of the project/activity. Provide the name of the
supplier(s) of those wells or wellfields. This information should be available from the local health department, State health department or the State environmental agency.

Two public water supply wells are located on the project site. These public water supply wells are known as “Johnson City Water Works Facility 2549838” and “Johnson City Water Works Facility 2549839.” One additional public water supply well, “Johnson City Water Works Facility 2549836”, is located within a ½-mile radius. A map of public water supply wells within a ½-mile of the project site is provided in Figure 4.

IV. Wastewater and Sewage Disposal

6. Provide a description of plans to handle wastewater and sewage disposal. If the project/activity is to be served by existing public sanitary sewers provide the name of the sewer district.

The proposed project is not anticipated to result in significant increases to wastewater and sewage disposal. The project site would continue to be served by existing public sanitary sewers within the Binghamton - Johnson City Joint Sewage Treatment district.

7. Provide a description of plans to handle storm water runoff.

The project is not anticipated to result in a significant increase in stormwater runoff as the development footprint of the proposed storage building would not be larger than the footprint of the existing operations/administration building to be demolished. Stormwater runoff from the proposed new building is anticipated to drain to Choconut Creek adjacent to the site. During construction, best management practices including soil and erosion control measures, would be employed to minimize potential, temporary soil erosion effects.

8. Identify the location, design, size of any on-site recharge basins, dry wells, leaching fields, retention ponds etc.

There are no existing on-site recharge basins, dry wells, leaching fields, or retention ponds. None of these elements are planned as part of the proposed project.

V. Use, Storage, Transport of Hazardous or Toxic Materials (Applies only to non-housing projects/activities)

9. Identify any products listed in Attachment 4, Hazardous Constituents, of the Housing and Urban Development-Environmental Protection Agency Memorandum of Understanding which may be used, stored, transported, or released as a result of the project not related to construction.

There are no known hazardous constituents as identified in Attachment 4 which may be used, stored, transported, or released as a result of the project not related to construction.

10. Identify the number and capacity of underground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.
There are no existing underground storage tanks located at the project site. No underground storage tanks are planned as part of the proposed project.

11. **Identify the number and capacity of above ground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.**

There is one existing above ground storage tank housed within the Water Plant Treatment Building which is located across the driveway from where the new building will be constructed (see Figure 4). The above ground tank has a capacity of 550 gallons and contains sodium hypochlorite. The proposed project does not include any alterations to the existing storage tank and no new above ground storage tanks are planned as part of the proposed project.
I. Project/Activity Location

1. Provide the geographic location and total acreage of the project/activity site. Include a site location map which identifies the site in relation to the surrounding area. [Examples of maps which can be used include: 1:24,000 or 1:25,000 U.S. Geological Survey quadrangle sheet, Hagstroms Street Map.]

   Yes ☒ No ☐

2. If applicable, identify which groundwater sensitive areas (Special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.) the project/activity is located within or adjacent to. [This information may be obtained from the County or Regional planning board, the local health department, the State health department or the State environmental agency.]

   Yes ☒ No ☐

II. Nature of Project/Activity

3. Provide a general narrative describing the project/activity including but not limited to: type of facility; type of activities to be conducted; number and type of units; number of residents etc. Provide the general layout of the project/activity site and a site-plan if available.

   Yes ☒ No ☐

III. Public Water Supply

4. Provide a description of plans to provide water supply.

   Yes ☐ No ☒

5. Provide the location of nearby existing or proposed public water supply wells or wellfields within a one half mile radius (2640 feet) of the project/activity. Provide the name of the supplier(s) of those wells or wellfields. This information should be available from the local health department, State health department or the State environmental agency.

   Yes ☒ No ☐

IV. Wastewater and Sewage Disposal

6. Provide a description of plans to handle wastewater and sewage disposal. If the project/activity is to be served by existing public sanitary sewers provide the name of the sewer district.

   Yes ☒ No ☐

7. Provide a description of plans to handle storm water runoff.

   Yes ☒ No ☐

8. Identify the location, design, size of any on-site recharge basins, dry wells, leaching fields, retention ponds etc.

   Yes ☐ No ☒

V. Use, Storage, Transport of Hazardous or Toxic Materials (Applies only to non-housing projects/activities)

9. Identify any products listed in Attachment 4, Hazardous Constituents, of the Housing and Urban Development-Environmental Protection Agency Memorandum of Understanding which may be used, stored, transported, or released as a result of the project not related to construction.

   Yes ☐ No ☒

10. Identify the number and capacity of underground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.

   Yes ☐ No ☒

11. Identify the number and capacity of above ground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.

   Yes ☒ No ☐

This form was completed by:

Name: Paul A. Nelson
Title: Town of Union, Director of Planning
Address: 3111 E. Main St., Endwell, NY 13760
Telephone: (607) 786-2977

Date: 1/18/16
Project Name: Johnson City Water Department Maintenance/Storage Building

Signature: ___________________________
Description of the Proposed Project:

The Town of Union is requesting Community Development Block Grant-Disaster Recovery (CDBG-DR) funding to demolish an existing administration and operations building and construct a new maintenance and storage building at the existing water treatment plant site in Johnson City, New York (see attached figures). The proposed project would consist of:

1. Demolition of an existing administration and operations building;

2. Slightly elevating the first floor of the new maintenance and storage building.

3. The new building will be constructed to meet FEMA development in the floodplain standards.

To avoid confusion, it should be noted this project site is for the parcel across from a project already evaluated by the New York State Governor’s Office of Storm Recovery (“GOSR”) for the water treatment plant administration and operations building. GOSR has previously detailed Johnson City's proposal to develop a new, approximately 2,800 square foot, administration and operations building. That project would include the demolition of the existing storage building and the construction of a new administration and operations building at a more elevated location within the existing water treatment plant site.

Once GOSR’s project has been completed, the Town of Union will demolish the former administration and operations building and construct a new maintenance and storage building consisting of approximately 4,300 square feet. The first floor will be slightly elevated.

Statement of Purpose and Need for the Proposal:

During Tropical Storm Lee in 2011, the earthen levee system surrounding Johnson City’s water treatment plant complex overtopped for the first time, leading to structural damage to the water treatment plant and inundation of individual well houses and other accessory structures including the maintenance/storage facility.

The proposed project will enable the water treatment plant to be constructed in a more resilient way. It will provide crucial storage and space for vehicle maintenance to allow the plant to maintain functions necessary for effective water supply service. Implementation of the proposed project will ensure continuous water operational reliability during future flood events.
Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016  Prepared By: Sara Zubalsky
Town of Union, New York - Johnson City Water Department
Maintenance and Storage Building Replacement - 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/18/2016  Prepared By: Sara Zubalsky
Ms. Sara Zubalsky  
Community Development Coordinator  
Town of Union  
Department of Planning  
3111 East Main Street  
Endwell, NY 13760-5990  

Dear Ms. Zubalsky:

This is in response to your January 18, 2016 letter requesting a Sole Source Aquifer review of the proposed “Johnson City Water Department Maintenance and Storage Building Replacement” project located in the Village of Johnson City, Broome County, New York. The project is to receive funding from the U.S. Department of Housing and Urban Development’s Community Development Block Grant - Disaster Relief program (CDBG-DR). The project site is located in the Clinton Street Ballpark Aquifer System, designated by the U.S. Environmental Protection Agency (EPA) as a Sole Source Aquifer on January 14, 1985 (citation 50 CFR 2025). Therefore, our review has been conducted in accordance with Section 1424(e) of the Safe Drinking Water Act (SDWA).

The existing administration/maintenance building, which faces Camden Street, will be demolished, and a new, slightly more elevated 4,300-square-feet maintenance/storage building having the same footprint will be constructed on the site. The building will be constructed on the same foundation. We note that the building will be constructed in a manner consistent with FEMA’s standards for development in a floodplain, and will be designed to allow water to flow through it during flood events. We further note that vehicles will not be fueled or maintained at this location.

Heat and hot water will be provided by natural gas, and we note that no underground or above ground storage tanks are planned. The facility will use the existing public water supply, and will continue to use the existing public sanitary sewer system that delivers wastewater to the treatment plant within the Binghamton-Johnson City Joint Sewage Treatment District. We understand that during construction, best management practices, including soil and erosion control measures, will be employed, to minimize site run-off of sediment. The information provided indicates that there will be no on-site recharge basins, dry wells, leaching fields, or retention ponds. Stormwater runoff from the proposed project is anticipated to drain to Choconot Creek adjacent to the site. Please see our recommendations below on stormwater and Low Impact Development, as well as on environmentally-friendly landscaping.
include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. For further information, please see the following website:
http://water.epa.gov/polwaste/green/

Encourage cost-efficient, environmentally friendly landscaping:
There are many benefits to making greener landscaping choices. For additional information, please see the following website:
http://www2.epa.gov/greenerproducts/identifying-greener-landscaping-choices

Energy-Efficiency:
Energy-efficient technologies should be incorporated into all aspects of the project. Please see the following website: http://www.energystar.gov

Water conservation and efficiency:
Promote water conservation and efficiency through the use of water efficient products and practices. We recommend considering the use of products with the WaterSense label where appropriate. Please refer to the WaterSense website for tips on water efficiency, a WaterSense labeled product search tool, a list of WaterSense Partners, and access to the Water Budget Tool at: http://www.epa.gov/watersense/

In addition to using WaterSense labeled products and certified professionals, there are many water conservation strategies and best management practices that can be used in new construction. Here are some useful links to water conservation information:
http://www.wbdg.org/resources/water_conservation.php
http://www.allianceforwaterefficiency.org/

If you have any questions concerning this matter or would like additional information, please feel free to contact Rajini Ramakrishnan of my staff at (212) 637-3731.

Sincerely yours,

[Signature]

Grace Musumeci, Chief
Environmental Review Section
January 29, 2016

Sara L. Zubalsky  
Town of Union Department of Planning  
3111 East Main Street  
Endwell, NY 13760

Re: Replacement of Johnson City Water Department Maintenance and Storage Building, 44 Camden Street, Village of Johnson City  
Town/City: Union. County: Broome.

Dear Sara L. Zubalsky:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program
The following state-listed animals have been documented in the vicinity of your project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 7 Office. For information about potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Wildlife Manager.
A listing of Regional Offices is at http://www.dec.ny.gov/about/558.html.

The following species have been documented within .5 mile of the project site. Individual animals may travel 1 mile from documented locations.

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This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage’s Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.
FINDINGS

CBS AST: Chemical Bulk Storage Database

Facilities that store regulated hazardous substances in aboveground tanks with capacity...

CBS: Chemical Bulk Storage Site Listing

These facilities store regulated hazardous substances in aboveground tanks with capacity...

DETAILS

CBS AST: Chemical Bulk Storage Database

CBS AST:

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**CBS: Chemical Bulk Storage Site Listing**

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**DATABASE DESCRIPTIONS**

**CBS AST:** Chemical Bulk Storage Database
Facilities that store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size.

Source: NYSDEC  
Telephone: 518-402-9549  
Date of Government Version: 01/01/2002  
Database Release Frequency: No Update Planned

**CBS:** Chemical Bulk Storage Site Listing
These facilities store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size

Source: Department of Environmental Conservation  
Telephone: 518-402-9549  
Date of Government Version: 12/28/2016  
Database Release Frequency: Quarterly
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EDR VISTACheck® Report

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### EDR High Risk Historical Records

#### EDR Exclusive Records

| EDR MGP | 0.500 | 0 | 0 | 0 | NR | NR | 0 |
| EDR Hist Auto | 0.250 | 0 | 2 | NR | NR | NR | 2 |
| EDR Hist Cleaner | 0.250 | 0 | 0 | NR | NR | NR | 0 |

#### EDR Recovered Government Archives

| RGA HWS | 0.500 | 0 | 0 | 0 | NR | NR | 0 |
| RGA LF  | 0.500 | 0 | 0 | 3 | NR | NR | 3 |
| RGA LTANKS | TP | NR | NR | NR | NR | NR | 0 |

- Totals -- 0 6 6 10 0 0 22

### Notes:

- TP = Target Property
- NR = Not Requested at this Search Distance
- Sites may be listed in more than one database
<table>
<thead>
<tr>
<th>CBS</th>
<th>VILLAGE OF JOHNSON CITY-WATER DEPT.</th>
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<tbody>
<tr>
<td>CBS AST</td>
<td>JOHNSON CITY-WATER DEPT.</td>
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**Site 1 of 2 in cluster A**

**CBS:**
- **CBS Number:** 7-000308
- **Program Type:** CBS
- **Facility Status:** Active
- **Expiration Date:** 04/14/2017
- **Dec Region:** 7
- **UTMX:** 419157.84448
- **UTMY:** 4662793.10418

**CBS AST:**
- **CBS Number:** 7-000308
- **ICS Number:** Not reported
- **PBS Number:** Not reported
- **MOSF Number:** Not reported
- **SPDES Number:** Not reported
- **Facility Status:** IN SERVICE
- **Facility Type:** EF
- **Telephone:** (607) 797-2523
- **Facility Town:** UNION
- **Region:** STATE
- **Expiration Date:** 04/14/2003
- **Total Capacity of All Active Tanks (gal):** 1000
- **Operator:** JAMES HAMM
- **Emergency Contact:** JAMES HAMM
- **Emergency Phone:** (607) 798-0682
- **Owner Name:** VILLAGE OF JOHNSON CITY-WATER DEPT.
- **Owner Address:** 44 CAMDEN STREET
- **Owner City, St, Zip:** JOHNSON CITY, NY 13790
- **Owner Telephone:** (607) 797-2523
- **Owner Type:** Corporate/Commercial
- **Owner Sub Type:** Not reported
- **Mail Name:** VILLAGE OF JOHNSON CITY-WATER DEPT.
- **Mail Contact Addr:** 44 CAMDEN STREET
- **Mail Contact Addr2:** Not reported
- **Mail Contact Contact:** JAMES HAMM
- **Mail Contact City, St, Zip:** JOHNSON CITY, NY 13790
- **Mail Phone:** (607) 797-2523

**Tank ID:** X908069
**CAS Number:** 7681529
**Federal ID:** Not reported
**Tank Status:** In Service
**Install Date:** 04/99
**Tank Closed:** Not reported
**Capacity (Gal):** 1000
**Chemical:** Sodium hypochlorite
**Tank Location:** Indoors, Aboveground
**Tank Type:** Fiberglass reinforced plastic [FRP]
**Total Tanks:** 1
**Tank Secret:** False
**Tank Secondary Containment:** Impervious Underlayment
**Tank Error Status:** No Missing Data
**Date Entered:** 04/09/1999
VILLAGE OF JOHNSON CITY-WATER DEPT. (Continued)

Certified Date: 02/16/2001
Substance: Single Hazardous Substance on DEC List
Internal Protection: None
External Protection: None
Pipe Location: Aboveground
Pipe Type: Double Walled Fiberglass
Pipe Internal: None
Pipe External: None
Pipe Flag: None
Leak Detection: None
Overfill Protection: None
Haz Percent: 100
Last Test: Not reported
Due Date: Not reported
SWIS Code: 0346
Lat/Long: 42/06/37 / 75|58|42
Is Updated: False
Renew Date: Not reported
Is It There: False
Delinquent: False
Date Expired: Not reported
Owner Mark: 1
Certificate Needs to be Printed: 42/06/37 / 75|58|42
Fiscal Amt for Registration Fee Correct: 42/06/37 / 75|58|42
Renewal Has Been Printed for Facility: 42/06/37 / 75|58|42
Pre-Printed Renewal App Last Printed: 42/06/37 / 75|58|42

SPILLS:

Facility ID: 0650670
Facility Type: ER
DER Facility ID: 317546
Site ID: 367561
DEC Region: 7
Spill Date: 2006-07-22
Spill Number/Closed Date: 0650670 / 2006-07-24
Spill Cause: Equipment Failure
Spill Class: No spill occurred. No DEC Response. No corrective action required.
SWIS: 0446
Investigator: JEOKESSO
Referred To: Not reported
Reported to Dept: 2006-07-22
CID: Not reported
Water Affected: Not reported
Spill Source: Institutional, Educational, Gov., Other
Spill Notifier: Citizen
Cleanup Ceased: Not reported
Cleanup Meets Std: True
Last Inspection: Not reported
Recommended Penalty: Not reported
UST Trust: Not reported
Remediation Phase: 0
Date Entered In Computer: 2006-07-24

NY Spills S108059221

LITTLE CHOCONUT CREEK
NEXT TO CAMDEN ST
JOHNSON CITY, NY
0.029 mi.
154 ft.
Site 2 of 2 in cluster A
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### LITTLE CHOCONUT CREEK (Continued)

- **Spill Record Last Update:** 2006-07-24
- **Spiller Name:** Not reported
- **Spiller Company:** VILLAGE OF JOHNSON CITY
- **Spiller Address:** MAIN STREET
- **Spiller City, St, Zip:** JOHNSON CITY, NY
- **Spiller Company:** 001
- **Contact Name:** Not reported
- **Contact Phone:** Not reported
- **DEC Memo:** "Visited site. Inspected pipe and did not find any leaks. Creek running full. Heavy silt.
- **Remarks:** "Large diameter pipe going across the creek. A friend of the notifiers son indicated that sewage was leaking out."

#### Material:
- **Site ID:** 367561
- **Operable Unit ID:** 1125461
- **Operable Unit:** 01
- **Material ID:** 2114972
- **Material Code:** 0062A
- **Material Name:** raw sewage
- **Case No.:** Not reported
- **Material FA:** Other
- **Quantity:** Not reported
- **Units:** Gallons
- **Recovered:** Not reported
- **Resource Affected:** Not reported
- **Oxygenate:** False

#### Tank Test:

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<th>Spill Cause</th>
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MAP FINDINGS

PRIVATE RESD (Continued)  S111238793

Recommended Penalty: False
UST Trust: False
Remediation Phase: 0
Date Entered In Computer: 2011-09-14
Spill Record Last Update: 2011-09-27
Spiller Name: JEREMY SLATER
Spiller Company: JOHNSON CITY WATER DEPT
Spiller Address: 31 CAMDEN ST
Spiller City,St,Zip: JOHNSON CITY, NY
Spiller Company: 999
Contact Name: JEREMY SLATER
Contact Phone: (607) 427-3873
DEC Memo: "will be handled under spill 1107146"
Remarks: "55 gal drum found in backyard empty and the entire area smells of oil. Drum belongs to and was originally at the Johnson City Water Dept which is approximately whichin 1 block of the caller's home."

Material:
Site ID: 455229
Operable Unit ID: 1205383
Operable Unit: 01
Material ID: 2202229
Material Code: 0066A
Material Name: unknown petroleum
Case No.: Not reported
Material FA: Petroleum
Quantity: Not reported
Units: Not reported
Recovered: Not reported
Resource Affected: Not reported
Oxygenate: Not reported

Tank Test:

B4  PVT DWELLING  NY Spills  S111239154
NNE  27 CAMDEN ST  N/A
< 1/8  JOHNSON CITY, NY
0.098 mi.  Site 2 of 3 in cluster B
519 ft.  1107987

SPILLS:
Facility ID: 1107987
Facility Type: ER
DER Facility ID: 410270
Site ID: 455699
DEC Region: 7
Spill Date: 2011-09-07
Spill Number/Closed Date: 1107987 / 2011-09-27
Spill Cause: Other
Spill Class: Known release that creates potential for fire or hazard. DEC Response. Unable/unwilling Responsible Party. Corrective action taken. (ISR)
SWIS: 0446
Investigator: RJBRAZEL
Referred To: Not reported
Reported to Dept: 2011-09-22
CID: Not reported
Water Affected: Not reported
### PVT DWELLING (Continued)

- **Spill Source:** Private Dwelling
- **Spill Notifier:** Affected Persons
- **Cleanup Ceased:** 2011-09-27
- **Cleanup Meets Std:** False
- **Last Inspection:** 2011-09-22
- **Recommended Penalty:** False
- **UST Trust:** False
- **Remediation Phase:** 0
- **Date Entered In Computer:** 2011-09-22
- **Spill Record Last Update:** 2011-09-27
- **Spiller Name:** Not reported
- **Spiller Company:** CHRIS ZWART
- **Spiller Address:** Not reported
- **Spiller City,St,Zip:** NY
- **Spiller Company:** 999
- **Contact Name:** CHRIS ZWART
- **Contact Phone:** Not reported
- **DEC Memo:** "will be handled under spill 1107146"
- **Remarks:** "yard area has contamination due to flood"

#### Material:
- **Site ID:** 455699
- **Operable Unit ID:** 1205851
- **Operable Unit:** 01
- **Material ID:** 2202810
- **Material Code:** 0066A
- **Material Name:** unknown petroleum
- **Case No.:** Not reported
- **Material FA:** Petroleum
- **Quantity:** Not reported
- **Units:** Gallons
- **Recovered:** Not reported
- **Resource Affected:** Not reported
- **Oxygenate:** Not reported

#### Tank Test:

---

**SPILLS:**
- **Facility ID:** 1108581
- **Facility Type:** ER
- **DER Facility ID:** 410872
- **Site ID:** 456322
- **DEC Region:** 7
- **Spill Date:** 2011-09-08
- **Spill Number/Closed Date:** 1108581 / 2011-10-17
- **Spill Cause:** Other
- **Spill Class:** Known release that creates potential for fire or hazard. DEC Response. Unknown Responsible Party. Corrective action taken. (ISR)
- **SWIS:** 0446
- **Investigator:** jeokesso
- **Referred To:** Not reported

---
### RISKO RESIDENCE (Continued)

```markdown
Reported to Dept: 2011-10-07  
CID: Not reported  
Water Affected: Not reported  
Spill Source: Private Dwelling  
Spill Notifier: Other  
Cleanup Ceased: 2011-10-17  
Cleanup Meets Std: False  
Last Inspection: 2011-10-10  
Recommended Penalty: False  
UST Trust: False  
Remediation Phase: 0  
Date Entered In Computer: 2011-10-07  
Spill Record Last Update: 2011-10-17  
Spiller Name: Not reported  
Spiller Company: TROPICAL STORM LEE??  
Spiller Address: Not reported  
Spiller City,St,Zip: NY  
Spiller Company: 999  
Contact Name: TAMMIE RISKO  
Contact Phone: (607) 621-7265  
DEC Memo: "10/7/2011 - Contacted caller. Petroleum odors in soil of back yard. 10/10/11 - visited site and spoke with owner. Identified affected areas. Optech to remove impacted soil and replace with top soil & seed. Refer to Spill 1107315.jeo"  
Remarks: "material found in back yard - unsure of where it came from - please callback for followup for cleaning"  
```

### Material:

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### Tank Test:

```
Tank Test: Not reported
```

### Site Information:

- **C6**
- **NNE**
- **1/8-1/4**
- **JOHNSON CITY, NY 13790**
- **0.235 mi.**
- **1240 ft.**

### EDR Historical Auto Stations:

- **Name:** AUTO TRIM DESIGN
  **Year:** 2010
  **Address:** 704 MAIN ST

- **Name:** AUTO TRIM DESIGN
  **Year:** 2011

---

```markdown
MAP FINDINGS
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<th>Database(s)</th>
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<th>EDR ID Number</th>
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<td>1015607862</td>
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</table>

### VALVOLINE INSTANT OIL CHANGE

**Address:** 704 MAIN ST  
**Name:** AUTO TRIM DESIGN  
**Year:** 2012  
**Address:** 704 MAIN ST

---

**C7**  
**NNE**  
**ENDICOTT, NY 13760**  
**0.239 mi.**  
**1261 ft.**  
**Site 2 of 2 in cluster C**

**RCRA-CESQG:**
- **Date form received by agency:** 01/01/2007  
- **Facility name:** VALVOLINE INSTANT OIL CHANGE  
- **Facility address:** 701 MAIN ST ENDICOTT, NY 13760  
- **EPA ID:** NYD986990653  
- **Mailing address:** MAIN ST ENDICOTT, NY 13760  
- **Contact:** T PATRICK GERRING  
- **Contact address:** MAIN ST ENDICOTT, NY 13760  
- **Contact country:** US  
- **Contact telephone:** (606) 264-7697  
- **Contact email:** Not reported  
- **EPA Region:** 02  
- **Classification:** Conditionally Exempt Small Quantity Generator  
- **Description:** Handler: generates 100 kg or less of acutely hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

**Owner/Operator Summary:**
- **Owner/operator name:** VALVOLINE INSTANT OIL CHANGE  
- **Owner/operator address:** PO BOX 14046 LEXINGTON, KY 40512  
- **Owner/operator country:** US  
- **Owner/operator telephone:** (606) 264-7092  
- **Legal status:** Private  
- **Owner/Operator Type:** Owner  
- **Owner/Op start date:** Not reported  
- **Owner/Op end date:** Not reported  
- **Owner/operator name:** VALVOLINE INSTANT OIL CHANGE  
- **Owner/operator address:** PO BOX 14046 LEXINGTON, KY 40512
VALVOLINE INSTANT OIL CHANGE (Continued)

Owner/operator country: US
Owner/operator telephone: (606) 264-7092
Legal status: Private
Owner/Operator Type: Operator
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

Historical Generators:
Date form received by agency: 01/01/2006
Site name: VALVOLINE INSTANT OIL CHANGE
Classification: Conditionally Exempt Small Quantity Generator

Date form received by agency: 01/06/1992
Site name: VALVOLINE INSTANT OIL CHANGE
Classification: Conditionally Exempt Small Quantity Generator

- Waste code: D000
- Waste name: Not Defined
- Waste code: D001
- Waste name: IGNITABLE WASTE
- Waste code: D008
- Waste name: LEAD

Violation Status: No violations found

FINDS:
Registry ID: 110004484941

Environmental Interest/Information System
RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.
VALVOLINE INSTANT OIL CHANGE (Continued)

NY MANIFEST:
Country: USA
EPA ID: NYD986990653
Facility Status: Not reported
Location Address 1: 701 EAST MAIN STREET
Code: BP
Location Address 2: Not reported
Total Tanks: Not reported
Location City: ENDICOTT
Location State: NY
Location Zip: 13760
Location Zip 4: Not reported

NY MANIFEST:
EPA ID: NYD986990653
Mailing Name: VALVOLINE INSTANT OIL CHANGE
Mailing Contact: VALVOLINE INSTANT OIL CHANGE
Mailing Address 1: 701 EAST MAIN STREET
Mailing Address 2: Not reported
Mailing City: ENDICOTT
Mailing State: NY
Mailing Zip: 13760
Mailing Zip 4: Not reported
Mailing Country: USA
Mailing Phone: 6077480024

NY MANIFEST:
Document ID: INA0814269
Manifest Status: C
seq: Not reported
Year: 1994
Trans1 State ID: AB20327
Trans2 State ID: Not reported
Generator Ship Date: 06/28/1994
Trans1 Recv Date: 06/28/1994
Trans2 Recv Date: 06/29/1994
TSD Site Recv Date: 07/05/1994
Part A Recv Date: 07/06/1994
Part B Recv Date: 07/18/1994
Generator EPA ID: NYD986990653
Trans1 EPA ID: KYD981807274
Trans2 EPA ID: KYD981807274
TSDF ID 1: IND098958283
TSDF ID 2: Not reported
Manifest Tracking Number: Not reported
Import Indicator: Not reported
Export Indicator: Not reported
Discr Quantity Indicator: Not reported
Discr Type Indicator: Not reported
Discr Residue Indicator: Not reported
Discr Partial Reject Indicator: Not reported
Discr Full Reject Indicator: Not reported
Manifest Ref Number: Not reported
Alt Facility RCRA ID: Not reported
Alt Facility Sign Date: Not reported
MGMT Method Type Code: Not reported
Waste Code: D008 - LEAD 5.0 MG/L TCLP
VALVOLINE INSTANT OIL CHANGE (Continued) 1004758277

Waste Code: D008 - LEAD 5.0 MG/L TCLP
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Quantity: 000050
Units: G - Gallons (liquids only)* (8.3 pounds)
Number of Containers: 001
Container Type: TT - Cargo tank, tank trucks
Handling Method: T Chemical, physical, or biological treatment.
Specific Gravity: 100
Document ID: INA0863715
Manifest Status: K
seq: Not reported

Trans1 State ID: AB20327PA
Trans2 State ID: Not reported
Generator Ship Date: 05/04/1994
Trans1 Recv Date: 05/04/1994
Trans2 Recv Date: 05/09/1994
TSD Site Recv Date: 05/11/1994
Part A Recv Date: 05/13/1994
Part B Recv Date: 05/24/1994
Generator EPA ID: NYD986990653
Trans1 EPA ID: KYD981807274
Trans2 EPA ID: KYD981807274
TSDF ID 1: IND098958283
TSDF ID 2: Not reported
Manifest Tracking Number: Not reported
Import Indicator: Not reported
Export Indicator: Not reported
Discr Quantity Indicator: Not reported
Discr Type Indicator: Not reported
Discr Residue Indicator: Not reported
Discr Partial Reject Indicator: Not reported
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Manifest Ref Number: Not reported
Alt Facility RCRA ID: Not reported
Alt Facility Sign Date: Not reported
MGMT Method Type Code: Not reported
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<td>001</td>
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<tr>
<td>Container Type:</td>
<td>TT - Cargo tank, tank trucks</td>
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<td>Handling Method:</td>
<td>T Chemical, physical, or biological treatment.</td>
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VALVOLINE INSTANT OIL CHANGE (Continued)  1004758277

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Export Indicator: Not reported
Discr Quantity Indicator: Not reported
Discr Type Indicator: Not reported
Discr Residue Indicator: Not reported
Discr Partial Reject Indicator: Not reported
Discr Full Reject Indicator: Not reported
Manifest Ref Number: Not reported
Alt Facility RCRA ID: Not reported
Alt Facility Sign Date: Not reported
MGMT Method Type Code: Not reported
Waste Code: D008 - LEAD  5.0 MG/L  TCLP
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Quantity: 00150
Units: G - Gallons (liquids only)* (8.3 pounds)
Number of Containers: 001
Container Type: TT - Cargo tank, tank trucks
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100

Document ID: NYG3715407
Manifest Status: Not reported
seq: Not reported
Year: 2004
Trans1 State ID: AE65608NY
Trans2 State ID: Not reported
Generator Ship Date: 09/24/2004
Trans1 Recv Date: 09/24/2004
Trans2 Recv Date: Not reported
TSD Site Recv Date: 09/24/2004
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYD986990653
Trans1 EPA ID: NYD049253719
Trans2 EPA ID: Not reported
TSDF ID 1: NYD049253
TSDF ID 2: Not reported
Manifest Tracking Number: Not reported
Import Indicator: Not reported
Export Indicator: Not reported
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Discr Type Indicator: Not reported
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### VALVOLINE INSTANT OIL CHANGE (Continued)

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<td>B Incineration, heat recovery, burning.</td>
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<td>Specific Gravity:</td>
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**ECHO:**
- Envid: 1004758277
- Registry ID: 110004484941
- DFR URL: [http://echo.epa.gov/detailed_facility_report?id=110004484941](http://echo.epa.gov/detailed_facility_report?id=110004484941)

**Site 1 of 2 in cluster D**

**UST:**
- Id/Status: 7-015881 / Unregulated/Closed
- Program Type: PBS
- Region: STATE
- DEC Region: 7
- Expiration Date: N/A
- UTM X: 419411.36209
- UTM Y: 4663113.00297
- Site Type: Retail Gasoline Sales

**Affiliation Records:**
- Site Id: 44042
- Affiliation Type: Facility Owner
- Company Name: PERFECTION OIL, INC.
- Contact Type: Not reported
- Contact Name: Not reported
- Address1: P.O. BOX 46
- Address2: Not reported
- City: ATHENS
- State: PA
- Zip Code: 18810
- Country Code: 001
- Phone: (717) 888-2211
- EMail: Not reported
- Fax Number: Not reported
- Modified By: TRANSLAT
- Date Last Modified: 2004-03-04

**Site Id:** 44042
- Affiliation Type: Mail Contact
- Company Name: PERFECTION OIL, INC.
- Contact Type: Not reported
- Contact Name: JEFFREY LANTZ
- Address1: P.O. BOX 46
- Address2: Not reported
- City: ATHENS
- State: PA
<table>
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<th>Map ID</th>
<th>Direction</th>
<th>Distance</th>
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<th>EPA ID Number</th>
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### JOHNSON CITY SUNOCO (Continued)

**Site Id:** 44042  
**Affiliation Type:** Emergency Contact  
**Company Name:** PERFECTION OIL, INC.  
**Contact Name:** MICHAEL J. DOWD  
**Address1:** Not reported  
**Address2:** Not reported  
**City:** Not reported  
**State:** NN  
**Zip Code:** Not reported  
**Country Code:** 001  
**Phone:** (717) 888-7709  
**EMail:** Not reported  
**Fax Number:** Not reported  
**Modified By:** TRANSLAT  
**Date Last Modified:** 2004-03-04

**Tank Number:** 001  
**Tank ID:** 126233  
**Tank Status:** Closed - Removed  
**Material Name:** Closed - Removed  
**Capacity Gallons:** 6000  
**Install Date:** Not reported  
**Date Tank Closed:** 08/01/1993  
**Registered:** True  
**Tank Location:** Underground  
**Tank Type:** Steel/carbon steel  
**Material Code:** 0009  
**Common Name of Substance:** Gasoline
JOHNSON CITY SUNOCO (Continued)

- **Tank Number:** 002
- **Tank ID:** 126234
- **Tank Status:** Closed - Removed
- **Material Name:** Closed - Removed
- **Capacity Gallons:** 6000
- **Install Date:** Not reported
- **Date Tank Closed:** 08/01/1993
- **Registered:** True
- **Tank Location:** Underground
- **Tank Type:** Steel/carbon steel
- **Material Code:** 0009
- **Common Name of Substance:** Gasoline

- **Tightness Test Method:** 03
- **Date Test:** 11/01/1992
- **Next Test Date:** Not reported
- **Pipe Model:** Not reported
- **Modified By:** TRANSLAT
- **Last Modified:** 03/04/2004

Equipment Records:
- H99 - Tank Leak Detection - Other
- J01 - Dispenser - Pressurized Dispenser
- D02 - Pipe Type - Galvanized Steel
- G00 - Tank Secondary Containment - None
- I00 - Overfill - None
- B00 - Tank External Protection - None
- F00 - Pipe External Protection - None
- C02 - Pipe Location - Underground/On-ground
- A00 - Tank Internal Protection - None

---

- **Tank Number:** 003
- **Tank ID:** 126235
- **Tank Status:** Closed - Removed
- **Material Name:** Closed - Removed
- **Capacity Gallons:** 6000
- **Install Date:** Not reported
- **Date Tank Closed:** 08/01/1993
JOHNSON CITY SUNOCO (Continued) U001848280

Registered: True
Tank Location: Underground
Tank Type: Steel/carbon steel
Material Code: 0009
Common Name of Substance: Gasoline

Tightness Test Method: 03
Date Test: 11/01/1992
Next Test Date: Not reported
Pipe Model: Not reported
Modified By: TRANSLAT
Last Modified: 03/04/2004

Equipment Records:
D02 - Pipe Type - Galvanized Steel
H99 - Tank Leak Detection - Other
J01 - Dispenser - Pressurized Dispenser
A00 - Tank Internal Protection - None
C02 - Pipe Location - Underground/On-ground
G00 - Tank Secondary Containment - None
I00 - Overfill - None
B00 - Tank External Protection - None
F00 - Pipe External Protection - None

HIST UST:
PBS Number: 7-015881
SPDES Number: Not reported
Emergency Contact: MICHAEL J. DOWD
Emergency Telephone: (717) 888-7709
Operator: JOSEPH KIKA
Operator Telephone: (607) 729-0991
Owner Name: PERFECTION OIL, INC.
Owner Address: P.O. BOX 46
Owner City,St,Zip: ATHENS, PA 18810
Owner Telephone: (717) 888-2211
Owner Type: Corporate/Commercial
Owner Subtype: Not reported
Mailing Name: PERFECTION OIL, INC.
Mailing Address: P.O. BOX 46
Mailing Address 2: Not reported
Mailing City,St,Zip: ATHENS, PA 18810
Mailing Contact: JEFFREY LANTZ
Mailing Telephone: (717) 888-2211
Owner Mark: First Owner
Facility Status: 2 - Unregulated by PBS (the total capacity is less than 1,101 gallons) and Subpart 360-14.
Facility Addr2: Not reported
SWIS ID: 0346
Old PBS Number: Not reported
Facility Type: RETAIL GASOLINE SALES
Inspected Date: Not reported
Inspector: Not reported
Inspection Result: Not reported
Federal ID: Not reported
Certification Flag: False
Certification Date: 01/20/1993
Expiration Date: 01/14/1997

Page 22
## JOHNSON CITY SUNOCO (Continued)

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<tr>
<td>Owner Screen</td>
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| Tank Id | 002 |
| Tank Location | UNDERGROUND |
| Tank Status | Closed-Removed |
| Install Date | Not reported |
| Capacity (gals) | 6000 |
| Product Stored | UNLEADED GASOLINE |
| Tank Type | Steel/carbon steel |
| Tank Internal | None |
| Tank External | None |
| Pipe Location | Underground |
| Pipe Type | GALVANIZED STEEL |
| Pipe Internal | None |
| Pipe External | None |
| Second Containment | None |
| Leak Detection | Other |
| Overfill Prot | Not reported |
### JOHNSON CITY SUNOCO (Continued)

<table>
<thead>
<tr>
<th>Dispenser: Submersible</th>
<th>Date Tested: 11/01/1992</th>
<th>Next Test Date: Not reported</th>
<th>Missing Data for Tank: Minor Data Missing</th>
<th>Date Closed: 08/01/1993</th>
<th>Test Method: Horner EZ Check</th>
<th>Deleted: False</th>
<th>Updated: True</th>
<th>Lat/long: Not reported</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Tank Id: 003</th>
<th>Tank Location: UNDERGROUND</th>
<th>Tank Status: Closed-Removed</th>
<th>Install Date: Not reported</th>
<th>Capacity (gals): 6000</th>
<th>Product Stored: UNLEADED GASOLINE</th>
<th>Tank Type: Steel/carbon steel</th>
<th>Tank Internal: None</th>
<th>Tank External: None</th>
</tr>
</thead>
</table>

| Pipe Location: Underground | Pipe Type: GALVANIZED STEEL | Pipe Internal: None | Pipe External: None | Second Containment: None | Leak Detection: Other | Overtill Prot: Not reported | Dispenser: Submersible | Date Tested: 11/01/1992 | Next Test Date: Not reported | Missing Data for Tank: Minor Data Missing | Date Closed: 08/01/1993 | Test Method: Horner EZ Check | Deleted: False | Updated: True | Lat/long: Not reported |
|---------------------------|----------------------------|----------------------|---------------------|------------------------|----------------------|--------------------------|--------------------------|--------------------------|----------------------------|--------------------------|--------------------------|---------------|--------------|---------------------|

### SPILLS:

|-----------------------|-------------------|------------------------|--------------------|-----------------------|------------------------|-----------------------------|-----------------------------|---------------------------------------------------------------------|--------------|-----------------------|------------------------|------------------------|---------------|-----------------|---------------------|-------------------|-----------------------|---------------------|
JOHNSON CITY SUNOCO (Continued)

<table>
<thead>
<tr>
<th>Cleanup Meets Std:</th>
<th>True</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Inspection:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Recommended Penalty:</td>
<td>False</td>
</tr>
<tr>
<td>UST Trust:</td>
<td>True</td>
</tr>
<tr>
<td>Remediation Phase:</td>
<td>0</td>
</tr>
<tr>
<td>Date Entered In Computer:</td>
<td>1991-10-17</td>
</tr>
<tr>
<td>Spill Record Last Update:</td>
<td>2017-01-18</td>
</tr>
<tr>
<td>Spiller Name:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Company:</td>
<td>JOHNSON CITY SUNOCO</td>
</tr>
<tr>
<td>Spiller Address:</td>
<td>684 MAIN ST</td>
</tr>
<tr>
<td>Spiller City, St, Zip:</td>
<td>JOHNSON CITY, NY</td>
</tr>
<tr>
<td>Contact Name:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Contact Phone:</td>
<td>Not reported</td>
</tr>
<tr>
<td>DEC Memo:</td>
<td>&quot;Prior to Sept, 2004 data translation this spill Lead_DEC Field was CWA &quot;</td>
</tr>
<tr>
<td>Remarks:</td>
<td>&quot;CALLER INDICATED THAT TANKS WERE OVERFILLED SIX MONTHS AGO AND PRODUCT CAME OUT VENT PIPES.&quot;</td>
</tr>
</tbody>
</table>

**Material:**
- **Site ID:** 182361
- **Operable Unit ID:** 961761
- **Operable Unit:** 01
- **Material ID:** 419838
- **Material Code:** 0009
- **Material Name:** gasoline
- **Case No.:** Not reported
- **Material FA:** Petroleum
- **Quantity:** .00
- **Units:** Gallons
- **Recovered:** .00
- **Resource Affected:** Not reported
- **Oxygenate:** Not reported

**Tank Test:**

**EDR Historical Auto Stations:**
- **Name:** TONY BS TIRE & AUTOMOTIVE SERVICE CENTER
  - **Year:** 1999
  - **Address:** 684 MAIN ST
- **Name:** TONY BS TIRE & AUTOMOTIVE SERVICE CENTER
  - **Year:** 2000
  - **Address:** 684 MAIN ST
- **Name:** TONY BS TIRE & ATMTV SRVC
  - **Year:** 2004
  - **Address:** 684 MAIN ST
- **Name:** TONY BS TIRE & AUTOMOTIVE SERVICE CE
  - **Year:** 2008
(Continued)

Address: 684 MAIN ST
Name: TONY BS TIRE & AUTOMOTIVE SVC
Year: 2010
Address: 684 MAIN ST

Name: TONY BS TIRE & AUTOMOTIVE SERVICE C
Year: 2011
Address: 684 MAIN ST

Name: TONY B S TIRE & AUTOMOTIVE INC
Year: 2012
Address: 684 MAIN ST

SITE 1 OF 2 IN CLUSTER E

LTANKS:
Site ID: 197909
Spill Number/Closed Date: 9209785 / 1993-02-08
Spill Date: 1991-04-29
Spill Cause: Tank Failure
Spill Source: Non Major Facility > 1,100 gal
Spill Class: Known release that creates potential for fire or hazard. DEC Response.
Willing Responsible Party. Corrective action taken.
Cleanup Ceased: 1993-01-14
Cleanup Meets Standard: True
SWIS: 0400
Investigator: PETERSON
Referred To: LONG TERM
Reported to Dept: 1992-11-19
CID: Not reported
Water Affected: Not reported
Spill Notifier: DEC
Last Inspection: Not reported
Recommended Penalty: False
UST Involvement: True
Remediation Phase: 0
Date Entered In Computer: 1992-11-30
Spill Record Last Update: 1993-03-19
Spiller Name: Not reported
Spiller Company: DAY AND NIGHT FOOD STORES
Spiller Address: 717 MAIN ST.
Spiller City,St,Zip: JOHNSON CITY, NY
Spiller County: 001
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Extension: Not reported
DEC Region: 7
DER Facility ID: 164706
DEC Memo: "Prior to Sept, 2004 data translation this spill Lead_DEC Field was GPA 01/14/93: REC FAX SHOWING TWO CLEAN TESTS ON ALL OW, SPILL COMPLETE."
Remarks: ""
### WESTOVER (Continued)

**Material:**

<table>
<thead>
<tr>
<th>Site ID:</th>
<th>197909</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operable Unit ID:</td>
<td>976359</td>
</tr>
<tr>
<td>Operable Unit:</td>
<td>01</td>
</tr>
<tr>
<td>Material ID:</td>
<td>554212</td>
</tr>
<tr>
<td>Material Code:</td>
<td>0009</td>
</tr>
<tr>
<td>Material Name:</td>
<td>gasoline</td>
</tr>
<tr>
<td>Case No.:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Material FA:</td>
<td>Petroleum</td>
</tr>
<tr>
<td>Quantity:</td>
<td>.00</td>
</tr>
<tr>
<td>Units:</td>
<td>Gallons</td>
</tr>
<tr>
<td>Recovered:</td>
<td>.00</td>
</tr>
<tr>
<td>Resource Affected:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Oxygenate:</td>
<td>Not reported</td>
</tr>
</tbody>
</table>

**Tank Test:**

**E11**

**MOBIL - 719 MAIN ST.**

**North**

**719 MAIN ST.**

**1/4-1/2**

**UNION (T), NY**

**0.274 mi.**

**1448 ft.**

**Site 2 of 2 in cluster E**

**LTANKS:**

<table>
<thead>
<tr>
<th>Site ID:</th>
<th>297955</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spill Number/Closed Date:</td>
<td>9500682 / 1995-08-07</td>
</tr>
<tr>
<td>Spill Date:</td>
<td>1995-04-11</td>
</tr>
<tr>
<td>Spill Cause:</td>
<td>Tank Failure</td>
</tr>
<tr>
<td>Spill Source:</td>
<td>Gasoline Station or otherPBS Facility</td>
</tr>
<tr>
<td>Spill Class:</td>
<td>Known release that creates potential for fire or hazard. DEC Response.</td>
</tr>
<tr>
<td>Cleanup Ceased:</td>
<td>1995-07-15</td>
</tr>
<tr>
<td>Cleanup Meets Standard:</td>
<td>True</td>
</tr>
<tr>
<td>SWIS:</td>
<td>0400</td>
</tr>
<tr>
<td>Investigator:</td>
<td>JEOKESSO</td>
</tr>
<tr>
<td>Referred To:</td>
<td>LONG TERM</td>
</tr>
<tr>
<td>Reported to Dept:</td>
<td>1995-04-18</td>
</tr>
<tr>
<td>CID:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Water Affected:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spill Notifier:</td>
<td>Other</td>
</tr>
<tr>
<td>Last Inspection:</td>
<td>1995-04-24</td>
</tr>
<tr>
<td>Recommended Penalty:</td>
<td>False</td>
</tr>
<tr>
<td>UST Involvement:</td>
<td>True</td>
</tr>
<tr>
<td>Remediation Phase:</td>
<td>0</td>
</tr>
<tr>
<td>Date Entered In Computer:</td>
<td>1995-04-24</td>
</tr>
<tr>
<td>Spill Record Last Update:</td>
<td>1995-08-07</td>
</tr>
<tr>
<td>Spiller Name:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Company:</td>
<td>PETRALL</td>
</tr>
<tr>
<td>Spiller Address:</td>
<td>6567 KINNE RD.</td>
</tr>
<tr>
<td>Spiller City,St,Zip:</td>
<td>DEWITT, NY 13212</td>
</tr>
<tr>
<td>Spiller County:</td>
<td>001</td>
</tr>
<tr>
<td>Spiller Contact:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Phone:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Extention:</td>
<td>Not reported</td>
</tr>
<tr>
<td>DEC Region:</td>
<td>7</td>
</tr>
<tr>
<td>DER Facility ID:</td>
<td>241057</td>
</tr>
</tbody>
</table>
### MAP FINDINGS

<table>
<thead>
<tr>
<th>Map ID</th>
<th>EDR ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>S101508814</td>
</tr>
</tbody>
</table>

#### MOBIL - 719 MAIN ST. (Continued)

**DEC Memo:**
"Prior to Sept, 2004 data translation this spill Lead_DEC Field was JOA / : WELLS INSTALLED. RESULTS SHOWED LOW LEVEL CONTAMINATION. NFA."

**Remarks:**
"SOIL BORINGS DONE. CONTAMINATION FOUND. TANKS TO BE REMOVED."

**Material:**
- Site ID: 297955
- Operable Unit ID: 1011572
- Operable Unit: 01
- Material ID: 369298
- Material Code: 0009
- Material Name: gasoline
- Case No.: Not reported
- Material FA: Petroleum
- Quantity: 0.00 Gallons
- Recovered: 0.00
- Resource Affected: Not reported
- Oxygenate: Not reported

**Tank Test:**

#### LTANKS: 154506

<table>
<thead>
<tr>
<th>LTANKS</th>
<th>Site ID: 154506</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spill Number/Closed Date: 9407387 / 1995-01-23</td>
<td></td>
</tr>
<tr>
<td>Spill Date: 1994-08-31</td>
<td></td>
</tr>
<tr>
<td>Spill Cause: Tank Failure</td>
<td></td>
</tr>
<tr>
<td>Spill Source: Commercial/Industrial</td>
<td></td>
</tr>
<tr>
<td>Spill Class: Known release with minimal potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.</td>
<td></td>
</tr>
<tr>
<td>Cleanup Ceased: 1995-01-23</td>
<td></td>
</tr>
<tr>
<td>Cleanup Meets Standard: True</td>
<td></td>
</tr>
<tr>
<td>SWIS: 0400</td>
<td></td>
</tr>
<tr>
<td>Investigator: JEOKESO</td>
<td></td>
</tr>
<tr>
<td>Referred To: LONG TERM</td>
<td></td>
</tr>
<tr>
<td>Reported to Dept: 1994-08-31</td>
<td></td>
</tr>
<tr>
<td>CID: Not reported</td>
<td></td>
</tr>
<tr>
<td>Water Affected: Not reported</td>
<td></td>
</tr>
<tr>
<td>Spill Notifier: Tank Tester</td>
<td></td>
</tr>
<tr>
<td>Last Inspection: 1995-01-19</td>
<td></td>
</tr>
<tr>
<td>Recommended Penalty: False</td>
<td></td>
</tr>
<tr>
<td>UST Involvement: True</td>
<td></td>
</tr>
<tr>
<td>Remediation Phase: 0</td>
<td></td>
</tr>
<tr>
<td>Date Entered In Computer: 1994-09-06</td>
<td></td>
</tr>
<tr>
<td>Spill Record Last Update: 1995-01-23</td>
<td></td>
</tr>
<tr>
<td>Spiller Name: Not reported</td>
<td></td>
</tr>
<tr>
<td>Spiller Company: NSN TRANSPORTATION CORP.</td>
<td></td>
</tr>
<tr>
<td>Spiller Address: 375 STATE ST.</td>
<td></td>
</tr>
<tr>
<td>Spiller City, St, Zip: BINGHAMTON, NY 13901</td>
<td></td>
</tr>
<tr>
<td>Spiller County: 001</td>
<td></td>
</tr>
</tbody>
</table>

---

**NATIONAL CAR RENTAL**

<table>
<thead>
<tr>
<th>LTANKS</th>
<th>Site ID: 154506</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spill Number/Closed Date: 9407387 / 1995-01-23</td>
<td></td>
</tr>
<tr>
<td>Spill Date: 1994-08-31</td>
<td></td>
</tr>
<tr>
<td>Spill Cause: Tank Failure</td>
<td></td>
</tr>
<tr>
<td>Spill Source: Commercial/Industrial</td>
<td></td>
</tr>
<tr>
<td>Spill Class: Known release with minimal potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.</td>
<td></td>
</tr>
<tr>
<td>Cleanup Ceased: 1995-01-23</td>
<td></td>
</tr>
<tr>
<td>Cleanup Meets Standard: True</td>
<td></td>
</tr>
<tr>
<td>SWIS: 0400</td>
<td></td>
</tr>
<tr>
<td>Investigator: JEOKESO</td>
<td></td>
</tr>
<tr>
<td>Referred To: LONG TERM</td>
<td></td>
</tr>
<tr>
<td>Reported to Dept: 1994-08-31</td>
<td></td>
</tr>
<tr>
<td>CID: Not reported</td>
<td></td>
</tr>
<tr>
<td>Water Affected: Not reported</td>
<td></td>
</tr>
<tr>
<td>Spill Notifier: Tank Tester</td>
<td></td>
</tr>
<tr>
<td>Last Inspection: 1995-01-19</td>
<td></td>
</tr>
<tr>
<td>Recommended Penalty: False</td>
<td></td>
</tr>
<tr>
<td>UST Involvement: True</td>
<td></td>
</tr>
<tr>
<td>Remediation Phase: 0</td>
<td></td>
</tr>
<tr>
<td>Date Entered In Computer: 1994-09-06</td>
<td></td>
</tr>
<tr>
<td>Spill Record Last Update: 1995-01-23</td>
<td></td>
</tr>
<tr>
<td>Spiller Name: Not reported</td>
<td></td>
</tr>
<tr>
<td>Spiller Company: NSN TRANSPORTATION CORP.</td>
<td></td>
</tr>
<tr>
<td>Spiller Address: 375 STATE ST.</td>
<td></td>
</tr>
<tr>
<td>Spiller City, St, Zip: BINGHAMTON, NY 13901</td>
<td></td>
</tr>
<tr>
<td>Spiller County: 001</td>
<td></td>
</tr>
</tbody>
</table>
NATIONAL CAR RENTAL (Continued)

Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Extension: Not reported
DEC Region: 7
DER Facility ID: 130993
DEC Memo: "Prior to Sept, 2004 data translation this spill Lead_DEC Field was JOA."
Remarks: "2-2K GAS TANKS REMOVED. CONTAMINATED SOIL FOUND AND STOCKPILED 40-50 YDS. NO ODORS NOTED WHEN SOIL TURNED TO GRAVEL. 0 READING ON H-NU METR. SOIL SAMPLES TAKEN FOR TANK CLOSURE."

Material:
Site ID: 154506
Operable Unit ID: 1001636
Operable Unit: 01
Material ID: 570050
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: .00
Units: Gallons
Recovered: .00
Resource Affected: Not reported
Oxigenate: Not reported

Tank Test:

13 CHASE LINCOLN - WESTOVER LTANKS S100491205
NE 639 MAIN ST. N/A
1/4-1/2 WESTOVER, NY
1/4-1/2
0.313 mi. N/A
1653 ft.

LTANKS:
Site ID: 169167
Spill Number/Closed Date: 9202669 / 1992-09-14
Spill Date: 1992-06-04
Spill Cause: Tank Failure
Spill Source: Commercial/Industrial
Spill Class: Known release that creates potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.
Cleanup Ceased: 1992-09-11
Cleanup Meets Standard: True
SWIS: 0400
Investigator: CLWARNER
Referred To: LONG TERM
Reported to Dept: 1992-06-04
CID: Not reported
Water Affected: Not reported
Spill Notifier: DEC
Last Inspection: Not reported
Recommended Penalty: False
UST Involvement: False
Remediation Phase: 0
Date Entered In Computer: 1992-06-05
CHASE LINCOLN - WESTOVER (Continued)

<table>
<thead>
<tr>
<th>Spill Record Last Update:</th>
<th>1992-09-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spiller Name:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Company:</td>
<td>CHASE LINCOLN BANK</td>
</tr>
<tr>
<td>Spiller Address:</td>
<td>2 COURT ST.</td>
</tr>
<tr>
<td>Spiller City, St, Zip:</td>
<td>BINGHAMTON, NY 13901</td>
</tr>
<tr>
<td>Spiller County:</td>
<td>001</td>
</tr>
<tr>
<td>Spiller Contact:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Phone:</td>
<td>Not reported</td>
</tr>
<tr>
<td>Spiller Extension:</td>
<td>Not reported</td>
</tr>
<tr>
<td>DEC Region:</td>
<td>7</td>
</tr>
<tr>
<td>DER Facility ID:</td>
<td>142450</td>
</tr>
<tr>
<td>DEC Memo:</td>
<td>&quot;Prior to Sept. 2004 data translation this spill Lead_DEC Field was CWA 06/04/92: REQUESTING MONITORING WELLS. COULD NOT DIG ALL CONTAMINATED SOIL. &quot;</td>
</tr>
<tr>
<td>Remarks:</td>
<td>&quot;550 GAL. FUEL OIL TANK REMOVED. TANK FULL OF HOLES. SOME CONTAMINATED SOIL REMOVED AND HAULED TO BROOME COUNTY LANDFILL.&quot;</td>
</tr>
</tbody>
</table>

Material:

| Site ID:          | 169167 |
| Operable Unit ID: | 970068 |
| Operable Unit:    | 01 |
| Material ID:      | 413904 |
| Material Code:    | 0001A |
| Material Name:    | #2 fuel oil |
| Case No.:         | Not reported |
| Material FA:      | Petroleum |
| Quantity:         | .00 |
| Units:            | Gallons |
| Recovered:        | .00 |
| Resource Affected:| Not reported |
| Oxygenate:        | Not reported |

Tank Test:

SEMS-ARCHIVE:

| Site ID:          | 202442 |
| EPA ID:           | NY5570024641 |
| Federal Facility: | Y |
| NPL:              | Not on the NPL |
| Non NPL Status:   | NFRAP-Site does not qualify for the NPL based on existing information |

Following information was gathered from the prior CERCLIS update completed in 10/2013:

| Site ID:          | 0202442 |
| Federal Facility: | Federal Facility |
| NPL Status:       | Not on the NPL |
| Non NPL Status:   | NFRAP-Site does not qualify for the NPL based on existing information |

CERCLIS-NFRAP Site Contact Details:

| Contact Sequence ID: | 2276298.00000 |
### USAF - AIR FORCE PLANT 59 (Continued)

<table>
<thead>
<tr>
<th>Person ID:</th>
<th>2000168.00000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Sequence ID:</td>
<td>2276628.00000</td>
</tr>
<tr>
<td>Person ID:</td>
<td>2000112.00000</td>
</tr>
<tr>
<td>Contact Sequence ID:</td>
<td>13114918.00000</td>
</tr>
<tr>
<td>Person ID:</td>
<td>2000112.00000</td>
</tr>
<tr>
<td>Contact Sequence ID:</td>
<td>13120749.00000</td>
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<tr>
<td>Person ID:</td>
<td>2000176.00000</td>
</tr>
<tr>
<td>Contact Sequence ID:</td>
<td>13377263.00000</td>
</tr>
<tr>
<td>Person ID:</td>
<td>2000146.00000</td>
</tr>
</tbody>
</table>

**CERCLIS-NFRAP Site Alias Name(s):**

- **Alias Name:** GENERAL ELECTRIC CO. SITE
- **Alias Address:** Not reported
  - **NY**

- **Alias Name:** PLANT #59
- **Alias Address:** 600 MAIN STREET
  - **JOHNSON CITY, NY 13790**

**CERCLIS-NFRAP Assessment History:**

- **Action:** SITE INSPECTION
  - **Date Started:** 03/25/86
  - **Date Completed:** 03/01/87
  - **Priority Level:** NFRAP-Site does not qualify for the NPL based on existing information

- **Action:** DISCOVERY
  - **Date Started:** / / 
  - **Date Completed:** 10/01/84
  - **Priority Level:** Not reported

- **Action:** PRELIMINARY ASSESSMENT
  - **Date Started:** / /
  - **Date Completed:** 10/01/84
  - **Priority Level:** Low priority for further assessment

- **Action:** ARCHIVE SITE
  - **Date Started:** / /
  - **Date Completed:** 01/31/97
  - **Priority Level:** Not reported

**RCRA NonGen / NLR:**

- **Date form received by agency:** 01/01/2007
- **Facility name:** USAF - AIR FORCE PLANT 59
- **Facility address:** 600 MAIN ST
  - **JOHNSON CITY, NY 137901888**
- **EPA ID:** NY5570024641
- **Mailing address:** MAIN ST
  - **JOHNSON CITY, NY 137901888**
- **Contact:** DAVID PARSE
- **Contact address:** MAIN ST
  - **JOHNSON CITY, NY 137901888**
- **Contact country:** US
IGNITABLE WASTE. Waste name: D001. Waste code: Small Quantity Generator

Classification: USAF - AIR FORCE PLANT 59
Site name: 10/28/1998
Date form received by agency: Not a generator, verified

Historical Generators:
Date form received by agency: 10/28/1998
Site name: USAF - AIR FORCE PLANT 59
Classification: Small Quantity Generator

- Waste code: D001
- Waste name: IGNITABLE WASTE
USA - AIR FORCE PLANT 59 (Continued)

Violation Status: No violations found

---

LTANKS:

Site ID: 133067
Spill Number/Closed Date: 9403083 / 1994-06-30
Spill Date: 1994-06-02
Spill Cause: Tank Overfill
Spill Source: Commercial/Industrial
Spill Class: Known release with minimal potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.

Cleanup Ceased: 1994-06-10
Cleanup Meets Standard: True
SWIS: 0400
Investigator: CLWARNER
Reported to Dept: LONG TERM
CID: Not reported
Water Affected: Not reported
Spiller Name: Not reported
Spiller Company: MAPES MOVING & STORAGE
Spiller Address: 444 COMMERCER RD
Spiller City,St,Zip: VESTAL, NY
Spiller County: 001
Spiller Phone: Not reported
Spiller Extension: Not reported
Remediation Phase: 0
Date Entered In Computer: 1994-06-06
Spill Record Last Update: 1994-06-30

Material:

Site ID: 133067
Operable Unit ID: 996886
Operable Unit: 01
Material ID: 383255
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: 0.00

---

"Prior to Sept, 2004 data translation this spill Lead_DEC Field was CWA 06/10/94: RECEIVED TEST RESULTS FROM SAMPLES FROM EXCAVATION. NO CONTAMINATION FOUND. NO FURTHER ACTION."

"TANKS REMOVED. SOME CONTAMINATION FOUND AROUND FILLS. SOIL STOCKPILED AND TO BE DISPOSED OF. SOIL SAMPLES TAKEN FROM EXCAVATION."

Not reported
### MAP FINDINGS

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### MAPES MOVING & STORAGE (Continued)

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<td>Gross Fail:</td>
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<td>Modified By:</td>
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<td>444 COMMERCE ROAD</td>
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<tr>
<td>VESTAL, NY</td>
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<tr>
<td>0.441 mi.</td>
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<td>2008</td>
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<table>
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<td>Corrective action taken.</td>
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<td>Cleanup Meets Standard:</td>
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J.C. SCHOOL BUS GARAGE (Continued)

SWIS: 0400
Investigator: PETERSON
Reported to Dept: 1991-06-24
CID: Not reported
Spill Notifier: DEC
Last Inspection: 1991-06-25
Recommended Penalty: False
UST Involvement: True
Remediation Phase: 0
Date Entered In Computer: 1991-06-26
Spill Record Last Update: 1995-02-22
Spiller Name: Not reported
Spiller Company: JOHNSON CITY SCHOOL DIST.
Spiller Address: 666 REYNOLDS RD.
Spiller City, St, Zip: JOHNSON CITY, NY 13790
Spiller County: 001
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Extension: Not reported
DEC Region: 7
DER Facility ID: 73324
DEC Memo: "Prior to Sept, 2004 data translation this spill Lead_DEC Field was GPA."
Remarks: "TANKS REMOVED. CONTAMINATED SIOL AND GROUNDWATER FOUND."

Material:
Site ID: 78830
Operable Unit ID: 957359
Operable Unit: 01
Material ID: 425773
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: .00
Units: Gallons
Recovered: .00
Resource Affected: Not reported
Oxygenate: Not reported

Tank Test:
Site ID: 78830
Spill Tank Test: 1538700
Tank Number: Not reported
Tank Size: 0
Test Method: 00
Leak Rate: .00
Gross Fail: Not reported
Modified By: Spills
Last Modified: Not reported
Test Method: Unknown

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MAP FINDINGS
Map ID
Direction
Distance
Distance (ft.)Site
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EDR ID Number
Database(s)
EPA ID Number
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Unknown
Unknown
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<th>Site</th>
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<th>Database(s)</th>
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<td>East</td>
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RGA LF:

- 2012 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2011 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2010 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2009 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2008 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2007 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2006 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2005 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2004 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
- 2000 WEBER ASH DISPOSAL SITE 720 RIVERSIDE DR.
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<th>Database(s)</th>
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<td>13760</td>
<td>DRYCLEANERS</td>
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<td>ENDWELL</td>
<td>S100129455</td>
<td>ENDWELL MOBIL ESTATE</td>
<td>ENDWELL MOBIL ESTATE #6</td>
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<td>LTANKS</td>
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<td>JOHNSON CITY</td>
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<td>DOMINO'S PIZZA</td>
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<td>LTANKS</td>
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<td>JOHNSON CITY</td>
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<td>RIVERSIDE DRIVE</td>
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<td>LTANKS</td>
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March 30, 2012

Keystone Associates
Attn: Mr. Gary Holmes
58 Exchange Street
Binghamton, New York 13901

RE: Pre-Demolition Asbestos Survey
    Village of Johnson City Water Treatment Facility
    Storage and Operations Building

Dear Mr. Holmes:

Enclosed please find the pre-demolition survey for asbestos containing materials for the above noted project site.

If you have any questions or require additional information, please contact me. Thank you.

Sincerely,

Richard J. Tarnowski
Director of Environmental Services/Member

RJT/tms

Enclosure
P:\KMT\asbestos projects 11695 cover letter.doc
PRE-DEMOLITION SURVEY FOR
ASBESTOS CONTAINING MATERIALS

VILLAGE OF JOHNSON CITY
WATER TREATMENT FACILITY
STORAGE AND OPERATIONS BUILDING
44 CAMDEN STREET
JOHNSON CITY, NEW YORK

March 2012

Prepared for:
Johnson City Water Treatment Facility
c/o Keystone Associates
58 Exchange Street
Binghamton, New York 13901

Prepared By:
58 Exchange Street, Binghamton, New York 13901 (607) 770-9098
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  2.2 LIMITATIONS
  2.3 ASBESTOS BULK SAMPLE SUMMARY
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     B. THERMAL INSULATION
     C. MISCELLANEOUS MATERIALS
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EXECUTIVE SUMMARY

Keystone Material Testing, LLC (KMT) was retained by Keystone Associates to perform a Pre-Demolition Survey for Asbestos Containing Materials (ACM) for the Johnson City Water Treatment facility located at 44 Camden Street, Johnson City, New York. The purpose of this survey is to identify and assess with due diligence, the locations, quantities, friability and condition of ACM that will be disturbed during demolition.

This asbestos inspection was completed in accordance with the requirements outlined in the New York State Department of Labor (NYSDOL) Asbestos Regulation 12 New York Codes, Rules and Regulations (NYCRR) Part 56 and pertinent sections of OSHA 1926.1101. Bulk samples of suspect ACM were collected and sent to a laboratory certified by the Environmental Laboratory Accreditation Program (ELAP) for analysis by Polarized Light Microscopy (PLM) and Transmission Electron Microscopy (TEM) as required. Non-Friable Organically Bound (NOB) materials were analyzed in accordance with New York State Department of Health (NYSDOH) ELAP Methods 198.1 and 198.4. The inspection was performed by Mr. John Muniak (NYSDOL Certification #88-11134) and Mr. Tim Marble (NYSDOL Certification #90-03373) on March 7, 2012. See Appendix A for laboratory documentation. Building/structure plans, specifications or previous reports were not available for review.

ASBESTOS CONTAINING MATERIAL SUMMARY

Each area of the interior and exterior of the structure slated for disturbance was thoroughly inspected by visual means to identify potential ACM. KMT collected 56 bulk samples representing 32 types of homogeneous suspect ACM. The following materials tested positive for asbestos:

- Parapet tile seam sealant. Approximately 70 square feet of this material exists on the parapets of roofs R01, R02, R03 and R04.
- Built-up roofing and roof flashing. Approximately 3260 square feet of these materials exist on roofs R01, R02 and R04.
- Roof flashing. Approximately 250 square feet of this material exists on roof R03.
- Floor patch material. Approximately 165 square feet of this material exists in space B001.
- Chimney flue patch. Approximately one square foot of this material exists in space 1004.

The above noted ACM total more than 160 square feet and any abatement work to address the ACM is considered a large asbestos project.

Upon demolition of the proposed work areas a competent person should supervise the work in the event hidden or inaccessible ACM is discovered. If hidden or inaccessible ACM is found the work shall stop and the ACM shall be removed by a licensed contractor using certified workers before proceeding with the demolition.
TRANSMITTAL NOTICE
12 NYCRR 56 SUBPART 5, PAGE 45

(g) Transmittal of Building/Structure Asbestos Survey Information. One (1) copy of the results of the building/structure asbestos survey shall be immediately transmitted by the building/structure owner as follows:

(1) One (1) copy of the completed asbestos survey shall be sent by the owner or their agent to the local government entity charged with issuing a permit for such demolition, renovation, remodeling or repair work under applicable State or local laws.

(2) The completed asbestos survey for controlled demolition (as per Subpart 56-11.5) or pre-demolition asbestos projects shall also be submitted to the appropriate Asbestos Control Bureau district office.

(3) The completed asbestos survey shall be kept on the construction site with the asbestos notification and variance, if required, throughout the duration of the asbestos project and any associated demolition, renovation, remodeling or repair project.

(h) Removal Required. If the building/structure asbestos survey finds that the portion of the building/structure to be demolished, renovated, remodeled, or have repair work contains ACM, PACM, suspect miscellaneous ACM assumed to be ACM, or asbestos material, which is impacted by the work, the owner or the owner’s agent shall conduct, or cause to have conducted, asbestos removal performed by a licensed asbestos abatement contractor in conformance with all standards set forth in this Part. All ACM, PACM, suspect miscellaneous ACM assumed to be ACM, or asbestos material impacted by the demolition, renovation, remodeling or repair project shall be removed as per this Part, prior to access or disturbance by other uncertified trades or personnel. No demolition, renovation, remodeling or repair work shall be commenced by any owner or the owner’s agent prior to the completion of the asbestos abatement in accordance with the notification requirements of this Part. For multi-phased work, the access restriction for uncertified trades or personnel applies to each intermediate portion of the entire project. Upon completion of the intermediate portion of the asbestos project, other trades or personnel may access that portion of the work site. For being structurally unsound, the demolition is considered an asbestos project and shall proceed as per Section 56-11.5.

STATE GOVERNMENT ENTITY

Asbestos Control Bureau District Office
450 S. Salina Street
Syracuse, New York 13202
(315) 479-3215 (FAX) (315) 479-3451

LOCAL GOVERNMENT ENTITY

Johnson City Code Enforcement
243 Main Street
Johnson City, NY 13790
(607) 729-2047
PART I - GENERAL INFORMATION

1.1 BUILDING DESCRIPTION

The storage/operations building slated for demolition is a part of the water treatment facility. The building is masonry construction and consists of two upper levels and a basement. The building was likely constructed between 1920 and 1940. Accessible piping is not insulated.

PART II - BULK SAMPLING AND ANALYSIS

2.1 SAMPLING PROTOCOL

Identified below is the sampling protocol under which this building inspection report/survey was prepared.

A. Assuming ACM. For this survey and based on the quantities, types and different homogeneous areas, friable and non-friable materials may be assumed positive for asbestos based on our experience.

B. Testing for ACM. All suspect materials will have a minimum of one bulk sample analyzed for materials that test positive for asbestos, two bulk samples analyzed for materials that test negative for asbestos or the material will be assumed positive for asbestos.

C. Collection of suspect materials. Samples were placed in new airtight baggies and the samples were doubled bagged and placed in a sealed container before shipment to the laboratory.

D. Sample Labeling. Each sample is labeled in a manner that identifies the inspector, the sample number, building identifier, and the room code where the sample was taken. The example given below is representative of the system used for this report.

```
Inspector Identifier       Room Code
                          
101-ABCD-1001

Sample Number             Building Identifier
```

Keystone Material Testing, LLC

KMT Project No: 11695
2.2 LIMITATIONS

A. All accessible areas within the structure were inspected for ACM including access panels to chases, areas above suspended ceilings and the crawlspace. Additional possible ACM may be discovered behind and within walls, above non-accessible ceilings and within pipe chases and should be considered as ACM unless sampling/testing shows the material is non-asbestos containing.

B. This Pre-Demolition survey for Asbestos Containing Materials should not be construed to be an Asbestos Project Design.

C. ACM quantities identified within this report are estimates only and should be verified by asbestos abatement contractors.

2.3 ASBESTOS BULK SAMPLE SUMMARY

Identified below is a listing of the readily accessible homogeneous areas that were inspected and sampled as part of this building survey.

A. SURFACING MATERIALS

<table>
<thead>
<tr>
<th>Sample Code</th>
<th>Drawing ID</th>
<th>Color</th>
<th>Material Type</th>
<th>% Asbestos</th>
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<tbody>
<tr>
<td>107-JT-1007</td>
<td>107</td>
<td>WHITE</td>
<td>WALL PLASTER – FINISH COAT</td>
<td>NAD</td>
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<tr>
<td>108-JT-1007</td>
<td>108</td>
<td>GRAY</td>
<td>WALL PLASTER – SCRATCH COAT</td>
<td>NAD</td>
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<td>WALL PLASTER – FINISH COAT</td>
<td>NAD</td>
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<td>133</td>
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<td>WALL PLASTER – SCRATCH COAT</td>
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<td>DARK GRAY</td>
<td>WALL/CHIMNEY PLASTER</td>
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</table>

No other suspect surfacing materials were seen or tested during this asbestos inspection.

B. THERMAL INSULATION

<table>
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<th>Sample Code</th>
<th>Drawing ID</th>
<th>Color</th>
<th>Material Type</th>
<th>% Asbestos</th>
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No suspect surfacing materials were seen or tested during this asbestos inspection.
### C. MISCELLANEOUS MATERIALS

<table>
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<td>TAN</td>
<td>GLUE DOT – WALL</td>
<td>NAD</td>
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<tr>
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<td>TAN</td>
<td>GLUE DOT – WALL</td>
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<td>BRICK MORTAR</td>
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<tr>
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<td>ORANGE</td>
<td>CLAY WALL TILE</td>
<td>NAD</td>
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<tr>
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<td>143</td>
<td>GRAY</td>
<td>PLANK CEILING/FLOOR</td>
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<td>651-JT-R01</td>
<td>651</td>
<td>SILVER/GRAY</td>
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<td>TRACE</td>
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<td>652-JT-R01</td>
<td>652</td>
<td>BLACK</td>
<td>BUILT-UP ROOFING FELTS</td>
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<tr>
<td>653-JT-R01</td>
<td>653</td>
<td>BLACK</td>
<td>CEMENT ON VERTICAL SURFACE OF</td>
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<td>657-JT-R02</td>
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C. MISCELLANEOUS MATERIALS (Continued)

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<tr>
<th>Sample Code</th>
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<td>662-JT-R03</td>
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<td>666-JT-EXT</td>
<td>666</td>
<td>TAN</td>
<td>FRONT DOOR – CAULK AT SEAM</td>
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<td>667-JT-EXT</td>
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<td>674</td>
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<td>BUILT-UP ROOFING FELTS</td>
<td>TRACE</td>
</tr>
</tbody>
</table>

No other suspect miscellaneous materials were seen or tested during this asbestos inspection.

NAD – NO ASBESTOS DETECTED
TRACE - <1% ASBESTOS, MATERIAL IS NOT REGULATED
NA – SAMPLE NOT ANALYZED

PART III - IDENTIFICATION AND ASSESSMENT OF ACM

Identified below are KMT’s assessment, descriptions, sampling codes, ACM amounts and location descriptions used for this report.

3.1 ASSESSMENT CODES

(F) Friable ACM - ACM has been evaluated as friable, meaning it can be crumbled with hand pressure and, therefore, is likely to emit fibers when disturbed. This material will need to be addressed as required by State and Federal regulations.

(NF) Non-friable ACM - this material has been evaluated as non-friable. This material needs to be addressed as required by State and Federal regulations. In addition, it is now required to test by TEM if the results are negative by PLM. It can be assumed positive.

(C) Clean Area - our inspection/testing showed no visible ACM in this area.

(D) Dirt Floor - if the ACM within the space is evaluated as friable, the dirt is also assumed to be contaminated.

(E) Estimated Material - every attempt to investigate behind walls, floors and ceilings was made during this survey.
3.2 QUANTITY AND LOCATING TABLES

<table>
<thead>
<tr>
<th>Code</th>
<th>Room Use</th>
<th>Material Code</th>
<th>Assess Code</th>
<th>Feet</th>
<th>Units</th>
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<tr>
<td>100</td>
<td>Pipe Insulation</td>
<td>A: Corrugated</td>
<td>F</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>B: Pre-Form</td>
<td>C: Joint &amp; Elbow</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>E: Lagging</td>
<td>D: Pipe Debris</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>E: Gaskets</td>
<td>C: Tank Insul.</td>
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<tr>
<td>300</td>
<td>Ceiling</td>
<td>A: Tile</td>
<td>B: Plaster</td>
<td>C: Transite</td>
<td>D: Batt Insul.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>E: Adhesive</td>
<td>F: Sheet Rock/Joint Compound</td>
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<tr>
<td>400</td>
<td>Wall</td>
<td>A: Panel</td>
<td>B: Plaster</td>
<td>C: Transite</td>
<td>D: Sheet Rock/Joint Compound</td>
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<tr>
<td></td>
<td></td>
<td>E: Mastic</td>
<td>F: Chimney Flue Patch</td>
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<tr>
<td>500</td>
<td>Floor</td>
<td>A: Tile</td>
<td>B: Dirt Floor</td>
<td>C: Linoleum</td>
<td>D: Mastic</td>
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<tr>
<td></td>
<td></td>
<td>E: Felt Runner</td>
<td>F: Patch</td>
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<tr>
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<td>Duct Insulation</td>
<td>A: Corrugated</td>
<td>B: Pre-Form</td>
<td>C: Transite</td>
<td>D: Cloth Tape</td>
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<tr>
<td>700</td>
<td>Fireproofing</td>
<td>A: Ceiling</td>
<td>B: Wall</td>
<td>C: Beams</td>
<td>D: Ducts</td>
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<tr>
<td></td>
<td></td>
<td>E: Asbestos Board</td>
<td>B: Transite</td>
<td>C: Light Gasket</td>
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<tr>
<td>800</td>
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<td>A: Debris</td>
<td>B: Transite</td>
<td>C: Joint Compound</td>
<td>D: Cloth Tape</td>
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<td></td>
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<td>E: Wires</td>
<td>F: Doors</td>
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<td></td>
<td></td>
<td>H: Adhesive</td>
<td>G: Sink Mastic</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>I: Curtains</td>
<td>K: Window Glazing</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>J: Vibration Isolators</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>L: Window Putty</td>
<td>M: Window Caulk</td>
<td>N: Door Caulk</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>P: Chalkboard</td>
<td>Q: Incinerator Insulation</td>
<td>R: Counter Top</td>
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<td>900</td>
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<td>A: Flashing</td>
<td>B: Patching</td>
<td>C: All Roofing</td>
<td>D: Flat Roofing</td>
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<td></td>
<td>E: Insulation</td>
<td>F: Roofing Material</td>
<td>G: Shingles</td>
<td>H: Counter Flashing</td>
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<td>I: Roof Sealant</td>
<td>J: Coping Sealant</td>
<td>K: Silver Coat</td>
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ASSESSMENT CODES:

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<th>Code</th>
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<td>F</td>
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<tr>
<td>NF</td>
<td>Non-Friable</td>
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</tr>
<tr>
<td>C</td>
<td>Clean</td>
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</tr>
<tr>
<td>D</td>
<td>Dirt</td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>Estimated</td>
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Keystone Material Testing, LLC
KMT Project No: 11695
### 3.2 QUANTITY AND LOCATING TABLES (CONTINUED)

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<th>MATERIAL</th>
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<tr>
<td>300 - Ceiling</td>
<td>A: Tile E. Adhesive</td>
</tr>
<tr>
<td>400 - Wall</td>
<td>A: Panel E. Mastic</td>
</tr>
<tr>
<td>500 - Floor</td>
<td>A: Tile E. Felt Runner</td>
</tr>
<tr>
<td>600 - Duct Insulation</td>
<td>A: Corrugated E. Adhesive</td>
</tr>
<tr>
<td>700 - Fireproofing</td>
<td>A: Ceiling E. Adhesive</td>
</tr>
<tr>
<td>800 - Miscellaneous</td>
<td>A: Asbestos Board E. Debris</td>
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<tr>
<td>900 - Roofing</td>
<td>A: Flashing E. Adhesive</td>
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ASSESSMENT CODES:

- **F**: Friable
- **NF**: Non-Friable
- **C**: Clean
- **D**: Dirt
- **E**: Estimated

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<th>ROOM USE</th>
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### SECOND FLOOR

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# PLM Bulk Asbestos Report

Keystone Material Testing, LLC  
Atttn: John Muniak  
58 Exchange Street  
Binghamton, NY 13901

<table>
<thead>
<tr>
<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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<tbody>
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<td>112031264-01</td>
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<td>NAD</td>
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<td>(by NYS ELAP 198.6) by C. David Mintz on 03/09/12</td>
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<td>Analyst Description: Tan, Heterogeneous, Non-Fibrous, Bulk Material</td>
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<tr>
<td>Asbestos Types:</td>
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<tr>
<td>Other Material:</td>
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<td>112031264-02</td>
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<tr>
<td>Other Material:</td>
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<tr>
<td>Asbestos Types:</td>
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<tr>
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</tr>
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<td>Asbestos Types:</td>
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<tr>
<td>Other Material:</td>
<td>Cellulose 6 %, Non-fibrous 94 %</td>
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</table>

See Reporting notes on last page
# PLM Bulk Asbestos Report

11695; JC Water Treatment Facility

<table>
<thead>
<tr>
<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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<td>by C. David Mintz</td>
</tr>
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<td>on 03/09/12</td>
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<td><strong>Other Material:</strong> Cellulose 6 %, Non-fibrous 94 %</td>
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| 107-JT-1007     | 112031264-07 | No               | NAD ^1            |
|                 |              |                  | (by NYS ELAP 198.1) |
|                 |              |                  | by C. David Mintz |
|                 |              |                  | on 03/09/12      |
| **Analyst Description:** OffWhite - Gray, Homogeneous, Non-Fibrous, Cementitious, Plaster |
| **Asbestos Types:** |
| **Other Material:** Non-fibrous 100 % |
| **Comment:** Green paint covers top surface |

| 108-JT-1007     | 112031264-08 | No               | NAD ^1            |
|                 |              |                  | (by NYS ELAP 198.1) |
|                 |              |                  | by C. David Mintz |
|                 |              |                  | on 03/09/12      |
| **Analyst Description:** Gray, Homogeneous, Non-Fibrous, Cementitious, Bulk Material |
| **Asbestos Types:** |
| **Other Material:** Non-fibrous 100 % |

| 109-JT-1007     | 112031264-09 | No               | NAD              |
|                 |              |                  | (by NYS ELAP 198.1) |
|                 |              |                  | by C. David Mintz |
|                 |              |                  | on 03/09/12      |
| **Analyst Description:** Red, Homogeneous, Non-Fibrous, Bulk Material |
| **Asbestos Types:** |
| **Other Material:** Non-fibrous 100 % |

| 110-JT-1007     | 112031264-10 | No               | NAD              |
|                 |              |                  | (by NYS ELAP 198.1) |
|                 |              |                  | by C. David Mintz |
|                 |              |                  | on 03/09/12      |
| **Analyst Description:** Lt Gray, Heterogeneous, Non-Fibrous, Cementitious, Bulk Material |
| **Asbestos Types:** |
| **Other Material:** Non-fibrous 100 % |

See Reporting notes on last page
## PLM Bulk Asbestos Report

11695; JC Water Treatment Facility

<table>
<thead>
<tr>
<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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See Reporting notes on last page
# PLM Bulk Asbestos Report

11695; JC Water Treatment Facility

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<td>Cellulose 7 %, Non-fibrous 93 %</td>
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**Reporting Notes:**

1. Sample homogenized by grinding to a powder prior to analysis.

   Analyzed by: C. David Mintz

   "NAD = no asbestos detected. Detection Limit <1%. Reporting Limits: CVES = 1%, 400 Pt Ct = 0.25%, 1000 Pt Ct = 0.1%; "Present" or NVA = "No Visible Asbestos" are observations made during a qualitative analysis; NA = not analyzed; NA/PS = not analyzed / positive stop; PLM Bulk Asbestos Analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) and ELAP PLM Analysis Protocol 198.1 for New York friable samples (198.6 for NOB samples) (NYSDOH ELAP Lab # 10984); CA ELAP Lab # 2508; Note: PLM is not consistently reliable in detecting asbestos in floor coverings and similar NOB materials. NAD or Trace results by PLM are inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos-containing in New York State (also see EPA Advisory for floor tile, FR 59, 146, 38970, 8/1/94). NIST Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the laboratory. This PLM report relates ONLY to the items tested.

Reviewed By: ____________________________

Date: 3/9/12
# Summary of Bulk Asbestos Analysis Results

**11695; JC Water Treatment Facility**

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<tr>
<th>AmeriSci Sample #</th>
<th>Client Sample#</th>
<th>HG Area</th>
<th>Sample Weight (gram)</th>
<th>Heat Sensitive Organic %</th>
<th>Acid Soluble Inorganic %</th>
<th>Insoluble Non-Asbestos Inorganic %</th>
<th>** Asbestos % by PLM/DS</th>
<th>** Asbestos % by TEM</th>
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See Reporting notes on last page
### Table I

**Summary of Bulk Asbestos Analysis Results**

11695; JC Water Treatment Facility

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<tr>
<th>AmeriSci Sample #</th>
<th>Client Sample#</th>
<th>HG Area</th>
<th>Sample Weight (gram)</th>
<th>Heat Sensitive Organic %</th>
<th>Acid Soluble Inorganic %</th>
<th>Insoluble Non-Asbestos Inorganic %</th>
<th>** Asbestos % by PLM/DS</th>
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Semi-Quantitative Analysis: NAD = no asbestos detected; NA = not analyzed; NA/PS = not analyzed due to positive stop; Trace = ≤1%.

PLM analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) or NY ELAP 198.1 for New York friable samples (198.6 for NOB samples) (NY ELAP Lab # 10984);

TEM analysis by EPA 600/R-93/116 (not covered by NVLAP Bulk accreditation); or NY ELAP 198.4 for New York NOB samples (NY ELAP Lab # 10984);

** Warning Notes: Consider PLM fiber diameter limitation, only TEM will resolve fibers <0.25 micrometers in diameter. TEM bulk analysis is representative of the fine grained matrix material and may not be representative of non-uniformly dispersed debris, soils or other heterogeneous materials for which a combination PLM/TEM evaluation is recommended; Quantitation for beginning weights of <0.1 grams should be considered as qualitative only.
# Keystone Material Testing, LLC
## CHAIN OF CUSTODY

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[1] ELAP 198.1 Regular Analysis  
[3] ELAP 198.4 TEM Confirmation

**SEAL BY:**  
**DATE:** 3/7/12

**LAB SIGNATURE:**  
**DATE:**

**RECEIVED BY:**  
**DATE:**

**COMMENTS:**  
IF 101 is positive dont analyze 102. IF 103 is positive dont analyze 104.

**DATE:** MAR 08 2012

---

58 Exchange Street, Binghamton, New York 1-607-722-1101

---
# PLM Bulk Asbestos Report

Keystone Material Testing, LLC  
Attn: John Muniak  
58 Exchange Street  
Binghamton, NY 13901

<table>
<thead>
<tr>
<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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<td>Other Material: Acid Sensitive 60.8 %, Heat Sensitive 30.3 %, Non-fibrous 8.9 %</td>
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See Reporting notes on last page
## PLM Bulk Asbestos Report

11695; JC Water Treatment Facility

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See Reporting notes on last page
## PLM Bulk Asbestos Report

### 11695; JC Water Treatment Facility

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<td>on 03/09/12</td>
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<td>by C. David Mintz</td>
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<td></td>
<td>on 03/09/12</td>
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<td>on 03/09/12</td>
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See Reporting notes on last page
# PLM Bulk Asbestos Report

**11695; JC Water Treatment Facility**

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<td>Other Material:</td>
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## Reporting Notes:

1. Sample homogenized by grinding to a powder prior to analysis.

   Analyzed by: C. David Mintz

   *NAD = no asbestos detected, Detection Limit <1%; Reporting Limits: CVES = 1%, 400 Pt Ct = 0.25%, 1000 Pt Ct = 0.1%; "Present" or NVA = "No Visible Asbestos" are observations made during a qualitative analysis; NA = not analyzed; NA/PS = not analyzed / positive stop; PLM Bulk Asbestos Analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) and ELAP PLM Analysis Protocol 198.1 for New York friable samples (198.6 for NOB samples)(NYSDOH ELAP Lab # 10984); CA ELAP Lab # 2508; Note: PLM is not consistently reliable in detecting asbestos in floor coverings and similar NOB materials. NAD or Trace results by PLM are inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos-containing in New York State (also see EPA Advisory for floor tile, FR 59, 146, 38970, 8/1/94). NIST Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the laboratory. This PLM report relates ONLY to the items tested.*

Reviewed By: ____________________________
## Table I

**Summary of Bulk Asbestos Analysis Results**

11695; JC Water Treatment Facility

<table>
<thead>
<tr>
<th>AmeriSci Sample #</th>
<th>Client Sample#</th>
<th>HG Area</th>
<th>Sample Weight (gram)</th>
<th>Heat Sensitive Organic %</th>
<th>Acid Soluble Inorganic %</th>
<th>Insoluble Non-Asbestos Inorganic %</th>
<th>** Asbestos % by PLM/DS</th>
<th>** Asbestos % by TEM</th>
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<tr>
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See Reporting notes on last page
### Table I
Summary of Bulk Asbestos Analysis Results
11695, JC Water Treatment Facility

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<tr>
<th>AmeriSci Sample #</th>
<th>Client Sample#</th>
<th>HG Area</th>
<th>Sample Weight (gram)</th>
<th>Heat Sensitive Organic %</th>
<th>Acid Soluble Inorganic %</th>
<th>Insoluble Non-Asbestos Inorganic %</th>
<th>** Asbestos % by PLM/DS</th>
<th>** Asbestos % by TEM</th>
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Reviewed by: ____________________________ Date Reviewed: ____________________________ Analyzed By: T. Brian Keith ____________________________ Date Analyzed: 3/12/2012

Semi-Quantitative Analysis: NAD = no asbestos detected; NA = not analyzed; NA/PS = not analyzed due to positive stop; Trace = <1%
PLM analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) or NY ELAP 198.1 for New York friable samples (198.6 for NOB samples) (NY ELAP Lab # 10984);
TEM analysis by EPA 600/R-93/116 (not covered by NVLAP Bulk accreditation); or NY ELAP 198.4 for New York NOB samples (NY ELAP Lab # 10984);

** Warning Notes: Consider PLM fiber diameter limitation, only TEM will resolve fibers <0.25 micrometers in diameter. TEM bulk analysis is representative of the fine grained matrix material and may not be representative of non-uniformly dispersed debris, soils or other heterogeneous materials for which a combination PLM/TEM evaluation is recommended; Quantitation for beginning weights of <0.1 grams should be considered as qualitative only.
## Keystone Material Testing, LLC
### CHAIN OF CUSTODY

<table>
<thead>
<tr>
<th>TECHNICIAN:</th>
<th>T. Marble</th>
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<tbody>
<tr>
<td>PROJ. NO.:</td>
<td>11695</td>
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<td>DATE:</td>
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<td>SPECIFIC WORK AREA:</td>
<td>JC Water Treatment</td>
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### LABORATORY:
AmeriSci Richmond
13635 Genito Road
Midlothian, VA 23112
(804) 763 - 1200
NVLAP: # 1904 ELAP: # 10984

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**NOTE:**
- [1] INSIDE
- [O] OUTSIDE
- [B] BLANK

- [1] ELAP 198.1 Regular Analysis
- [3] ELAP 198.4 TEM Confirmation

### SEALED BY:

[Signature]

### DATE:

3/7/12

### PROVIDE RESULTS TO HAWK:

- **5pm**
- **FAX # (607) 722-2515**

### LAB SIGNATURE:


### DATE:

### RECEIVED BY:


### DATE:

### COMMENTS:

IF 123 is positive DON'T ANALYZE 124, IF 125 is positive DON'T ANALYZE 126

---

58 Exchange Street, Binghamton, New York 1-607-722-1100
**Keystone Material Testing, LLC**

**CHAIN OF CUSTODY**

**TECHNICIAN:** T. MARBLE

**PROJ. NO.:** 11645

**DATE:** 3/7/12

**SPECIFIC WORK AREA:**

**LABORATORY:**
AmeriSci Richmond
13635 Genito Road
Midlothian, VA 23112
(804) 763 - 1200
NVLAP: # 1904  ELAP: # 10984

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**NOTE:**


[1] ELAP 198.1  
Regular Analysis

[2] ELAP 198.1  
Organic Non-friable

[3] ELAP 198.4  
TEM Confirmation

**SEALED BY:**

**DATE:** 3/7/12

**LAB SIGNATURE:**

**DATE:**

**PROVIDE RESULTS TO HAWK**

**BY:** 5 DAY

* FAX # (607) 722-2515

**RECEIVED BY:**

**DATE:**

**COMMENTS:**

MAR 08 2012

---

58 Exchange Street, Binghamton, New York 1-607-722-1100
# PLM Bulk Asbestos Report

Keystone Material Testing, LLC  
Attn: John Muniak  
58 Exchange Street  
Binghamton, NY 13901  

<table>
<thead>
<tr>
<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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<tbody>
<tr>
<td>651-JT-R01</td>
<td>112031266-01</td>
<td>Yes</td>
<td>Trace (&lt;1 %) (by NYS ELAP 198.6) by C. David Mintz on 03/09/12</td>
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<td>Analyst Description: Gray, Heterogeneous, Non-Fibrous, Bulk Material</td>
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<td>Asbestos Types: Chrysotile &lt;1 % pc</td>
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<td>Analyst Description: Black, Heterogeneous, Non-Fibrous, Bulk Material</td>
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<td>Asbestos Types:</td>
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<td>Other Material: Acid Sensitive 1.5 %, Heat Sensitive 97.6 %, Non-fibrous 0.9 %</td>
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See Reporting notes on last page
### PLM Bulk Asbestos Report

**11695; JC Water Treatment Facility**

<table>
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<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
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**Analyst Description:** Black, Heterogeneous, Non-Fibrous, Bulk Material

**Asbestos Types:**
- Other Material: Acid Sensitive 1 %, Heat Sensitive 96.1 %, Non-fibrous 2.9 %

| 666-JT-EXT 2    | 112031266-07 | No               | NAD (by NYS ELAP 198.6) by C. David Mintz on 03/09/12 |

**Analyst Description:** Tan, Heterogeneous, Non-Fibrous, Bulk Material

**Asbestos Types:**
- Other Material: Acid Sensitive 9.7 %, Heat Sensitive 54.6 %, Non-fibrous 35.7 %

| 667-JT-EXT      | 112031266-08 | No               | NAD (by NYS ELAP 198.6) by C. David Mintz on 03/09/12 |

**Analyst Description:** Black, Heterogeneous, Non-Fibrous, Bulk Material

**Asbestos Types:**
- Other Material: Acid Sensitive 8.3 %, Heat Sensitive 67.9 %, Non-fibrous 23.8 %

| 668-JT-EXT 2    | 112031266-09 | No               | NAD (by NYS ELAP 198.1) by C. David Mintz on 03/09/12 |

**Analyst Description:** Off White, Homogeneous, Non-Fibrous, Cementitious, Bulk Material

**Asbestos Types:**
- Other Material: Non-fibrous 100 %

| 669-JT-EXT 2    | 112031266-10 | No               | NAD (by NYS ELAP 198.1) by C. David Mintz on 03/09/12 |

**Analyst Description:** Off White, Homogeneous, Non-Fibrous, Cementitious, Bulk Material

**Asbestos Types:**
- Other Material: Non-fibrous 100 %

| 670-JT-EXT      | 112031266-11 | No               | NAD (by NYS ELAP 198.1) by C. David Mintz on 03/09/12 |

**Analyst Description:** Brick Red, Heterogeneous, Non-Fibrous, Bulk Material

**Asbestos Types:**
- Other Material: Non-fibrous 100 %

See Reporting notes on last page
### PLM Bulk Asbestos Report

#### 11695; JC Water Treatment Facility

<table>
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</table>

**Location:**

**Analyst Description:** Yellow Brown, Heterogeneous, Non-Fibrous, Bulk Material

**Asbestos Types:**

**Other Material:** Cellulose 3 %, Non-fibrous 97 %

---

**Reporting Notes:**

1. Sample homogenized by grinding to a powder prior to analysis.

*NAD = no asbestos detected, Detection Limit = 1%, Reporting Limits: CVES = 1%, 400 Pt Ct = 0.25%, 1000 Pt Ct = 0.1%; "Present" or NVA = "No Visible Asbestos" are observations made during a qualitative analysis; NA = not analyzed; NA/PS = not analyzed / positive stop; PLM Bulk Asbestos Analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) and ELAP PLM Analysis Protocol 198.1 for New York friable samples (198.6 for NOB samples;(NYSDOH ELAP Lab # 10984); CA ELAP Lab # 2508; Note: PLM is not consistently reliable in detecting asbestos in floor coverings and similar NOB materials. NAD or Trace results by PLM are inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos-containing in New York State (also see EPA Advisory for floor tile, FR 59, 146, 38970, 8/1/94). NIST Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the laboratory. This PLM report relates ONLY to the items tested.

Reviewed By: [Signature]
# Table I
Summary of Bulk Asbestos Analysis Results
11695; JC Water Treatment Facility

<table>
<thead>
<tr>
<th>AmeriSci Sample #</th>
<th>Client Sample#</th>
<th>HG Area</th>
<th>Sample Weight (gram)</th>
<th>Heat Sensitive Organic %</th>
<th>Acid Soluble Inorganic %</th>
<th>Insoluble Non-Asbestos Inorganic %</th>
<th>** Asbestos % by PLM/DS</th>
<th>** Asbestos % by TEM</th>
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</table>

Reviewed by: __________________________ Date Reviewed: ______________ Analyzed By: T. Brian Keith __________________________ Date Analyzed: 3/12/2012

Semi-Quantitative Analysis: NAD = no asbestos detected; NA = not analyzed; NA/PS = not analyzed due to positive stop; Trace = <1%; PLM analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) or NY ELAP 198.1 for New York friable samples (198.6 for NOB samples) (NY ELAP Lab # 10964); TEM analysis by EPA 600/R-93-116 (not covered by NVLAP Bulk accreditation); or NY ELAP 198.4 for New York NOB samples (NY ELAP Lab # 10984);

** Warning Notes: Consider PLM fiber diameter limitation, only TEM will resolve fibers <0.25 micrometers in diameter. TEM bulk analysis is representative of the fine grained matrix material and may not be representative of non-uniformly dispersed debris, soils or other heterogeneous materials for which a combination PLM/TEM evaluation is recommended; Quantification for beginning weights of <0.1 grams should be considered as qualitative only.
**Keystone Material Testing, LLC**
**CHAIN OF CUSTODY**

**TECHNICIAN:** John Muniak  
**PROJ. NO.:** 11695  
**DATE:** 3/7/12  
**SPECIFIC WORK AREA:** JC Water Treatment Plant

**LABORATORY:**  
AmeriSci Richmond  
13635 Genito Road  
Midlothian, VA 23112  
(804) 763 - 1200  
NVLAP: # 1904  ELAP: # 10984

<table>
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<th>SAMPLE I.D. NO.</th>
<th>PCM</th>
<th>PLM</th>
<th>TEM</th>
<th>123</th>
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<tr>
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</tr>
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<tr>
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<td>670 - JT - EXT</td>
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</tbody>
</table>

**NOTE:**  
[1] ELAP 198.1 Regular Analysis  
[3] ELAP 198.4 TEM Confirmation

**SEAL BY:** John Muniak  
**DATE:** 3/7/12

**LAB SIGNATURE:**  
**DATE:**

**RECEIVED BY:**  
**DATE:**

**COMMENTS:**  
IF 651 POSITIVE DO NOT ANALYZE 664  
IF 656 " " " " 665

---

Keystone Material Testing, LLC  
58 Exchange Street, Binghamton, New York 1-607-722-1100
## Table I
### Summary of Bulk Asbestos Analysis Results
11695; JC Water Treatment Plant

<table>
<thead>
<tr>
<th>AmeriSci Sample #</th>
<th>Client Sample#</th>
<th>HG Area</th>
<th>Sample Weight (gram)</th>
<th>Heat Sensitive Organic %</th>
<th>Acid Soluble Inorganic %</th>
<th>Insoluble Non-Asbestos Inorganic %</th>
<th>** Asbestos % by PLM/DS</th>
<th>** Asbestos % by TEM</th>
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</thead>
<tbody>
<tr>
<td>01</td>
<td>652-ST-R01</td>
<td>1</td>
<td>0.685</td>
<td>96.0</td>
<td>1.3</td>
<td>2.6</td>
<td>Chrysotile &lt;1</td>
<td>Chrysotile Trace</td>
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<tr>
<td>02</td>
<td>653-ST-R01</td>
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<td>0.482</td>
<td>70.4</td>
<td>4.0</td>
<td>17.7</td>
<td>Chrysotile 7.9</td>
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<td>03</td>
<td>657-ST-R02</td>
<td>2</td>
<td>0.840</td>
<td>72.3</td>
<td>3.0</td>
<td>18.9</td>
<td>Chrysotile 5.8</td>
<td>NA</td>
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<tr>
<td>04</td>
<td>658-ST-R02</td>
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<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>NAD</td>
<td>NA</td>
</tr>
<tr>
<td>05</td>
<td>672-ST-R01</td>
<td>1</td>
<td>0.699</td>
<td>58.8</td>
<td>7.4</td>
<td>32.6</td>
<td>Chrysotile &lt;1</td>
<td>Chrysotile 1.2</td>
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<td>NA</td>
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<tr>
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<td>0.771</td>
<td>96.0</td>
<td>0.8</td>
<td>3.1</td>
<td>Chrysotile &lt;1</td>
<td>Chrysotile Trace</td>
</tr>
</tbody>
</table>

Semi-Quantitative Analysis: NAD = no asbestos detected; NA = not analyzed; NA/PS = not analyzed due to positive stop; Trace = <1%;
PLM analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) or NY ELAP 198.1 for New York friable samples (198.6 for NOB samples) (NY ELAP Lab # 10984);
TEM analysis by EPA 600/R-93/116 (not covered by NVLAP Bulk accreditation); or NY ELAP 198.4 for New York NOB samples (NY ELAP Lab # 10984);

** Warning Notes: Consider PLM fiber diameter limitation, only TEM will resolve fibers <0.25 micrometers in diameter. TEM bulk analysis is representative of the fine grained matrix material and may not be representative of non-uniformly dispersed debris, soils or other heterogeneous materials for which a combination PLM/TEM evaluation is recommended; Quantitation for beginning weights of <0.1 grams should be considered as qualitative only.
# PLM Bulk Asbestos Report

Keystone Material Testing, LLC  
Attn: John Muniak  
58 Exchange Street  
Binghamton, NY  13901

<table>
<thead>
<tr>
<th>Client No. / HGA</th>
<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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<tr>
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<td>112031456-01</td>
<td>Yes</td>
<td>Trace (&lt;1 %)</td>
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<td></td>
<td></td>
<td></td>
<td>(by NYS ELAP 198.6)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>by C. David Mintz</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>on 03/15/12</td>
</tr>
<tr>
<td><strong>Analyst Description:</strong> Black, Heterogeneous, Non-Fibrous, Bulk Material</td>
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<td></td>
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<tr>
<td><strong>Asbestos Types:</strong> Chrysotile &lt;1 % pc</td>
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<td></td>
</tr>
<tr>
<td><strong>Other Material:</strong> Acid Sensitive 3.2 %, Heat Sensitive 96 %</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

| 653-ST-R01      | 112031456-02  | Yes              | 7.9 %            |
|                 |               |                  | (by NYS ELAP 198.6) |
|                 |               |                  | by C. David Mintz |
|                 |               |                  | on 03/15/12       |
| **Analyst Description:** Black, Heterogeneous, Fibrous, Bulk Material  |
| **Asbestos Types:** Chrysotile 7.9 %  |
| **Other Material:** Acid Sensitive 4 %, Heat Sensitive 70.4 %, Non-fibrous 17.7 %  |

| 657-ST-R02      | 112031456-03  | Yes              | 5.8 %            |
|                 |               |                  | (by NYS ELAP 198.6) |
|                 |               |                  | by C. David Mintz |
|                 |               |                  | on 03/15/12       |
| **Analyst Description:** Black, Heterogeneous, Non-Fibrous, Bulk Material  |
| **Asbestos Types:** Chrysotile 5.8 %  |
| **Other Material:** Acid Sensitive 3 %, Heat Sensitive 72.3 %, Non-fibrous 18.9 %  |

| 658-ST-R02      | 112031456-04  | No               | NAD              |
|                 |               |                  | (by NYS ELAP 198.1) |
|                 |               |                  | by C. David Mintz |
|                 |               |                  | on 03/15/12       |
| **Analyst Description:** Brown, Homogeneous, Fibrous, Bulk Material  |
| **Asbestos Types:**  |
| **Other Material:** Cellulose 85 %, Non-fibrous 15 %  |

| 672-ST-R01      | 112031456-05  | Yes              | Trace (<1 %)     |
|                 |               |                  | (by NYS ELAP 198.6) |
|                 |               |                  | by C. David Mintz |
|                 |               |                  | on 03/15/12       |
| **Analyst Description:** Black, Heterogeneous, Non-Fibrous, Bulk Material  |
| **Asbestos Types:** Chrysotile <1 % pc  |
| **Other Material:** Acid Sensitive 7.4 %, Heat Sensitive 58.8 %, Non-fibrous 33.6 %  |

See Reporting notes on last page
# PLM Bulk Asbestos Report

**11695; JC Water Treatment Plant**

<table>
<thead>
<tr>
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<th>Lab No.</th>
<th>Asbestos Present</th>
<th>Total % Asbestos</th>
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<td>112031456-07</td>
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<td>Trace (&lt;1 %)</td>
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**Analyst Description:** Bulk Material

**Asbestos Types:**
- Chrysotile <1 % pc
- Other Material: Acid Sensitive 0.8 %, Heat Sensitive 96 %, Wollastonite 1 %, Non-fibrous 2.2 %

**Analyst Description:** Black, Heterogeneous, Non-Fibrous, Bulk Material

**Asbestos Types:** Chrysotile <1 % pc

**Other Material:** Acid Sensitive 0.8 %, Heat Sensitive 96 %, Wollastonite 1 %, Non-fibrous 2.2 %

---

**Reporting Notes:**

- Analyzed by: C. David Mintz
- Date: 3/15/12

*“NAD” = no asbestos detected, Detection Limit <1%, Reporting Limits: CVES = 1%, 400 Pt Ct = 0.25%, 1000 Pt Ct = 0.1%; “Present” or NVA = “No Visible Asbestos” are observations made during a qualitative analysis; NA = not analyzed; NA/PS = not analyzed / positive stop; PLM Bulk Asbestos Analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 101904-0) and ELAP PLM Analysis Protocol 198.1 for New York friable samples (198.6 for NOB samples)(NYSDOH ELAP Lab # 10984); CA ELAP Lab # 2508; Note: PLM is not consistently reliable in detecting asbestos in floor coverings and similar NOB materials. NAD or Trace results by PLM are inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos-containing in New York State (also see EPA Advisory for floor tile, FR 59, 146, 38970, 8/1/94). NIST Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the laboratory. This PLM report relates ONLY to the items tested.**

Reviewed By:______________________________
<table>
<thead>
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<th>SAMPLE I.D. NO.</th>
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</table>

[1] ELAP 198.1 Regular Analysis
[3] ELAP 198.4 TEM Confirmation

SEALSED BY: John Muniaik
DATE: 3/12/12

LAB SIGNATURE: ____________________________  DATE:

RECEIVED BY: ____________________________  DATE:

COMMENTS:
If 652 is positive, do not analyze 672.
If 654 is positive, do not analyze 673.

Keystone Material Testing, LLC
58 Exchange Street, Binghamton, New York  1-607-722-1100
APPENDIX B
LICENSE AND CERTIFICATIONS
New York State – Department of Labor
Division of Safety and Health
License and Certificate Unit
State Campus, Building 12
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Keystone Material Testing, L L C. dba Enviro Testing
58 Exchange St.
Binghamton, NY 13901

FILE NUMBER: 11-57448
LICENSE NUMBER: 57448
LICENSE CLASS: RESTRICTED
DATE OF ISSUE: 01/09/2013
EXPIRATION DATE: 01/31/2014

Duly Authorized Representative – Richard J Tarnowski.

This license has been issued in accordance with applicable provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.

Eileen M. Franko, Acting Director
For the Commissioner of Labor

SH 452 (6/12)
STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE

TIMOTHY W. MARBLE
CLASS (EXPIRES)
CATEC (06/11) D.NSP (06/12)
H PM (06/12) I P2 (06/11)

CERT# 90-03373
DMV# 238469986
MUST BE CARRIED ON ASBESTOS PROJECTS
STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE

JOHN J. MUNIAK
CLASS (EXPIRES)
C/ATEC (02/12) D/INSP (02/12)
H-PM (02/12)

CERT# 88-11134
DMV# 393274589
MUST BE CARRIED ON ASBESTOS PROJECTS
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.
http://www.fws.gov/windenergy/eagle_guidance.html. Additionally, wind energy projects should follow the Services wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

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-1467
Event Code: 05E1NY00-2017-E-03814

Project Type: ** OTHER **

Project Name: Johnson City Water Department Maintenance/Storage Building Replacement
Project Description: The Town of Union is requesting Community Development Block Grant-Disaster Recovery (CDBG-DR) funding to demolish an existing administration and operations building and construct a new maintenance and storage building at the existing water treatment plant site in Johnson City, New York (see attached figures). The proposed project would consist of:
1. Demolition of an existing administration and operations building;
2. Slightly elevating the first floor of the new maintenance and storage building;
3. The new building will be constructed to meet FEMA development in the floodplain standards.

The original 4,890 square foot maintenance and administrative building was damaged by floodwaters during Tropical Storm Lee. The existing vehicle maintenance and administrative building on the west side of Camden Street will be demolished and a new 4,300 square foot maintenance and storage building will be constructed with the original building’s footprint for use by the Village of Johnson City. The building will provide storage space for materials, equipment and vehicles used by the Village’s adjacent Water Department Administration building. The new building is engineered to allow water to flow through it since it is in the floodplain, close to the Susquehanna.

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 (((-75.97822666168214 42.113270442681284, -75.97765266895296 42.11321075112086, -75.9776955842972 42.11293218976219, -75.97828030586243 42.11296402540799, -75.97822666168214 42.113270442681284)))

**Project Counties:** Broome, 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>
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<td>Population: Wherever found</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Project name: Johnson City Water Department Maintenance/Storage Building Replacement
Critical habitats that lie within your project area

There are no critical habitats within your project area.
Bat Occurrences

- Indiana Bat
- Northern Long-eared Bat

Note: Bat occurrences are based on known detections of bat species. For the Indiana bat, areas within 2.5 miles of any detection is considered occupied habitat. For the northern long-eared bat, areas within 1.5 miles of a summer detection and areas within 5 miles of a winter detection are considered occupied habitat.

This map was prepared by the NYSDEC using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.
March 27, 2017

Ms. Robyn Niver  
Endangered Species Biologist  
U.S. Fish & Wildlife Service  
New York Field Office (Region 5)  
3817 Luker Rd.  
Cortland, NY 13045

Re: ESA/MBTA/BGEPA consultation for the Johnson City Water Department Maintenance/Storage Building Replacement Project, 44 Camden Street, Broome County, Johnson City, New York located at  
**Latitude 42° 6’46.59"N and longitude 75°58’40.43"W**

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 preparing an environmental review for the demolition of an existing maintenance and administrative building and construction of a new 4,300 square foot maintenance and administrative building for the Village of Johnson City (see attached figures). The new building will be built within the same footprint of the exiting building. GOSR is acting as HUD’s non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.

GOSR has made a “No Effect” determination for the project described herein pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d), and the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat 755).

**Program Overview**

The Town of Union is requesting Community Development Block Grant-Disaster Recovery (CDBG-DR) funding to demolish an existing administration and operations building and construct a new maintenance and storage building at the existing water treatment plant site in Johnson City, New York (see attached figures). The proposed project would consist of:

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Street will be demolished and a new 4,300 square foot maintenance and storage building will be constructed with the original building’s footprint for use by the Village of Johnson City. The building will provide storage space for materials, equipment and vehicles used by the Village’s adjacent Water Department Administration building. The new building is engineered to allow water to flow through it since it is in the floodplain, close to the Susquehanna. There will no new ground disturbance and tree removal. The area surrounding the existing building is asphalt.

Compliance

**ESA** - According to the USFWS IPaC Trust Resource Report and list of threatened and endangered species, there is one threatened species that is potentially associated with the project site – the Northern Long Eared Bat (NLEB) (*Myotis septentrionalis*) (see attached). The official species list for the proposed project indicated that there is no critical habitat in the project area. There are currently no known maternity roost trees or hibernacula known to be occupied by NLEB within the vicinity of the project location according to geospatial information provided by the USFWS (see attached figure). Construction activities will occur within the existing building footprint. No trees or other habitat associated with the NLEB will be disturbed. The NLEB, listed as federally threatened, is a temperate, insectivorous bat whose life cycle can be coarsely divided into two primary phases - reproduction and hibernation. Northern long-eared bats spend winter hibernating in caves and mines, called hibernacula. They use areas in various sized caves or mines with constant temperatures, high humidity, and no air currents. Within hibernacula, surveyors find them hibernating most often in small crevices or cracks, often with only the nose and ears visible. During the summer, NLEB roost singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags (dead trees). Males and non-reproductive females may also roost in cooler places, like caves and mines. NLEB seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. This bat has also been found rarely roosting in structures, like barns and sheds (source: https://www.fws.gov/midwest/endangered/mammals/nleb/nlebFactSheet.html).

**MBTA** – According to the USFWS IPaC Trust Resource Report there are several migratory birds of concern that could potentially be affected by the proposed project (see attached resource list). No potential habitat will be disturbed. GOSR determined that the project would have no significant adverse impact on migratory birds or their habitat. It is anticipated that passerine birds would temporarily leave the area during construction due to noise and disturbance.

**BGEPA** – Bald Eagle (*Haliaeetus leucocephalus*) habitat and breeding sites can be found throughout Broome County. GOSR has contacted NYSDEC Permit staff at the NYSDEC Region 7 Office to identify potential impacts on the Bald Eagle. The Wildlife Manager indicated that the work is not likely to have impact on the Bald Eagle, but visual barriers (trees) already in place should stay in place, unless they work outside of the breeding season during the months of October to December (see attached correspondence).

We are submitting case materials so that the USFWS can acknowledge the determination made by GOSR that the proposed project will have “No Effect” on endangered/threatened species or critical habitat for species under USFWS jurisdiction for the project. If the USFWS does not respond within 30 days from submittal of this form, then GOSR may presume that its determination for the project is informed by the best available information and its project responsibilities under Section 7 of the ESA have been fulfilled. 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
Senior Environmental Scientist
New York State Homes and Community Renewal
38-40 State Street, Hampton Plaza
Albany NY 12207

Enclosures:

Figures:
Figure 1: Project Layout Map
Figure 2: Project Layout Aerial Map
Figure 3: Project Plans

Attachments:
1. USFWS List of Threatened and Endangered Species – Official List
2. Migratory Birds – IPaC
3. NYSDEC Correspondence
Figures
Figure 2

Vehicle Maintenance
Administration and Operations
Well #3
Well #2
Generator
Treatment Building
Air Strippers
Storage Building
Well #1

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX,
Cathmap, Aerial360, IGN, IGP, swisstopo, and the GIS User Community

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016  Prepared By: Sara Zubalsky
Attachment 1
USFWS List of Threatened and Endangered Species – Official List
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.
Additionally, wind energy projects should follow the Services wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

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-1467
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United States Department of Interior
Fish and Wildlife Service

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Project Counties: Broome, 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.

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<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.
Attachment 2
USFWS Resource List
IPaC resource list

Location
Broome 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.

https://ecos.fws.gov/ipac/location/FBFQIX3PBNHZTNLQ5VMIGGUZ6A/resources

3/10/2017
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 species

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>
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<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Long-eared Bat Myotis septentrionalis</td>
<td>Threatened</td>
</tr>
<tr>
<td></td>
<td>No critical habitat has been designated for this species.</td>
</tr>
<tr>
<td></td>
<td><a href="http://ecos.fws.gov/ecp/species/9045">http://ecos.fws.gov/ecp/species/9045</a></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.
Migratory birds

Birds are protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. 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. 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.

https://ecos.fws.gov/ipac/location/FBFQIX3PBNHZTNLQ5VMIGGUZ6A/resources 3/10/2017
<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>Kentucky Warbler Oporornis formosus</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>
<tr>
<td>Peregrine Falcon Falco peregrinus</td>
<td>Breeding</td>
</tr>
<tr>
<td><a href="http://ecos.fws.gov/ecp/species/8831">http://ecos.fws.gov/ecp/species/8831</a></td>
<td></td>
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<tr>
<td>Pied-billed Grebe Podilymbus podiceps</td>
<td>Breeding</td>
</tr>
<tr>
<td>Prairie Warbler Dendroica discolor</td>
<td>Breeding</td>
</tr>
<tr>
<td>Red-headed Woodpecker Melanerpes erythrocephalus</td>
<td>Breeding</td>
</tr>
</tbody>
</table>
Short-eared Owl  *Asio flammeus*

Willow Flycatcher  *Empidonax traillii*

Wood Thrush  *Hylocichla mustelina*  Breeding

Worm Eating Warbler  *Helmitheros vermivorum*  Breeding

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. NOAANCCOS 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](http://www.nodc.noaa.gov). The Portal also offers data and information about other types of taxa that may be helpful in your project review.

About the NOAANCCOS models: the models were developed as part of the NOAANCCOS project: [*Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf*](https://www.nodc.noaa.gov). 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.

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 NOAA NCCOS 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.

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME
This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view 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.
Attachment 3
NYSDEC Correspondence
FYI

From: Bell, Thomas J (DEC)
Sent: Wednesday, March 22, 2017 1:41 PM
To: Joule, Steven J (DEC) <steven.joule@dec.ny.gov>; O'Malley, May H (DEC) <May.OMalley@dec.ny.gov>
Cc: Bimber, David L (DEC) <david.bimber@dec.ny.gov>; Dlugolenski, Joe M (DEC) <joe.dlugolenski@dec.ny.gov>
Subject: RE: Bald Eagle - Request for Information - Owego DPW Relocation Project

May, Dave and Joe,
I’ve reviewed the materials that Alicia has sent. It appears someone (maybe even from Wildlife) already provided some guidance in the pdf referencing DEC permit response. I concur with their findings that the work is likely to not have impact on the listed species, but visual barriers (trees) already in place should stay in place, unless they work outside of the breeding season during the months of Oct-Dec.

For consistency in the coordinated permit review process we are hoping you will forward this and any other permit information needed to Ms. Schultz for the Bureau of Wildlife.
Thanks,

Tom Bell
Biologist
1285 Fisher Ave.
Cortland, NY 13045
607-753-3095 x243

From: Shultz, Alicia (NYSHCR)
Sent: Friday, March 17, 2017 11:43 AM
To: Joule, Steven J (DEC) <steven.joule@dec.ny.gov>; O'Malley, May H (DEC) <May.OMalley@dec.ny.gov>
Cc: Bimber, David L (DEC) <david.bimber@dec.ny.gov>; Dlugolenski, Joe M (DEC) <joe.dlugolenski@dec.ny.gov>; Bell, Thomas J (DEC) <thomas.bell@dec.ny.gov>; Shultz, Alicia (NYSHCR) <Alicia.Shultz@nyshcr.org>
Subject: RE: Bald Eagle - Request for Information - Owego DPW Relocation Project

Joule,

I have another Community Reconstruction Project with GOSR and Bald Eagle concerns. An environmental review for the project was completed in March 2016. The review included a Bald Eagle assessment included as an attachment (pages from 2015 11 18...) and we received the attached NYSDEC permit review which states: Impacts from loud noises or the use of cranes could be of concern. If cranes will be used, bird perch deterrents should be located at the apex. If loud noises are anticipated, they should take place outside of the nesting season which is January 1st to September 30th.
Introduction

Correspondence from the NYSDEC Natural Heritage Program (NHP) indicates that a breeding bald eagle had been documented within one-half mile of the project site. Further correspondence with the NYSDEC Region 7 Wildlife Office provided the approximate location of the bald eagle nest, which is located on an island in the Susquehanna River, northwest of the project site (see Figure 1). Nesting activity was documented at this location in 2015. While the exact location of the nest on the island is not available, the closest point of the island to the project site is 0.37 mile (approximately 2,000 feet).

Bald eagles occur in North America, and currently are found in every state except Hawaii, as well as throughout Canada. Bald eagles stand about 30 inches high, have a wingspan of 7 to 8 feet, and weigh between 8 and 14 pounds. Bald eagles are distinguished by a dark brown body with white head and white tail and bright yellow bill. The bald eagle is a long-lived bird, with a life span in the wild of more than 30 years. They prefer undisturbed forested areas near large lakes and reservoirs, marshes and swamps, or stretches along rivers where they can find open water and their primary food, fish. Bald eagles prefer to nest, perch, and roost in old-growth and mature forest stands of conifers and hardwoods. Foraging habitat for bald eagles consists of large perch trees near a body of water. Bald eagles produce only one or two offspring per year, rarely three. A bald eagle nest is a large structure; the nest is reused and added to each year, often becoming eight or more feet deep, six feet across, and weighing hundreds of pounds. Eagles mate for life, returning to nest in the general area (within 250 miles) from which they fledged. In New York, the young fledge by mid to late summer at about 12 weeks of age.

Federal Protection of Bald Eagles

_Haliaeetus leucocephalus_ (bald eagles) were removed from the federal list of threatened and endangered species on August 9, 2007, and are no longer protected under the Endangered Species Act. Bald eagles are still federally protected under the Bald and Golden Eagle Protection Act (BGEPA), the Migratory Bird Treaty Act (MBTA), and the Lacey Act. The BGEPA, originally passed in 1940, provides for the protection of the bald eagle and the golden eagle (as amended in 1962) by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). The MBTA (16 USC §§703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986, and 1989), implements the U.S. commitment to four bilateral treaties (between the U.S. and Canada, Japan, Mexico, and the former Soviet Union) for the protection of a shared migratory bird resource. The MBTA makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase or barter, any migratory bird, or the parts, nests, or eggs of such a bird, except under the terms of a valid permit issued pursuant to federal regulations. The Lacey Act (16 U.S.C. §§ 3371–3378) was passed in 1900 and protects bald eagles by making it a federal offense to take, possess, transport, sell, import, or export their nests, eggs, and parts that are taken in violation of any state, tribal, or U.S. law. A permit from the USFWS Migratory Bird Program is required if an activity will cause a disturbance to feeding, breeding, or sheltering sites, for physical removal of an eagle nest, or for a lethal take.
Project Considerations

The USFWS developed the National Bald Eagle Management Guidelines to avoid disturbing eagles and encourage beneficial conservation practices. The project involves a Category A activity as defined by USFWS, which includes building construction of a one or two story building, with a project footprint of ½ acre or less. For Category A activities, USFWS recommends maintaining a buffer of at least 660 between project activities and the nest if the nest is visible from the project site. If the activity is closer than 660 feet, then all clearing, external construction and landscaping activities within 660 feet of the nest should be restricted to outside the nesting season. The nesting season in New York is generally January through July, so if necessary, work would be restricted to occurring in August through January. If the project activity will not be visible from the nest, USFWS recommends maintaining a buffer of at least 330 feet, and any clearing, external construction, and landscaping between 330 feet and 660 feet should be done outside breeding season. Regardless of visibility, any established landscape buffers that screen the project activities from the nest should be maintained. Also included in the federal guidance is recommendations pertaining to blasting or other loud noises (e.g., fireworks, explosives, outdoor concerts) when a nest is located within one mile of the proposed activity. For activities involving blasting or other loud noises, a minimum buffer of 0.5 mile in forested areas or 1 mile in open areas is recommended around nests, as well as communal roosts and foraging sites when eagles are present.

State Protection of Bald Eagles

The bald eagle is currently listed as threatened by New York State Department of Environmental Conservation (NYSDEC) since being down-listed from endangered in 1999. Bald eagles are protected by the Environmental Conservation Law (ECL) of New York. Section 11-0103 defines eagles as wild birds and protected wildlife; Section 11-0535 affords protection to eagles as a threatened species; and 11-0537 protects bald and golden eagles and their nests and eggs. New York Code of Rules and Regulations (6NYCRR) Part 182.8 prohibits the take of any species listed as endangered or threatened, and their habitat, except as authorized by permit. Articles 15, 24, and 25 of the ECL provide additional habitat protections, as certain activities trigger review under these sections of law, providing opportunities for staff to evaluate proposed projects and avoid negative impacts to bald eagles and their habitats.

Project Considerations

The NYSDEC Conservation Plan for Bald Eagles in New York State provides guidelines for conservation and management of the bald eagle in New York State. NYSDEC guidance for new construction recommends that construction of new buildings should not occur within 0.25 mile (1320 feet) of an eagle nest if there is no visual buffer. If a visual buffer exists and the activity/feature is not visible from the nest, such activities should not occur within 660 feet of the nest site. Additionally, landowners are encouraged to enhance, not diminish, existing visual buffers between the site and the nest. Following the USFWS National Bald Eagle Management Guidelines, a minimum buffer of 0.5 mile in forested areas or 1.0 mile in open areas is
recommended around nests for loud noises (e.g., fireworks, explosives, outdoor concerts), when eagles are present.

**Conclusion**

Proposed project activities consists of the demolition of an existing storage building and the construction of a new one story, approximately 2,800 square foot (0.06 acre) administration and operations building. The project site is at least 2,000 feet from the bald eagle nesting location; therefore, construction activities fall well outside of the recommended USFWS and NYSDEC buffers. While the project includes the construction of a new building, a building currently exists at the project site, so an existing feature is present in the landscape. No blasting will occur during construction activities. While there are no developed areas between the project site and the nesting location, there are numerous mature trees along the shoreline of the Susquehanna River and on a separate island within the river south of the nesting location that provide visual landscape buffers that will screen the construction activity from the nest. Therefore no adverse impacts to breeding bald eagles are expected and no seasonal restrictions apply. The project is in compliance with federal and state bald eagle regulations.

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Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016
Prepared By: Sara Zubalsky
March 24, 2017

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

Re: Replacement of Johnson City Water Department Maintenance/Storage Building, 44 Camden Street, Village of Johnson
City County: Broome Town/City: Union

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.

About 1/2 mile from the project site is a documented nesting bald eagle pair (*Haliaeetus leucocephalus*, NYS-listed as Threatened).

The presence of the bald eagle nest may result in this project requiring additional review or permit conditions. For further guidance, contact the Permits staff at the NYSDEC Region 7 Office at dep.r7@dec.ny.gov, 315-426-7438. For information about any potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Region 7 Wildlife staff at 607-753-3095 ext. 247.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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.

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 7 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program
To: Alicia Shultz 

USFWS File No: 1610177 

Regarding your: _Letter _Fax _x Email 

For project: maintenance and administration building 

Located: 44 Camden Street 

In Town/County: Village of Johnson City, Broome County 


_x_ 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): 

Supervisor: Acting Branch Chief 

Date: 4/4/17
IPaC resource list

Location

Broome 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.

https://ecos.fws.gov/ipac/location/FBFQIX3PBNHZTNLQ5VMIGGUZ6A/resources 3/10/2017
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 species

1 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 Myotis septentrionalis</td>
<td>Threatened</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species. <a href="http://ecos.fws.gov/eca/species/9045">http://ecos.fws.gov/eca/species/9045</a></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.
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</td>
<td>Breeding</td>
</tr>
<tr>
<td>Botaurus lentiginosus</td>
<td></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</td>
<td>Year-round</td>
</tr>
<tr>
<td>Haliaeetus leucocephalus</td>
<td></td>
</tr>
<tr>
<td>Black-billed Cuckoo</td>
<td>Breeding</td>
</tr>
<tr>
<td>Coccyzus erythropthalmus</td>
<td></td>
</tr>
<tr>
<td>Blue-winged Warbler</td>
<td>Breeding</td>
</tr>
<tr>
<td>Vermivora pinus</td>
<td></td>
</tr>
<tr>
<td>Canada Warbler</td>
<td>Breeding</td>
</tr>
<tr>
<td>Wilsonia canadensis</td>
<td></td>
</tr>
<tr>
<td>Golden-winged Warbler</td>
<td>Breeding</td>
</tr>
<tr>
<td>Vermivora chrysoptera</td>
<td></td>
</tr>
<tr>
<td>Kentucky Warbler</td>
<td>Breeding</td>
</tr>
<tr>
<td>Oporornis formosus</td>
<td></td>
</tr>
<tr>
<td>Least Bittern</td>
<td>Breeding</td>
</tr>
<tr>
<td>Ixobrychus exilis</td>
<td></td>
</tr>
<tr>
<td>Louisiana Waterthrush</td>
<td>Breeding</td>
</tr>
<tr>
<td>Parkesia motacilla</td>
<td></td>
</tr>
<tr>
<td>Olive-sided Flycatcher</td>
<td>Breeding</td>
</tr>
<tr>
<td>Contopus cooperi</td>
<td></td>
</tr>
<tr>
<td>Peregrine Falcon</td>
<td>Breeding</td>
</tr>
<tr>
<td>Falco peregrinus</td>
<td></td>
</tr>
<tr>
<td><a href="http://ecos.fws.gov/ecp/species/8831">http://ecos.fws.gov/ecp/species/8831</a></td>
<td></td>
</tr>
<tr>
<td>Pied-billed Grebe</td>
<td>Breeding</td>
</tr>
<tr>
<td>Podilymbus podiceps</td>
<td></td>
</tr>
<tr>
<td>Prairie Warbler</td>
<td>Breeding</td>
</tr>
<tr>
<td>Dendroica discolor</td>
<td></td>
</tr>
<tr>
<td>Red-headed Woodpecker</td>
<td>Breeding</td>
</tr>
<tr>
<td>Melanerpes erythrocephalus</td>
<td></td>
</tr>
</tbody>
</table>

https://ecos.fws.gov/ipac/location/FBFQIX3PBNHZTNLQ5VMIGGUZ6A/resources
Short-eared Owl  Asio flammeus
http://ecos.fws.gov/ecp/species/9295

Wintering

Willow Flycatcher  Empidonax traillii
http://ecos.fws.gov/ecp/species/3482

Breeding

Wood Thrush  Hylocichla mustelina

Breeding

Worm Eating Warbler  Helmitheros vermivorum

Breeding

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.

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 NOAA NCCOS 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.

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME
This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view 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.
From: O'Malley, May H (DEC)
Sent: Wednesday, March 22, 2017 1:42 PM
To: Shultz, Alicia (NYSHCR)
Subject: FW: Bald Eagle - Request for Information - Owego DPW Relocation Project
Attachments: Johnson city NHP Coordination Letter.pdf; Pages from 2015 11 18 Johnson City EA_Final.pdf; Johnson City WRP DEC permit response.pdf

FYI

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Introduction

Correspondence from the NYSDEC Natural Heritage Program (NHP) indicates that a breeding bald eagle had been documented within one-half mile of the project site. Further correspondence with the NYSDEC Region 7 Wildlife Office provided the approximate location of the bald eagle nest, which is located on an island in the Susquehanna River, northwest of the project site (see Figure 1). Nesting activity was documented at this location in 2015. While the exact location of the nest on the island is not available, the closest point of the island to the project site is 0.37 mile (approximately 2,000 feet).

Bald eagles occur in North America, and currently are found in every state except Hawaii, as well as throughout Canada. Bald eagles stand about 30 inches high, have a wingspan of 7 to 8 feet, and weigh between 8 and 14 pounds. Bald eagles are distinguished by a dark brown body with white head and white tail and bright yellow bill. The bald eagle is a long-lived bird, with a life span in the wild of more than 30 years. They prefer undisturbed forested areas near large lakes and reservoirs, marshes and swamps, or stretches along rivers where they can find open water and their primary food, fish. Bald eagles prefer to nest, perch, and roost in old-growth and mature forest stands of conifers and hardwoods. Foraging habitat for bald eagles consists of large perch trees near a body of water. Bald eagles produce only one or two offspring per year, rarely three. A bald eagle nest is a large structure; the nest is reused and added to each year, often becoming eight or more feet deep, six feet across, and weighing hundreds of pounds. Eagles mate for life, returning to nest in the general area (within 250 miles) from which they fledged. In New York, the young fledge by mid to late summer at about 12 weeks of age.

Federal Protection of Bald Eagles

_Haliaeetus leucocephalus_ (bald eagles) were removed from the federal list of threatened and endangered species on August 9, 2007, and are no longer protected under the Endangered Species Act. Bald eagles are still federally protected under the Bald and Golden Eagle Protection Act (BGEPA), the Migratory Bird Treaty Act (MBTA), and the Lacey Act. The BGEPA, originally passed in 1940, provides for the protection of the bald eagle and the golden eagle (as amended in 1962) by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). The MBTA (16 USC §§703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986, and 1989), implements the U.S. commitment to four bilateral treaties (between the U.S. and Canada, Japan, Mexico, and the former Soviet Union) for the protection of a shared migratory bird resource. The MBTA makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase or barter, any migratory bird, or the parts, nests, or eggs of such a bird, except under the terms of a valid permit issued pursuant to federal regulations. The Lacey Act (16 U.S.C. §§ 3371–3378) was passed in 1900 and protects bald eagles by making it a federal offense to take, possess, transport, sell, import, or export their nests, eggs, and parts that are taken in violation of any state, tribal, or U.S. law. A permit from the USFWS Migratory Bird Program is required if an activity will cause a disturbance to feeding, breeding, or sheltering sites, for physical removal of an eagle nest, or for a lethal take.
**Project Considerations**

The USFWS developed the National Bald Eagle Management Guidelines to avoid disturbing eagles and encourage beneficial conservation practices. The project involves a Category A activity as defined by USFWS, which includes building construction of a one or two story building, with a project footprint of ½ acre or less. For Category A activities, USFWS recommends maintaining a buffer of at least 660 between project activities and the nest if the nest is visible from the project site. If the activity is closer than 660 feet, then all clearing, external construction and landscaping activities within 660 feet of the nest should be restricted to outside the nesting season. The nesting season in New York is generally January through July, so if necessary, work would be restricted to occurring in August through January. If the project activity will not be visible from the nest, USFWS recommends maintaining a buffer of at least 330 feet, and any clearing, external construction, and landscaping between 330 feet and 660 feet should be done outside breeding season. Regardless of visibility, any established landscape buffers that screen the project activities from the nest should be maintained. Also included in the federal guidance is recommendations pertaining to blasting or other loud noises (e.g., fireworks, explosives, outdoor concerts) when a nest is located within one mile of the proposed activity. For activities involving blasting or other loud noises, a minimum buffer of 0.5 mile in forested areas or 1 mile in open areas is recommended around nests, as well as communal roosts and foraging sites when eagles are present.

**State Protection of Bald Eagles**

The bald eagle is currently listed as threatened by New York State Department of Environmental Conservation (NYSDEC) since being down-listed from endangered in 1999. Bald eagles are protected by the Environmental Conservation Law (ECL) of New York. Section 11-0103 defines eagles as wild birds and protected wildlife; Section 11-0535 affords protection to eagles as a threatened species; and 11-0537 protects bald and golden eagles and their nests and eggs. New York Code of Rules and Regulations (6NYCRR) Part 182.8 prohibits the take of any species listed as endangered or threatened, and their habitat, except as authorized by permit. Articles 15, 24, and 25 of the ECL provide additional habitat protections, as certain activities trigger review under these sections of law, providing opportunities for staff to evaluate proposed projects and avoid negative impacts to bald eagles and their habitats.

**Project Considerations**

The NYSDEC Conservation Plan for Bald Eagles in New York State provides guidelines for conservation and management of the bald eagle in New York State. NYSDEC guidance for new construction recommends that construction of new buildings should not occur within 0.25 mile (1320 feet) of an eagle nest if there is no visual buffer. If a visual buffer exists and the activity/feature is not visible from the nest, such activities should not occur within 660 feet of the nest site. Additionally, landowners are encouraged to enhance, not diminish, existing visual buffers between the site and the nest. Following the USFWS National Bald Eagle Management Guidelines, a minimum buffer of 0.5 mile in forested areas or 1.0 mile in open areas is
recommended around nests for loud noises (e.g., fireworks, explosives, outdoor concerts), when eagles are present.

**Conclusion**

Proposed project activities consists of the demolition of an existing storage building and the construction of a new one story, approximately 2,800 square foot (0.06 acre) administration and operations building. The project site is at least 2,000 feet from the bald eagle nesting location; therefore, construction activities fall well outside of the recommended USFWS and NYSDEC buffers. While the project includes the construction of a new building, a building currently exists at the project site, so an existing feature is present in the landscape. No blasting will occur during construction activities. While there are no developed areas between the project site and the nesting location, there are numerous mature trees along the shoreline of the Susquehanna River and on a separate island within the river south of the nesting location that provide visual landscape buffers that will screen the construction activity from the nest. Therefore no adverse impacts to breeding bald eagles are expected and no seasonal restrictions apply. The project is in compliance with federal and state bald eagle regulations.

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Figure 1

Town of Union, New York- Johnson City Water Department
Maintenance and Storage Building Replacement- 44 Camden Street, Village of Johnson City, Broome County, New York

Date: 1/13/2016  Prepared By: Sara Zubalsky
March 24, 2017

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

Re: Replacement of Johnson City Water Department Maintenance/Storage Building, 44 Camden Street, Village of Johnson
City County: Broome Town/City: Union

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.

About 1/2 mile from the project site is a documented nesting bald eagle pair (Haliaeetus leucocephalus, NYS-listed as Threatened).

The presence of the bald eagle nest may result in this project requiring additional review or permit conditions. For further guidance, contact the Permits staff at the NYSDEC Region 7 Office at dep.r7@dec.ny.gov, 315-426-7438. For information about any potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Region 7 Wildlife staff at 607-753-3095 ext. 247.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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.

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 7 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program