Fulton Town Hall and Highway Garage Project  
Environmental Review Record  

June 9, 2017

Project Name: Fulton Town Hall and Highway Garage Project

Project Location: 1125 and 1168 Bear Ladder Road, West Fulton, Schoharie County, NY

HTFC SHARS #: N/A

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, Governor’s Office of Storm Recovery, Certifying Officer

Project Sponsor: County of Schoharie

Primary Contact: Shane Nickle  
Senior Planner  
(518) 295-8770  
shanenickle@co.schoharie.ny.us

Project NEPA Classification: 24 CFR 58.36 (Environmental Assessment)

Environmental Finding:  

X 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 affect the quality of the human environment.

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.

Signature  

Lori A. Shirley

Environmental Assessment Prepared By: Consultant: Tetra Tech, Inc.  
Address: 1999 Harrison Street, Suite 500  
Address: Oakland, CA 94612
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, Fulton Town Hall and Highway Garage Project 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.

__________________________       June 9, 2017
Signature of Certifying Officer       Date

Lori A. Shirley
Director, Bureau of Environmental Review and Assessment
Governor’s Office of Storm Recovery
CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2105 NYS CDBG-DR project, Fulton Town Hall and Highway Garage Project 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

Signature of Certifying Officer: ________________________
Lori A. Shirley
Director, Bureau of Environmental Review and Assessment
Governor’s Office of Storm Recovery

Date: ________________________
June 9, 2017
Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
The Town of Fulton Town Hall Complex is located at 1168 Bear Ladder Road, West Fulton, Schoharie County, New York (Figure 1). The Complex currently houses the Fulton Town Hall administrative offices and the Highway Department facilities. The current Highway Department facilities include administrative offices co-located with the Town office, a three-bay garage, a salt bunker, equipment sheds, and storage areas for the Department’s road and drainage materials. The Town Hall Complex shares a single septic system and water supply well.

During Hurricane Irene and Tropical Storm Lee, the lack of space and facilities in the town offices and Emergency Operations Center (EOC), and the layout of the site (particularly the driveways, equipment bays and storage areas) hindered the effective utilization and deployment of equipment and materials. This adversely affected the Town’s ability to respond to the emergencies.

The County of Schoharie, on behalf of the Town of Fulton, is proposing to enhance the abilities of the complex to respond to emergency events (the Project). The goals for the Project include more adaptable facilities capable of functioning as an EOC, a site layout better suited for the rapid and more efficient assembly and dispatch of emergency personnel and equipment, and establishment of a focal point for the assembly of residents who may not have been able to reach shelters immediately.

The project is proposed to proceed in stages in order to accomplish these goals on a crowded and poorly laid-out site and maintain both administrative and highway department operations during construction.

First, new Highway Department Facilities will be built on a new site located at 1125 Bear Ladder Road to the southeast (Figures 2 and 3). The proposed site is on a five-acre parcel owned by the Town of Fulton. Then the Highway Department functions will be moved to the new site.

The proposed Highway Department facility conceptual design elements include:
- New administrative office space/6-bay (2 large vehicle) garage. This will cover approximately 7,200 square feet, with a: concrete slab foundation: 4-feet maximum depth of excavation and a foundation perimeter with a 6-feet maximum depth of excavation.
- New equipment sheds (on grade)
- New storage areas for road and drainage materials (on grade).
- New septic system (5,400 square feet, 3 feet maximum depth of excavation)
- New access road onto the site from Bear Ladder Road (2,723 square feet, 1 foot maximum depth of excavation)
- New parking lot (21,255 square feet, 1 foot maximum depth of excavation)
- New water supply well
- New emergency generator (diesel fuel with a above ground dual containment fuel storage vessel)

The second phase has not yet been planned in detail. The current concept is that the existing Town Hall facilities will be renovated. The interior will be stripped and refinished to provide office,
meeting, and shelter space (Figure 4). The exterior of the building will be refinished by applying
new exterior finishes over the existing finish.

During the construction, some or all of the Town Hall administration offices will be moved into
the old Highway Department facilities. After the completion of construction, some or all of the old
Highway Department Facilities could be demolished. The Town will own, operate, and maintain
both the renovated Town Hall facilities and the new Highway Department facilities.

The proposed Town Hall facility renovation conceptual elements include:

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

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

In June 2013, Governor Andrew Cuomo set out to centralize recovery and rebuilding efforts in
impacted areas of New York State. Although Tioga County was not affected by Hurricane Sandy,
this storm was the catalyst for the allocation of disaster relief funds under the Community
Development Block Grant – Disaster Recovery (CDBG-DR) award. These funds are being used
to assist not only counties that were devastated by Hurricane Sandy, but also counties like
Schoharie County that were severely impacted by Hurricane Irene and Tropical Storm Lee in 2011.
The Governor’s Office of Storm Recovery (GOSR) was established to administer the award funds,
address communities’ most urgent needs, and encourage the identification of innovative and
enduring solutions to strengthen the State’s infrastructure and critical systems. Operating under
the umbrella of New York State Homes and Community Renewal (HCR), GOSR uses
approximately $3.8 billion in flexible funding made available by the US Department of Housing
and Urban Development’s (HUD’s) CDBG-DR program to concentrate aid to four main areas:
housing recovery, small business, community reconstruction, and infrastructure. Paired with
additional federal funding that was awarded to other State agencies, the CDBG-DR program is
enabling homeowners, small businesses and entire communities to build back and better prepare
for future extreme weather events.

Hurricane Irene and Tropical Storm Lee caused severe flooding within the Town, particularly
affecting roadways and communications. Identifying in advance an assembly point for residents
will help survivors without any immediate access to communications; the severity of Hurricane
Irene and Tropical Storm Lee necessitated an extraordinary response from local officials in the
Town of Fulton, which the existing facilities were unable to support.

As a result of Hurricane Irene, the Schoharie Creek, which runs adjacent to Route 30, swelled over
its banks, rising more than twenty feet. Homes, streets, government buildings, utilities and
communications infrastructure, businesses, parks, bridges and culverts were damaged or
destroyed. The damage left residents without communication service, access to food or clean
water, and also compromised local medical services. The Fulton Town Hall/Highway Department
building was utilized as an Emergency Operations Center; however, there was limited space for the Emergency Operations Center first responders and equipment.

The layout of the site, particularly the driveways, equipment bays and storage areas, made it difficult to efficiently and effectively deploy emergency equipment, personnel and resources. A key strategy for the Town of Fulton in their New York Rising Community Reconstruction plan is to reconstruct and enlarge the existing Town Hall that will incorporate sufficient space for an Emergency Operations Center and also emergency first responders. This facility will be accessible to residents and emergency responders at all times.

This Project will provide town officials and emergency personnel with space that is better organized and laid-out than the existing site and buildings. This will allow the Town to more effectively and efficiently respond to future emergencies. This Project supports the Town’s priority recovery strategy: to improve emergency preparedness and response capabilities.

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

The Town of Fulton was first settled in 1715. Today, the Town of Fulton with nearly 1,500 citizens, encompasses 65 square miles and includes the Hamlets of Breakabeen, Fultonham, Watsonville, and West Fulton. The Town of Fulton population was 1,442 in the 2010 census. This number may increase by several hundred people when second-home and part-time residents are present. The current median age in the Town is 49.4 years. Schoharie Creek runs through the southeast side of Fulton and is susceptible to frequent flooding. Low-lying lands along the Creek, which are largely used for agriculture, residential lots, and roadways, are also prone to flooding. Of the 65 square miles that comprise the Town of Fulton, the five square miles (3,347 acres) along the Creek are located within the 100-year floodplain, with an additional 66 acres within the 500-year floodplain. As such the risk of flooding is high within the Town.

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

**Standard Conditions for All Projects**

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with the National Environmental Policy Act (NEPA) and other laws and Executive Orders.

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

**Funding Information**

**Estimated Total HUD Funded Amount:**

$1,983,382

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

$1,983,382
Figure 1. Site Location Map
Figure 2. Project Location
Figure 3. Site Layout for New Highway Department Facilities
Figure 4. Building layout for renovated Town Hall
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>
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| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6 |  |
| --- | --- | --- |
| **Airport Hazards** | Yes No | Based on HUD guidance in Fact Sheet #D1, the National Plan of Integrated Airport Systems (NPIAS) was reviewed for civilian, commercial service airports near the Project site, as projects within 2,500 feet of a civil airport require consultation with the appropriate civil airport operator. There are no civilian, public-use airports within 2,500 feet of the Project sites. (See Appendix A, Figures.) No military airports are within 15,000 feet of the Project sites. (See Appendix A, Figures.) |
| 24 CFR Part 51 Subpart D | ☒ ☐ |  |
| **Coastal Barrier Resources** | Yes No | The Project sites are not in a Coastal Barrier Resources Area as defined by the state’s Coastal Zone Management Program. (See Appendix A, Figures) |
| Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | ☒ ☐ |  |
| **Flood Insurance** | Yes No | The Project sites are outside the 100-year Special Flood Hazard Area (SFHA) Zone A, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36107C0403E, dated April 17, |
The Project will not require flood insurance.

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5**

<table>
<thead>
<tr>
<th>Clean Air</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
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</table>

The Project sites are not included in the most recent listing of nonattainment or maintenance areas for inhalable particulate matter (PM2.5) or the 2008 8-hour ozone standard, as defined by the US Environmental Protection Agency (EPA) Green Book Nonattainment Areas for Criteria Pollutants.

The Project will not require an NYS Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit. The Project activities will not substantively affect air quality.

The Project size is consistent with the New York State Implementation Plan (SIP) as it will not involve new sources.

The proposed emergency generator is subject to the stationary Reciprocating Internal Combustion Engine (RICE) Maximum Achievable Control Technology (MACT) regulations at 40 CFR 63 ZZZZ that govern emission limits and compliance requirements for existing and new stationary RICE. Any new compression ignition generator must comply with 40 CFR 60, Subpart III, and any new spark ignition generator must comply with 40 CFR 60, Subpart JJJ. Compliance will be demonstrated by purchasing a generator certified to the limits in these regulations.

As the emergency generator does not require a NYSDEC permit or registration, is not located at a major source of hazardous air pollutant emissions, and is not intended for use in demand response programs, the proposed Project will not exceed conformity thresholds, does not require notification,
and will likely not result in direct or indirect adverse impacts to air quality. Therefore, the conformity determination requirements do not apply to the proposed Project.

Air quality impacts will be short term and localized during construction, so no significant adverse impacts to air quality are anticipated.

Implementation of standard best management practices (BMPs) will control dust and other emissions during construction. Air quality impacts will be short term and localized during construction, so no significant adverse impacts to air quality are anticipated.

(See Appendix A, Figures)

Source: 2, 3

<table>
<thead>
<tr>
<th>Coastal Zone Management</th>
<th>Yes No</th>
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<tbody>
<tr>
<td>Coastal Zone Management Act, sections 307(c) &amp; (d)</td>
<td>☑️ ☐</td>
</tr>
<tr>
<td>The Project sites are not in a coastal zone as defined by the state's Coastal Zone Management Program or a Local Waterfront Revitalization Program. (See Appendix A, Figures)</td>
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<table>
<thead>
<tr>
<th>Contamination and Toxic Substances</th>
<th>Yes No</th>
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<tr>
<td>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</td>
<td>☑️ ☐</td>
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<tr>
<td>The Town Hall site is developed with the office building and highway department facilities. The existing Town Hall/Highway Department site has a 2,000 gallon underground storage tank (UST) for #2 fuel oil, a 550 gallon above ground storage tank (AST) for diesel fuel, a 300 gallon AST for gasoline/ethanol associated with the Highway Department facilities. A 275 gallon AST for #2 fuel oil is associated with the Town Hall. The new Highway Garage site is an undeveloped non-wooded parcel. No hazardous or solid waste storage is evident on the new Highway Garage site. The Project will involve the relocation of the ASTs associated with the Highway</td>
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Department activities to the new Highway Garage site. It is planned that the new emergency generator at the new site will use diesel fuel from a new AST. It is not known at this point whether the new generator fuel tank and the diesel fuel associated with the normal Highway Garage operations will be stored in the same tank. All of the petroleum storage for the new Highway Garage will be in new ASTs.

A search of the NYSDEC Bulk Storage Program Database identified one other petroleum bulk storage facilities within one mile of the Project sites (See Appendix A, Figures). Rhinehart’s Superette had three 1,000-gallon gasoline USTs, a 500 gallon UST for kerosene, and a 500 gallon UST for #2 fuel oil. All have been removed.

No new populations will reside on the new Highway Garage site. The Project will not expose new populations to hazards or nuisances because of the storage in ASTs.

A search of the NYSDEC Remedial Site Database, containing records of the sites being addressed under one of DER’s remedial programs (State Superfund, Brownfield Cleanup, Environmental Restoration and Voluntary Cleanup, the Registry of Inactive Hazardous Waste Disposal Sites, and Institutional and Engineering Controls), identified no sites within one mile of the Project site (See Appendix A, Figures). The Project site was not identified in NYSDEC Remedial Site Database.

The Project will not result in the exposure of people or sensitive environmental resources to the facilities identified in these databases.
### Asbestos and Lead-Based Paint

The Town Hall office building was constructed in 1974. Because of the age of the building an asbestos and lead-based paint assessment will be conducted for the Town Hall building before renovation activities.

In accordance with 12 NYCRR 56, no renovation/demolition work will be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the ACM that will be disturbed by the demolition be removed prior to demolition. If suspect ACM not identified in the pre-demolition asbestos survey report is discovered during the renovation/demolition process, the presence, quantity, and location of the newly discovered materials will be conveyed within 24 hours to the building owner. Activities in the area of the ACM will cease immediately until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

Any surface coated with paint is considered to contain some percentage of lead, based on the age of the building. Any alteration and/or repair, including painting and decorating shall meet the requirements of the Occupational Safety and Health Administration (OSHA) Construction Lead Standard (29 CFR 1926.62). Contractors will be alerted to the fact that the paint coating on surfaces in this Project is likely to contain lead, and contractors of each trade will be required to submit their written lead program prior to the start of work. The plan must identify potential sources of lead.
exposure and propose specific procedures to protect workers from those exposures. Because there are no existing structures on the new Highway Garage site, asbestos and lead-based paint are not hazards of concern.

**Polychlorinated Biphenyls**

PCBs were widely used in equipment, such as transformers, capacitors, and hydraulic equipment, until 1979 when the EPA regulated their use in this capacity. The Project site has not been inspected for the presence of equipment likely to contain PCBs.

**Mold**

Mold can also have an adverse effect on human health and is a very common problem in buildings that have been flooded or experienced water damage. The Project involves the renovation of the Town Hall building. A mold assessment will be conducted before the commencement of renovation activities. If the areas of the building, building materials, or areas of the newly renovated building become contaminated with mold, all mold contamination will be properly removed. A certified industrial hygienist will provide verification of site clearance and submit a clearance report.

**Radon**

According to the EPA, the Project site is in Radon Zone 2, where the predicted average indoor radon screening level is between 2 and 4 picoCuries per liter (pCi/L), a moderate potential for elevated indoor radon levels. A vapor barrier will be installed in the new Highway Garage facilities to prevent radon gas from entering the building. A post-construction vapor barrier will be applied to the existing Town Hall
building as part of the renovation and vapor barrier within new Highway Garage.

**Source:** 3, 4, 5

<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, completed on January 30, 2017, found one threatened species potentially associated with the project sites – the threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). Several migratory birds of concern that could be affected by the proposed Project were identified in the online review process. (See **Appendix C**, USFWS, NYSDEC, and NYNHP Correspondence).

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

In response to a February 2, 2017 inquiry to the New York Natural Heritage Program (NYNHP) inquiry regarding potential rare or state-listed animals or plants near the Project sites, the NYNHP stated on February 24, 2017, that there are no records of concern for rare or state-listed animals or plants, or significant natural communities at the Project site or in its immediate vicinity. (See **Appendix C**, USFWS, NYSDEC, and NYNHP Correspondence)
No impact to endangered or threatened species is anticipated from the Project. (See Appendix C, USFWS, NYSDEC, and NYNHP Correspondence)

<table>
<thead>
<tr>
<th>Explosive and Flammable Hazards</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>24 CFR Part 51 Subpart C</td>
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The Project will not introduce housing or sensitive public uses at the site that could be exposed to explosive or flammable hazards.

HUD-assisted projects must be located at an Acceptable Separation Distance (ASD) from stationary hazardous operations that store, handle or process chemicals or petrochemicals of an explosive or flammable nature. These tanks include:

- Aboveground storage tanks (ASTs) that store flammable or explosive gasses (such as propane) within a 1,000-foot radius of the Project site;
- ASTs exceeding 100 gallons that store flammable or explosive liquids within a 1,000-foot radius of the Project site; or
- ASTs that exceed 20,000 gallons and are within 1 mile of the site.

The existing 275 gallon AST for #2 fuel oil at the Town Hall will not be moved or modified as part of this project.

The Project will involve the relocation of the ASTs associated with the Highway Department activities to the new Highway Garage site. All of the petroleum storage for the new Highway Garage will be in new ASTs. These ASTs must be located at least 1,000 feet from the occupied spaces in the new Highway Garage building.

No new explosive or thermal hazards to the public will result from the Project.

<table>
<thead>
<tr>
<th>Farmlands Protection</th>
<th>Yes</th>
<th>No</th>
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The soils on both the Town Hall site and the new Highway Garage site are identified as...
| Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | farmland of statewide importance. Neither site is within an agricultural district. The Town Hall site is completely developed. The new Highway Garage will encompass approximately 2 acres. This amount of land falls under the Natural Resources Conservation Service small acreage exemption of 3 acres or less. According to Part 523.11 E of the Farmland Protection Policy Act (FPPA) Manual, an AD 1006 is not required for this Project, and it is exempt. (See Appendix A, Figures) 
Source: 6 |
<table>
<thead>
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<tbody>
<tr>
<td>Floodplain Management</td>
<td>Yes No</td>
</tr>
<tr>
<td>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</td>
<td></td>
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<tr>
<td>Historic Preservation</td>
<td>Yes No</td>
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declined further consultation. (See Appendix E, Tribal Correspondence)

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<thead>
<tr>
<th>Noise Abatement and Control</th>
<th>Yes</th>
<th>No</th>
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<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>☐</td>
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<tr>
<td>The Project involves the construction of a new Highway Garage facility across the road from the existing facility, and renovation of the existing Town Hall facility. The proposed Project is not a noise-sensitive use, and the policies of 24 CFR 51.101(a)(3) do not apply to any action or emergency assistance under disaster assistance provisions or appropriations that are provided to save lives and protect public health and safety. No noise-sensitive receptors are present or proposed at the Project site.</td>
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<tr>
<th>Sole Source Aquifers</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<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>The Project area is not within the bounds of a Sole Source Aquifer Designated Area. (See Appendix A, Figures)</td>
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<tr>
<th>Wetlands Protection</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>Executive Order 11990, particularly sections 2 and 5</td>
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<tr>
<td>A June 24, 2016 wetland delineation was performed for the new Highway Garage five acre parcel. The delineation found that there were no NYSDEC jurisdictional wetlands on the site. The report concluded that southeastern portion of the parcel was a wetland that was hydraulically connected to Schoharie Creek. A July 14, 2016 letter to the NYSDEC requested a jurisdictional determination. A July 14, 2016 letter to the U.S. Army Corps. of Engineers requested a federal jurisdictional determination. The area of disturbance for the new Highway Garage is in the northwest portion of the parcel and will not impact the wetland. (See Appendix F, Wetlands)</td>
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<thead>
<tr>
<th>Wild and Scenic Rivers</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</td>
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<tr>
<td>Schoharie Creek which runs north-south approximately 2,200 feet east of the Project sites is designated as a wild and scenic river.</td>
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The Project will not affect Schoharie Creek. (See Appendix A, Figures)

<table>
<thead>
<tr>
<th>ENVIRONMENTAL JUSTICE</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Environmental Justice</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Executive Order 12898</td>
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</table>
|Because the proposed Project is the relocation of existing municipal service facilities with no potential adverse impacts, there are no disproportionate adverse impacts anticipated. The proposed Project will follow local ordinances, so no adverse impacts on the surrounding community are anticipated. The Project site is not within in a potential Environmental Justice (EJ) area, as defined by NYSDEC based on data from the 2010 U.S. Census (See Appendix A, Figures). The Project will not raise EJ issues and will have no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations.
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 or 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>
</tr>
</thead>
<tbody>
<tr>
<td>LAND DEVELOPMENT</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 Project will not require the acquisition of new land. The Town Hall property is currently owned by the Town of Fulton. The new Highway Garage property was taken by Schoharie County for delinquent taxes and donated by the County to the Town of Fulton. The Town engaged the Planning Board chairperson when the site for the Highway Garage was planned. The new facility will comply with all Town planning requirements. There is no current zoning. The Project is consistent with goals and funding priorities identified in the New York Rising Community Reconstruction (NYRCR) Towns of Fulton and Blenheim Plan, including rebuilding the Town Hall to more effectively operate as the Town’s EOC. The development will incorporate resiliency measures under the NYS Building Code and those in the Resiliency Tool Kit. Source: 7</td>
</tr>
<tr>
<td>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</td>
<td>3</td>
<td>The new Highway Garage site is on mildly sloped land. Elevations range between approximately 960 to 940 feet above mean sea level (AMSL). Overland drainage would...</td>
</tr>
</tbody>
</table>
tend to follow natural contours to the southeast unnamed tributary, which flows into Schoharie Creek (See Appendix F, Wetlands). The site will require grading and compaction for the site improvements, including the building foundations, leach field, stormwater retention areas, and paved parking areas.

Soils at the new Highway Garage site are predominantly Odessa and Rhinebeck silty clay loams (shallow, somewhat poorly drained soils formed in clayey lacustrine deposits); Schoharie and Hudson silty clay loams (shallow, moderately well drained soils formed in clayey lacustrine sediments); and Lordstown channery silt loam (moderately deep, well drained, medium textured soil), bedrock encountered at a depth of roughly four feet below the surface.

New impervious surface will be created on less than half most (approximately 20 percent) of the approximately 5-acre new Highway Garage site. The amount of impervious surface on the Town Hall site will not change.

Stormwater protection measures could include one or two stormwater retention areas. Construction and operation of the storm water control system and all Project construction will be in accordance with Section 402 of the Clean Water Act that requires authorization by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York’s State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program. Coverage under the NYSDEC GP-15-002 permit will be obtained prior to the commencement of construction activity.

<table>
<thead>
<tr>
<th>Hazards and Nuisances including Site Safety and Noise</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Project site is not in a 100- or a 500-year flood hazard area. No other known natural hazards, including earthquake fault zones, landslide zones, or hazardous terrain, are at or near the Project site. The Project will generate noise during construction that will be minimized through compliance with local noise ordinances, including time-of-day work limitations. Exterior construction activities will take place during normal working hours and will employ commonly accepted engineering and administrative controls that will...</td>
<td></td>
</tr>
</tbody>
</table>
minimize noise impacts to neighbors. Interior construction activities will have negligible impact to neighbors.

| Energy Consumption | 2 | The Project will not result in additional energy consumption because the new municipal facility will replace the current functions currently performed in existing facilities. The new facility will use more modern and energy-saving building materials and practices. Some energy savings may be realized. No impacts will occur to existing nearby suppliers. |

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SOCIOECONOMIC</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment and Income Patterns</td>
<td>2</td>
<td>There will be a temporary minor increase in employment during construction and no increase in long-term employment.</td>
</tr>
<tr>
<td>Demographic Character Changes, Displacement</td>
<td>2</td>
<td>Because the Project site is uninhabited and no population changes will result, there will be no demographic, character, or displacement impacts.</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><strong>COMMUNITY FACILITIES AND SERVICES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational and Cultural Facilities</td>
<td>2</td>
<td>Because the Project involves no changes in population, there will be no impact on demand for educational or cultural facilities.</td>
</tr>
<tr>
<td>Commercial Facilities</td>
<td>2</td>
<td>Because the Project involves no changes in population, there will be no impact on demand for commercial facilities.</td>
</tr>
<tr>
<td>Health Care and Social Services</td>
<td>2</td>
<td>Because the Project involves no changes in population, there will be no impact on demand for health care and social services.</td>
</tr>
<tr>
<td>Solid Waste Disposal / Recycling</td>
<td>3</td>
<td>Construction may result in a temporary increase in solid waste. Construction debris of wood, piping, and other materials will be collected on-site and disposed of or recycled as appropriate. The Project will create solid waste associated with daily operations of the municipal complex. A licensed hauler will</td>
</tr>
</tbody>
</table>
be hired to properly dispose of solid waste at a designated disposal site that satisfies the Construction Waste Management criteria. There will be no increase in solid waste disposal or recycling from operation of the Project because it will replace the existing municipal complex and its recycling and solid waste activities.

| Waste Water / Sanitary Sewers | 2 | Wastewater and sewage generated by the proposed Project will be accommodated by the septic leach field that will be constructed as part of the Project. The Project will not place additional demand on a public sewer system. |
| Water Supply | 3 | The current Town Hall obtains water from an on-site well. The water supply for the new Highway Garage will be from a new well. |
| Public Safety - Police, Fire and Emergency Medical | 2 | Because the Project involves no changes in population, there will be no impact on demand for police, fire, or emergency medical services. Use of the Project facility by emergency services during flooding will benefit residents of the Town. |
| Parks, Open Space and Recreation | 2 | Because the Project involves no changes in population, there will be no impact on demand for parks, open space, or other recreational facilities. |
| Transportation and Accessibility | 2 | Because the Project involves no changes in population, there will be no impact on use of transportation infrastructure. |

<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 Project site is on undeveloped but previously disturbed land in an existing rural area and contains no unique natural features. There are wetlands in the southeast corner of the parcel. The new Highway Garage will be located in the northwest corner of the parcel. (See Appendix A, Figures, and Appendix F, Wetlands). The Project could include stormwater retention features. NYSDEC permits will be obtained for the stormwater system.</td>
</tr>
</tbody>
</table>
Consultation with the USFWS found that the proposed endangered NLEB may occur in the boundary of or may be affected by the project. Several migratory birds of concern that could be affected by the proposed Project also were identified in the online review process. No trees will be removed as part of the Project, and on March 6, 2017, the USFWS acknowledged receipt of a determination of no effect and/or no impact and stated that no further ESA coordination or consultation is required. (See Appendix C, USFWS, NYSDEC, and NYNHP Correspondence).

<table>
<thead>
<tr>
<th>Vegetation, Wildlife</th>
<th>2</th>
<th>No trees will be removed as part of the Project, and on March 6, 2017, the USFWS acknowledged receipt of a determination of no effect and/or no impact and stated that no further ESA coordination or consultation is required.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Factors</td>
<td>2</td>
<td>No additional factors will be impacted by the project, and no additional impacts will occur.</td>
</tr>
</tbody>
</table>

**Additional Studies Performed:**

Wetland Assessment report completed in December 2016.

**Field Inspection** (Date and completed by):

November 20, 2016, wetland assessment and delineation described in December 2016 Wetland Assessment report

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


**List of Appendices**

Appendix A Figures
Appendix B Floodplains
Appendix C USFWS, NYSDEC, and NYNHP Correspondence
Appendix D SHPO Correspondence
Appendix E Tribal Correspondence
Appendix F Wetlands

**List of Permits Obtained or Required:**
- A building permit by the Town of Fulton

**List of Other Approvals Obtained or Required:**
- State Environmental Quality Review Act (SEQRA) Unlisted evaluation.

**List of Environmental Inspections Required:**
- Asbestos, Lead, Mold and Polychlorinated Biphenyls Survey (PCBs)
- Asbestos, Lead, Mold and Polychlorinated Biphenyls Clearance

**List of Potential Abatement:**
- If any inspections identify asbestos, lead, mold, or PCBs, abatement activities must be completed and final clearance inspections completed.

**Public Outreach [24 CFR 50.23 & 58.43]:**
On June 9, 2017, a combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds was published in the Daily-Gazette. Any individual, group, or agency may submit written comments on the Environmental Review Record to:
Cumulative Impact Analysis [24 CFR 58.32]:
The Project is not expected to trigger cumulative impacts, including the degradation of important natural resources, socioeconomic resources, human health, recreation, quality of life issues, and cultural and historic resources. The Project is not of a scale large enough to contribute significantly to cumulative impacts. It will create positive impacts, as it will provide the Town of Fulton with municipal facilities better configured for operations during future storm events.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Proposed Project. As fully described in this Environmental Assessment, the Town of Fulton Town Hall and Highway Garage Project will involve constructing a new Highway Garage and renovation of the existing Town Hall for the Town of Fulton, Schoharie County, New York.

Alternative Sites Alternative. Renovation of the Town Hall without relocation of the Highway Garage was considered as an alternative. However, the current layout of the site, particularly the driveways, equipment bays and storage areas, are part of the difficulty in efficiently and effectively deploying the emergency equipment, personnel and resources. A key strategy for the Town of Fulton in their New York Rising Community Reconstruction plan is to reconstruct and enlarge the existing Town Hall so that there will be sufficient space for an Emergency Operations Center and also emergency first responders. The renovation of the Town Hall without relocation of the Highway Garage will not mitigate these conditions.

No Action Alternative [24 CFR 58.40(e)]:
Not undertaking the Project would not be consistent with the goals and objectives of the Towns of Fulton and Blenheim NYRCP Plan and other local and state plans because the Town would not be able to efficiently respond to community needs during extreme storm events.

Summary of Findings and Conclusions:
The new facility will relocate the critical functions of the existing Town of Fulton Highway Garage services into a new facility allowing for more efficient operations and response to extreme storm events. The renovation of the Town Hall facilities will allow for staging and coordinating the emergency services during the extreme storm events. The proposed Project will not result in a significant impact on the quality of the human environment or result in other direct, indirect, or cumulative impacts. The Project will comply with all relevant regulations listed in 24 CFR subparts 58.5 and 58.6.
**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

GOSR has summarized 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 or 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 will 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 will be used to minimize fugitive dust emissions during construction activities. The preferred method for dust suppression is water sprinkling.</td>
</tr>
<tr>
<td>Clean Air Act</td>
<td>The proposed emergency generator is subject to the stationary RICE MACT regulations at 40 CFR 63 ZZZZ that govern emission limits and compliance requirements for existing and new stationary RICE. Any new compression ignition generator must comply with 40 CFR 60, Subpart IIII, and any new spark ignition generator must comply with 40 CFR 60, Subpart JJJJ. Compliance will be demonstrated by purchasing generators certified to the limits in these regulations.</td>
</tr>
<tr>
<td>Contamination and Toxic Substances</td>
<td>A radon barrier system will be included to prevent radon gas penetration into the new Highway Garage structures.</td>
</tr>
<tr>
<td>Contamination and Toxic Substances</td>
<td>A post construction radon barrier will be included to prevent radon gas penetration into the renovated Town Hall structure.</td>
</tr>
<tr>
<td>Contamination and Toxic Substances</td>
<td>All Project-related solid waste generated during construction will be managed and transported in accordance with the NYS solid and hazardous waste rules.</td>
</tr>
<tr>
<td>Contamination and Toxic Substances</td>
<td>All demolition activities will follow Lead-Safe Work Practices. All activities will comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, the EPA</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Contamination and Toxic Substances</strong></td>
<td>In accordance with Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (Cited as 12 NYCRR Part 56), the National Emission Standard for Asbestos-Standard for Demolition and Renovation (40 CFR Part 61.145), and National Emission Standard for Asbestos-Standard for Waste Disposal for Manufacturing, Fabricating, Demolition, and Spraying Operations (40 CFR Part 61.150), asbestos abatement will be completed by a licensed asbestos abatement contractor prior to demolition work. NYSDOL regulations require that ACM that will be disturbed by the demolition be removed prior to demolition. If suspect ACM not identified in the pre-demolition asbestos survey report is discovered during the demolition process, the presence, quantity, and location of the newly discovered materials will be conveyed within 24 hours to the building owner. Activities in the area of the ACM will cease immediately until a licensed asbestos contractor appropriately assesses and manages the discovered materials. An asbestos operations and maintenance plan will be prepared prior to funding.</td>
</tr>
<tr>
<td><strong>Contamination and Toxic Substances</strong></td>
<td>PCB-containing materials will be managed in accordance with the applicable federal and NYSDEC regulations.</td>
</tr>
<tr>
<td><strong>Conformance with NYS Department of Environmental Conservation State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity GP-0-15-002</strong></td>
<td>A stormwater management system will be designed in compliance with the requirements of the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity GP-0-15-002 to address the stormwater from the Project site. BMPs, such as silt fence and erosion prevention, will be implemented, if required by permits or agency discretion.</td>
</tr>
<tr>
<td><strong>Conformance with 24 CFR Part 51 Subpart C</strong></td>
<td>The petroleum storage tanks for the Project must meet HUD’s criteria for ASD or be installed underground.</td>
</tr>
<tr>
<td><strong>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</strong></td>
<td>BMPs, such as silt fence and erosion prevention, will be used, if required by permits or agency discretion. State</td>
</tr>
</tbody>
</table>
and local permitting requirements will incorporate BMPs to eliminate erosion impacts during construction.

**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: June 9, 2017
Name/Title/Organization: Cliff Jarman, Senior Environmental Scientist. Tetra Tech, Inc.

Certifying Officer Signature: ___________________________ Date: June 9, 2017
Name/Title: Lori A. Shirley, Director, Bureau of Environmental Review and Assessment, Governor’s Office of Storm Recovery

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).
Appendix A – Figures
Coastal Barrier Resources

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend
- Red: Project Area
- Light Green: CBRS Polygons

Tetra Tech, Inc
Nonattainment Areas

Fulton Town Hall
Town of Fulton
Schoharie County, New York
Welcome to the NYS Coastal Boundary Map

Address:
Enter Address Here

Find Address

Please note that the address marker is automatically placed along the street while certain activities may take place along the landward property boundary. Please make sure to click and drag the marker to the exact location of the proposed activity for an accurate assessment of whether or not the activity would be located within any DOS Special Management Areas.

Layers
- Landward Coastal Boundary
- Scenic Areas
- Local Waterfront Revitalization Areas
- Local Waterfront Revitalization Program Communities
- Significant Coastal Fish and Wildlife Habitats
- DOS Identified Canals
- Long Island Sound CMP (excludes LWRP communities)
- Federally Owned Lands
- Native American Lands

The New York State Department of State makes every effort to post accurate and reliable information on this website. The Department of State does not guarantee or warrant that the information on this website is complete, accurate, or current. The information on this website is intended solely for the purpose of electronically providing the public with general coastal consistency-related information and convenient access to data resources. The Department of State neither assumes responsibility for the use or application of any material posted on this website nor responsibility for any error, omission or other discrepancy between the electronic and printed versions of documents.
Tidal-Coastal Wetlands

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend
- Project Area
- Tidal - Coastal Wetlands
- Tidal - Coastal Wetlands 300ft Buffer
Coastal Barrier Resources

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend
- Project Area
- CBRS Polygons
Legend

Bulk Storage Facilities
- Chemical Bulk Storage
- Petroleum Bulk Storage

Project Area
Fulton Town Hall 1 Mile Buffer

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

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend

- State Superfund Program Hazardous Waste Sites
- Project Area
- Fulton Town Hall 1 Mile Buffer
NEW YORK - EPA Map of Radon Zones

The purpose of this map is to assist National, State and local organizations to target their resources and to implement radon-resistant building codes.

This map is not intended to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones.

All homes should be tested, regardless of zone designation.

IMPORTANT: Consult the publication entitled “Preliminary Geologic Radon Potential Assessment of New York” (USGS Open-file Report 93-292-B) before using this map. http://energy.cr.usgs.gov/radon/grpinfo.html This document contains information on radon potential variations within counties. EPA also recommends that this map be supplemented with any available local data in order to further understand and predict the radon potential of a specific area.
Legend

- Project Area
- All areas are prime farmland
- Farmland of statewide importance
- Prime farmland if drained

Protected Soils

Fulton Town Hall
Town of Fulton
Schoharie County, New York

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

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

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

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

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

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

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

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

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

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

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

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>LmC</td>
<td>Lordstown channery silt loam, 5 to 15 percent slopes</td>
<td>5.4</td>
<td>9.6%</td>
</tr>
<tr>
<td>LmD</td>
<td>Lordstown channery silt loam, 15 to 25 percent slopes</td>
<td>6.2</td>
<td>11.0%</td>
</tr>
<tr>
<td>LmE</td>
<td>Lordstown channery silt loam, 25 to 35 percent slopes</td>
<td>0.2</td>
<td>0.4%</td>
</tr>
<tr>
<td>McB</td>
<td>Mardin channery silt loam, 2 to 8 percent slopes</td>
<td>9.3</td>
<td>16.6%</td>
</tr>
<tr>
<td>McC</td>
<td>Mardin channery silt loam, 8 to 15 percent slopes</td>
<td>3.6</td>
<td>6.3%</td>
</tr>
<tr>
<td>McD</td>
<td>Mardin channery silt loam, 15 to 25 percent slopes</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>OdB</td>
<td>Odessa and Rhinebeck silt loams, 2 to 6 percent slopes</td>
<td>15.6</td>
<td>27.7%</td>
</tr>
<tr>
<td>ShB</td>
<td>Schoharie and Hudson silt loams, 2 to 6 percent slopes</td>
<td>1.0</td>
<td>1.8%</td>
</tr>
<tr>
<td>ShC</td>
<td>Schoharie and Hudson silt loams, 6 to 12 percent slopes</td>
<td>14.9</td>
<td>26.5%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>56.2</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
Legend
- **Project Area**
- **Schenectady-Niskayuna SSA**

**Sole Source Aquifers**

Fulton Town Hall  
Town of Fulton  
Schoharie County, New York
Wild and Scenic Rivers

Legend
- Wild and Scenic Rivers
- Project Area

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Tetra Tech, Inc
Environmental Justice Areas

Legend

- Project Area
- Environmental Justice Areas

Fulton Town Hall
Town of Fulton
Schoharie County, New York
Appendix B – Floodplains
Appendix C – USFWS, NYSDEC, and NYNHP Correspondence
By Electronic Mail

March 3, 2017

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

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

Dear Ms. Niver:

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


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

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

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

Analysis and Determination of Effects:

ESA

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

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

MBA and BGEPA

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

Conclusions

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

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

Sincerely,

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

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

USFWS File No: 17TA0927

Regarding your:  Email

For project: Town hall and highway garage project

Located: Bear Ladder Road

In Town/County: Town of Fulton / Schoharie County


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

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

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

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

USFWS Contact(s):

Supervisor:  Anne J. Sevco  Date: 3/6/17
Via Electronic Mail

February 2, 2017

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

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

Dear Mr. Conrad:

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

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

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

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

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

The proposed Highway Department facility conceptual design elements include:

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

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

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

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

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

Sincerely,

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

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

Fulton Town Hall
Town of Fulton
Schoharie County, New York

Legend

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

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

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

Dear Ms. Shultz:

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

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

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

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

Sincerely,

Nick Conrad
Information Resources Coordinator
New York Natural Heritage Program
Appendix D – SHPO Correspondence
November 28, 2016

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

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

Dear Ms. Bartheleme:

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

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

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

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
Appendix E – Tribal Correspondence
November 28, 2016

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

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

Dear Mohawk Nation Council of Chiefs:

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

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

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

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

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

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

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

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

Sincerely,

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

Enclosures:
Attachment 1: Project Location Maps
Attachment 2: SHPO Determination
to be demolished

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

To be renovated
November 28, 2016

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

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

Dear Ms. Bartheleme:

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

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

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

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
Hi Mary:

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

Best,

Bonney

---

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

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November 28, 2016

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

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

Dear Chiefs of the St. Regis Mohawk Tribe:

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

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

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

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

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

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

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

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

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

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

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

Electronic letter sent to:
Arnold Printup  
Saint Regis Mohawk Tribe, THPO  
412 State Route 37  
Akwesasne, NY 13655
November 28, 2016

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

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

Dear Ms. Bartheleme:

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

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

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

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
November 28, 2016

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

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

Dear President Shannon Holsey:

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

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

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

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

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

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

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

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

Town Hall

PROJECT SITES

Highway Garage
- To be demolished
- To be renovated
- No construction in this area. This parcel could not be purchased.
November 28, 2016

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

Re: HTF/ GOSR/ CDBG-DR/ HUD/ NY Rising Program-
   Rebuild Fulton Town Hall
   1125 and 1168 Bear Ladder Road, West Fulton/ Schoharie County
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Based on this review, it is the opinion of SHPO that there will be No Historic Properties Affected by the proposed undertaking.

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

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Alicia Shultz
Appendix F – Wetlands
Emergency Operations Center
Figure:
Wetlands

Legend
- Fulton Town Hall Project Site
- NWI
- NYDEC Freshwater Wetlands

Tidal Wetlands

<table>
<thead>
<tr>
<th>Wetland Category</th>
<th>Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA- Adjacent Area</td>
<td>Light Yellow</td>
</tr>
<tr>
<td>Dredged Spoil</td>
<td>Red</td>
</tr>
<tr>
<td>Formerly Connected</td>
<td>Orange</td>
</tr>
<tr>
<td>Fresh Marsh</td>
<td>Light Green</td>
</tr>
<tr>
<td>HM- High Marsh</td>
<td>Light Blue</td>
</tr>
<tr>
<td>IM-Intertidal Marsh</td>
<td>Blue/White Grid</td>
</tr>
<tr>
<td>LZ-Littoral Zone</td>
<td>Light Gray</td>
</tr>
<tr>
<td>SM- Coastal Shoals, Bars, and Mudflats</td>
<td>White</td>
</tr>
</tbody>
</table>

Created by R. Ferres 11/17/16
Source:NWI- USFWS, Freshwater and Tidal Wetlands-NYDEC
World Imagery Basemap- ESRI
July 14, 2016

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

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

Dear Ms. Swenson,

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

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

Background

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

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

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

Site Description

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

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

Jurisdictional Determination Checklist Requirements

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

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

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

Potential Habitat for Species

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

Methodology

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

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

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

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

Vegetation and Soil

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

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

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

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

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

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

Field Delineation

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

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

Sincerely,

Thomas J. King
Environmental Director
Request for a Wetland Determination or Delineation

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

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

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

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

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

3. Reason for requesting a field inspection at this time:
   ☐ purchasing or selling property
   ☑ proposing a project to Construct Highway Garage
   ☐ other (explain):

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

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

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

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

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

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

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

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

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

4. **Property Location:**
   - Street address of property: parcel 138-4-7 Bear Ladder Road
   - Wetland Identification Number (if known): e.g. GR-15
   - Section/block/lot number (from tax map) if known: 137-4-7

   **Attach the following maps, if available:**
   - [x] a section of either a county road map or a USGS topographic map with the location of the property highlighted; and, if available
   - [ ] a tax map, plat, or survey map that shows all the property boundaries.

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

[Signature]  [7/14/16]

**For Agency Use Only:**

Inquiry #     Wetland #     Wetland Class:     USGS Quad Name:     GIS File:

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

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

Dear Ms. Shultz:  

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

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

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

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

Wetland Assessment and Delineation

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

Findings

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

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

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

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

Details on these classifications are provided in Attachment B.

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

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

Conclusions

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

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

Sincerely,

Maria Drakos
Project Scientist
LiRo Engineers, Inc.

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

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

References:


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


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

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

Legend:
- Site Boundary

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

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

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

## Photo Log

<table>
<thead>
<tr>
<th>01</th>
<th>Photo facing northwest showing the ditch adjacent to Bear Ladder Road</th>
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</thead>
</table>

**Photo facing northwest showing the ditch adjacent to Bear Ladder Road**

<table>
<thead>
<tr>
<th>02</th>
<th>Photo facing southeast showing the ditch adjacent to Bear Ladder Road and the northeast corner property boundary.</th>
</tr>
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**Photo facing southeast showing the ditch adjacent to Bear Ladder Road and the northeast corner property boundary.**
<table>
<thead>
<tr>
<th>Photo Log</th>
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<tbody>
<tr>
<td><strong>03</strong></td>
</tr>
<tr>
<td>Photo showing standing water in TP-W2 and <em>Carex sp.</em></td>
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<tr>
<td><strong>04</strong></td>
</tr>
<tr>
<td>Photo showing soil from TP-W2</td>
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<td></td>
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<td>---</td>
</tr>
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<td><strong>05</strong></td>
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<td><strong>06</strong></td>
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**MAP LEGEND**

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<thead>
<tr>
<th>Area of Interest (AOI)</th>
<th>Soils</th>
<th>Special Point Features</th>
<th>Water Features</th>
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<tr>
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<td>Area of Interest (AOI)</td>
<td>Soil Map Unit Polygons</td>
<td>Streams and Canals</td>
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<td>Spoil Area</td>
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<td>Very Stony Spot</td>
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<td>Other</td>
<td>Gravel Pit</td>
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<td>Special Line Features</td>
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<td></td>
<td></td>
<td>Sodic Spot</td>
<td></td>
</tr>
</tbody>
</table>

**MAP INFORMATION**

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

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

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

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

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

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.
Soil Survey Area: Schoharie County, New York
Survey Area Data: Version 11, Sep 24, 2015
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

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

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

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<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
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<td>28.3%</td>
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<td>OdB</td>
<td>Odessa and Rhinebeck silt loams, 2 to 6 percent slopes</td>
<td>1.7</td>
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<td>ShC</td>
<td>Schoharie and Hudson silt loams, 6 to 12 percent slopes</td>
<td>3.6</td>
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<td><strong>Totals for Area of Interest</strong></td>
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<td><strong>100.0%</strong></td>
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</table>
WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

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

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

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

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

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

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

Secondary Indicators (minimum of two required)

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

Field Observations:

- Surface Water Present? Yes ☑ No ✔ Depth (inches): ___________
- Water Table Present? Yes ☑ No ✔ Depth (inches): ___________
- Saturation Present? (includes capillary fringe) Yes ☑ No ✔ Depth (inches): ___________

Wetland Hydrology Present? Yes ☑ No ✔

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

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

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

= Total Cover

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15)</th>
<th>% Cover</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Lonicera sp.</em></td>
<td>S</td>
<td>facw</td>
</tr>
<tr>
<td>2.</td>
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<td>3.</td>
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<td>6.</td>
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<td>7.</td>
<td>S</td>
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</tr>
</tbody>
</table>

= Total Cover

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 5)</th>
<th>% Cover</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Allaria petiolata</em></td>
<td>30</td>
<td>y</td>
</tr>
<tr>
<td>2. <em>Ambrosia artemisiifolia</em></td>
<td>30</td>
<td>y</td>
</tr>
<tr>
<td>3. <em>Dactylis glomerata</em></td>
<td>30</td>
<td>y</td>
</tr>
<tr>
<td>4.</td>
<td></td>
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<td>5.</td>
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<td>10.</td>
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<td>11.</td>
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<tr>
<td>12.</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

= Total Cover

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 30)</th>
<th>% Cover</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
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<tr>
<td>2.</td>
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<td>3.</td>
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<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

= Total Cover

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

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

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

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

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

Remarks: (Include photo numbers here or on a separate sheet.)
<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 10</td>
<td>10YR 3/5</td>
<td>NONE</td>
<td>Silty sand w/ clay</td>
<td>Silty sand less clay</td>
</tr>
<tr>
<td>10 - 16&quot;</td>
<td>10YR 3/6</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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

**Hydric Soil Indicators:**
- Histosol (A1)
- Histic Epipedon (A2)
- Black Hist (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR R, MLRA 149B)
- Polyvalue Below Surface (S6) (LRR R, MLRA 149B)
- Thin Dark Surface (S9) (LRR R, MLRA 149B)
- Loamy Mucky Mineral (F1) (LRR K, L)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

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

**Restrictive Layer (if observed):**
- Type: NONE
- Depth (inches): ____________________

**Hydric Soil Present?** Yes ___ No X

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

**Project/Site:** Fulton Emerg Ops Ctr  
**City/County:** Schoharie  
**Sampling Date:** 5/17/16  
**State:** NY  
**Sampling Point:** TP-W 2  
**Investigator(s):** George Nuyen Lussier  
**Landform (hillslope, terrace, etc.):** Open Field  
**Local relief (concave, convex, none):** none  
**Slope (%):** 0-10  
**Subregion (LRR or MLRA):** MLRA  
**Lat:**  
**Long:**  
**Datum:** NAD 1927  
**Soil Map Unit Name:** Schoharie Hyd  
**NWI classification:**  

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

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

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

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

Standing water in test hole 0.4' depth

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<table>
<thead>
<tr>
<th>Primary Indicators (minimum of one is required; check all that apply)</th>
<th>Secondary Indicators (minimum of two required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Surface Water (A1)</td>
<td>Surface Soil Cracks (B6)</td>
</tr>
<tr>
<td>☑ High Water Table (A2)</td>
<td>Drainage Patterns (B10)</td>
</tr>
<tr>
<td>☑ Saturation (A3)</td>
<td>Aquatic Fauna (B13)</td>
</tr>
<tr>
<td>☑ Water Marks (B1)</td>
<td>Moss Trim Lines (B16)</td>
</tr>
<tr>
<td>☑ Sediment Deposits (B2)</td>
<td>Dry-Season Water Table (C2)</td>
</tr>
<tr>
<td>☑ Drift Deposits (B3)</td>
<td>Oxidized Rhizospheres on Living Roots (C3)</td>
</tr>
<tr>
<td>☑ Algal Mat or Crust (B4)</td>
<td>Presence of Reduced Iron (C4)</td>
</tr>
<tr>
<td>☑ Iron Deposits (B5)</td>
<td>Recent Iron Reduction in Tilled Soils (C6)</td>
</tr>
<tr>
<td>☑ Floodplain Visible on Aerial Imagery (B7)</td>
<td>Thin Muck Surface (C7)</td>
</tr>
<tr>
<td>☑ Sparsely Vegetated Concave Surface (B8)</td>
<td>Other (Explain in Remarks)</td>
</tr>
</tbody>
</table>

**Field Observations:**

<table>
<thead>
<tr>
<th>Surface Water Present?</th>
<th>Yes ☑ No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Table Present?</td>
<td>Yes ☑ No</td>
</tr>
<tr>
<td>Saturation Present?</td>
<td>Yes ☑ No</td>
</tr>
<tr>
<td>(includes capillary fringe)</td>
<td></td>
</tr>
</tbody>
</table>

**Wetland Hydrology Present?** Yes ☑ No

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

Test pit/aerial photos/NRCS

**Remarks:**

Standing water saturation present
<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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<td>2.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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<td>2.</td>
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<td>6.</td>
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<td>7.</td>
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</tr>
</tbody>
</table>

= Total Cover

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 5)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Carex sp.</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. <em>Solidago canadensis</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. <em>Phragmites</em></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>4. <em>S. altissima</em></td>
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<td>12.</td>
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</tbody>
</table>

= Total Cover

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 30)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Ceananthus sericea</em></td>
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<td>2.</td>
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<tr>
<td>3.</td>
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<td>4.</td>
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</tr>
</tbody>
</table>

= Total Cover

**Dominance Test worksheet:**

- Number of Dominant Species That Are OBL, FACW, or FAC: \( \frac{2}{2} \) (A)
- Total Number of Dominant Species Across All Strata: \( \frac{3}{3} \) (B)
- Percent of Dominant Species That Are OBL, FACW, or FAC: \( \frac{100}{100} \) (A/B)

**Prevalence Index worksheet:**

- Total % Cover of: 15
- Multiply by:
  - OBL species \( \frac{1}{1} \) x 1 = \( \frac{1}{1} \)
  - FACW species \( \frac{1}{1} \) x 2 = \( \frac{2}{2} \)
  - FAC species \( \frac{3}{3} \) x 2 = \( \frac{9}{9} \)
  - FACU species \( \frac{2}{2} \) x 4 = \( \frac{8}{8} \)
  - UPL species \( \frac{5}{5} \) x 5 = \( \frac{25}{25} \)
- Column Totals: \( \frac{5}{5} \) (A) \( \frac{12}{12} \) (B)
- Prevalence Index = \( \frac{B/A}{A} = \frac{12/5}{5} \)

**Hydrophytic Vegetation Indicators:**

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

**Definitions of Vegetation Strata:**

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

**Hydrophytic Vegetation Present?** Yes √ No _

Remarks: (Include photo numbers here or on a separate sheet.)
<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-8&quot;</td>
<td>10YR 3/2</td>
<td>75 15 RM M</td>
</tr>
<tr>
<td>8&quot;-16&quot;</td>
<td>10YR 4/3</td>
<td>80 10 C M</td>
</tr>
</tbody>
</table>

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

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

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

**Indicators for Problematic Hydric Soils:**
- Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
- Thin Dark Surface (S9) (LRR R, MLRA 149B)
- Loamy Mucky Mineral (F1) (LRR K, L)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Polyvalue Below Surface (S8) (LRR K, L)
- Thin Dark Surface (S9) (LRR K, L)
- Iron-Manganese Masses (F12) (LRR K, L, R)
- Piedmont Floodplain Soils (F19) (MLRA 149B)
- Mesic Spodic (TA6) (MLRA 144A, 145, 149B)
- Red Parent Material (F21)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

**Restrictive Layer (if observed):**
- Type: **NONE**
- Depth (inches): ______________
- Hydric Soil Present? **Yes** __ No __

**Remarks:**
water at 1' below surface
1' clay content at depth
standing water surrounding area
July 14, 2016

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

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

To Whom it May Concern,

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

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

Background

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

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

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

Site Description

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

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

Jurisdictional Determination Checklist Requirements

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

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

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

Potential Habitat for Species

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

Methodology

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

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

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

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

Vegetation and Soil

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

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

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

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

Field Delineation

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

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

Sincerely,

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

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

Dear Ms. Shultz:  

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

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

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

Methodology  
The wetland assessment and delineation was conducted in accordance with the 1987 “U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual” (Environmental Laboratory, 1987), the “Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: office of call number 40 5.
Northcentral and Northeast Region”, and the 1995 “New York State Freshwater Wetlands Delineation Manual” (NYSDEC, 1995). Both documents are used as guidance to evaluate jurisdictional wetland limits under the USACOE and the NYSDEC regulatory programs.

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

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

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

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

Details on these classifications are provided in Attachment B.

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

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

Conclusions

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

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

Sincerely,

Maria Drakos
Project Scientist
LiRo Engineers, Inc.

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

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

References:


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


NYSDEC, 2016. “Environmental Resource Mapper”,


USDA, NRCS. 2010. Field Indicators of Hydric Soils in the United States, Version 7.0, G.W. Hurt, L.M. Vasilas, C.V. Noble (eds.). USDA, NRCS in cooperation with the National technical Committee for Hydric Soils, Fort Worth, TX.
FIGURE 3
SITE AERIAL PHOTOGRAPH WITH WETLAND DELINEATION

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

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

## Photo Log

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Photo facing northwest showing the ditch adjacent to Bear Ladder Road</td>
</tr>
<tr>
<td>02</td>
<td>Photo facing southeast showing the ditch adjacent to Bear Ladder Road and the northeast corner property boundary.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>03</strong></td>
<td><img src="image1" alt="Photo showing standing water in TP-W2 and Carex sp." /></td>
</tr>
<tr>
<td><strong>04</strong></td>
<td><img src="image2" alt="Photo showing soil from TP-W2" /></td>
</tr>
<tr>
<td>05</td>
<td>Photo facing northeast showing the upland area of the Site.</td>
</tr>
<tr>
<td>----</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>06</td>
<td>Photo facing north showing wetlands on the southeastern portion of the Site.</td>
</tr>
</tbody>
</table>
MAP LEGEND

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

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

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

Water Features
- Streams and Canals

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

Background
- Aerial Photography

MAP INFORMATION

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

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

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

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

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

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

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

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

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

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

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

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

Project/Site: Fulton Emerg Ops Ctr City/County: Schoharie
Applicant/Owner: GOAR State: NY
Investigator(s): George Vincent Lussier Section, Township, Range: Fulton, NY
Landform (hillslope, terrace, etc.): Open Field Local relief (concave, convex, none): None
Subregion (LRR or MLRA): MLRA Lat: Long: Datum: NAD 1927
Soil Map Unit Name: Schoharie/Lud son

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

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

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

Is the Sampled Area within a Wetland? Yes ✔ No

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

HYDROLOGY

Wetland Hydrology Indicators:

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

Secondary Indicators (minimum of two required):
- Water-Stained Leaves (B9)
- Aquatic Fauna (B13)
- Marl Deposits (B15)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres on Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Thin Muck Surface (C7)
- Other (Explain in Remarks)

Field Observations:
- Surface Water Present? Yes ✔ No Depth (inches): ______
- Water Table Present? Yes ✔ No Depth (inches): ______
- Saturation Present? (includes capillary fringe) Yes ✔ No Depth (inches): ______

Wetland Hydrology Present? Yes ✔ No

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

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

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

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

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 5)</th>
<th>Total Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Allaria petiolata</em></td>
<td>30</td>
</tr>
<tr>
<td>2. <em>Ambrosia artemisiifolia</em></td>
<td>30</td>
</tr>
<tr>
<td>3. <em>Dactylis glomerata</em></td>
<td>30</td>
</tr>
<tr>
<td>4.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
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<td>7.</td>
<td></td>
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<tr>
<td>8.</td>
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<tr>
<td>9.</td>
<td></td>
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<tr>
<td>10.</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>100</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 30)</th>
<th>Total Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
</tr>
</tbody>
</table>

**Prevalence Index worksheet:**

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

Prevalence Index = B/A = 5

**Hydrophytic Vegetation Indicators:**

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

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

**Definitions of Vegetation Strata:**

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

**Hydrophytic Vegetation Present?** Yes No

**Remarks:** (Include photo numbers here or on a separate sheet.)
<table>
<thead>
<tr>
<th>Depth (Inches)</th>
<th>Matrix Color (moist)</th>
<th>% Color (moist)</th>
<th>% Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10</td>
<td>10YR 5/5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Silty sand w/clay</td>
</tr>
<tr>
<td>10-16</td>
<td>10YR 5/6</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td>Silty sand w/less clay</td>
</tr>
</tbody>
</table>

1. Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.
2. Location: PL=Pore Lining, ML=Matrix.

### Hydric Soil Indicators:
- Histosol (A1)
- Histic Eutrope (A2)
- Black Histosol (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR R, MLRA 149B)
- Polysulfate Below Surface (S8) (LRR R, MLRA 149B)
- Loamy Mucky Mineral (F1) (LRR K, L)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depression (F8)

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

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

### Hydric Soil Present?
- Yes
- No

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

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

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

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

Hydrophytic Vegetation Present? Yes [ ] No [ ]  Is the Sampled Area within a Wetland? Yes [ ] No [ ]
Hydric Soil Present? Yes [ ] No [ ]  If yes, optional Wetland Site ID:
Wetland Hydrology Present? Yes [ ] No [ ]
Remarks: (Explain alternative procedures here or in a separate report.)
Standing water water in test hole 2 4” depth

HYDROLOGY

Wetland Hydrology Indicators:

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

Secondary Indicators (minimum of two required)
[ ] Water-Stained Leaves (B9)
[ ] Aquatic Fauna (B13)
[ ] Marl Deposits (B15)
[ ] Hydrogen Sulfide Odor (C1)
[ ] Oxidized Rhizospheres on Living Roots (C3)
[ ] Presence of Reduced Iron (C4)
[ ] Recent Iron Reduction in Tilled Soils (C6)
[ ] Thin Muck Surface (C7)
[ ] Other (Explain in Remarks)

Field Observations:
Surface Water Present? Yes [ ] No [ ] Depth (inches): 2-4
Water Table Present? Yes [ ] No [ ] Depth (inches): 1-2
Saturation Present? (includes capillary fringe) Yes [ ] No

Secondary Indicators (minimum of two required)
Wetland Hydrology Present? Yes [ ] No

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

Remarks:
Standing water saturation present
<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 30)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 5)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Curly sp.</td>
<td>65</td>
<td>y, obl</td>
<td></td>
</tr>
<tr>
<td>2. Solidago canadensis</td>
<td>10</td>
<td>y, fac</td>
<td></td>
</tr>
<tr>
<td>3. Phragmites</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. S. d. minus</td>
<td>5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 30)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Corvus sericea</td>
<td>15</td>
<td>y, fac</td>
<td></td>
</tr>
</tbody>
</table>

**Dominance Test worksheet:**
- Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
- Total Number of Dominant Species Across All Strata: 3 (B)
- Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

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

Prevalence Index = B/A = 12/5

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

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

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

| Woody Vegetation Present? | Yes ✓ No _ |
### Profile Description:
(Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-8&quot;</td>
<td>10YR 3/2</td>
<td>sYR 5/3</td>
<td>RM</td>
<td>high clay depth</td>
</tr>
<tr>
<td>8'-16&quot;</td>
<td>10YR 3/3</td>
<td>sYR 3/3</td>
<td>C</td>
<td>clay loam</td>
</tr>
</tbody>
</table>
NY RISING – ENVIRONMENTAL REVIEW AND ASSESSMENT
RIGHT-OF-ENTRY PERMIT AND RELEASE

Property Owner/Agent: Schenectady County
Property Address: 1125 Boone Avenue Road - Section of Map # 138, 4-7
City, State ZIP: West Fallow, NY 12194
Phone: 518-245-8386
Email: CHEECH & CHONG, SCHENECTADY, NY, US

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

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

Property Owner understands and agrees:

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

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

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

4) Inspections: This ROE authorizes inspections of the Property. Property Owner understands and agrees that the Assistance Providers shall, in their sole discretion, determine the extent of the required Authorized Work, including, without limitation, environmental and historic preservation reviews. Property Owner understands and agrees to provide access for any and all such Authorized Work.

11/06/2015
5) Photos: Property Owner understands and authorizes the Assistance Providers to take photos, digital likenesses, and audio/video recordings of the property and damages thereto and authorizes the use of such items solely for the purposes of promotion of the Program on the Program website, newsletters, news releases or other media outlets.

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

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

8) Waiver, Indemnity and Hold Harmless: The undersigned Property Owner hereby releases, remises, and agrees to indemnify and hold harmless each and every Assistance Provider for any and all property damage, liability, loss, claim, damage, or destruction of any type whatsoever to the Property or to personal property and fixtures situated on, or for any bodily injury or death to persons resulting from or related to the Authorized Work on the Property or any claims or causes of action related thereto which claims or causes of action are not the result of negligence on the part of any Assistance Provider as it relates to the Authorized Work. The Property Owner further releases, remises, discharges and waives any and all liability, claims, demands, damages, injuries, losses, penalties, fines, costs, causes of action, judgments, expenses, as well as any and all actions, either legal or equitable which the undersigned has, or that might arise, of any nature whatsoever and by whomever made, by reason of, or related to the Authorized Work, taken to accomplish the aforementioned purposes, provided, however, in the case of a liability, loss, cost, damage, claim, suit or judgment which results from negligence of a consultant, subconsultant, contractor and or subcontractor of Subrecipient (each a “Consultant”), the foregoing release and indemnification shall not apply to any such liability, loss, cost, damage, claim, suit or judgment apportioned to such Consultant. This provision shall indefinitely survive the termination, for any reason, of this ROE.

11/06/2015
9) Authority: Property Owner expressly represents and warrants that Property Owner is the owner of the Property, and has full power and authority to execute and fully perform Property Owner's obligations under this ROE. The Assistance Providers require that this ROE be executed by all persons or entities having an ownership and/or controlling leasehold interests in the Property. To this end, that Property Owner (either individually or collectively) further represent(s) and warrant(s) that: (i) the parties signing as Property Owner(s) below represent the entire ownership interest in the Property, and (ii) no other party having an ownership interest in the Property exists for purposes of satisfying this requirement. If Property Owner is an entity, Property Owner also represents and warrants that Property Owner has such power and authority pursuant to its governing instruments, without the need for any further action, and that the person(s) executing this ROE on behalf of Property Owner are the duly authorized officers of Property Owner and are authorized to do so.

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

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

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

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

14) Counterpart Signatures: This Right of Entry Permit and Release of Information may be executed in any number of counterparts, each of which shall constitute an original and which counterparts together shall constitute one and the same instrument.

11/06/2015
For the considerations and purposes set forth herein, I/we hereby set my/our hand(s) this ___ day of ___MAY_________________ 20____.

This form is signed in order to gain access to:
Property address: __1125 BEAUX LAFOUX ROAD, WEST FULTON, NY____

Property Owner or Property Owner Authorized Agent

Signature: ____________
Date: __5/3/2016__

Print Name: __WILLIAM CHERZY - COUNTY TREASURER__
Current Telephone No.: __518-295-8366__

Current Address: __80 BOX 9, SCHENECTADY, NY 12157__

Additional Property Owner

Signature: __________________________________________________
Date: __________________________________________________

Print Name: _______________________
Current Telephone No.: ____________

Current Address: ____________________________________________

Additional Property Owner

Signature: __________________________________________________
Date: __________________________________________________

Print Name: _______________________
Current Telephone No.: ____________

Current Address: ____________________________________________