

**Old Fort Johnson Conditions Assessment and Flood Mitigation  
Fort Johnson, Montgomery County, NY  
Environmental Review Record  
Old Fort Johnson Conditions Assessment and Flood Mitigation, Fort Johnson, NY**



**Prepared by Tetra Tech Inc.**  
1999 Harrison Street, Suite 500  
Oakland, CA 94612

**New York State Homes and Community Renewal  
Governor's Office of Storm Recovery**  
38-40 State Street  
Albany, NY 12207

September 25, 2019

**Project Name:** Old Fort Johnson Conditions Assessment and Flood Mitigation, Fort Johnson, NY

**Project Location:** Old Fort Johnson  
2 Mergner Road, Fort Johnson, NY 12070

**Federal Agency:** U.S. Department of Housing and Urban Development  
**Responsible Entity:** New York State Homes and Community Renewal

**Responsible Agency's**

**Certifying Officer:** Lori A. Shirley, Certifying Officer

**Project Sponsor:** Dormitory Authority of the State of New York (DASNY)

**Primary Contact:** Sandra L. Daigler, Director, Upstate Planning, Design and Quality Assurance  
DASNY  
515 Broadway  
Albany, New York 12150  
Phone: (518) 257-3275  
Email: sdaigler@dasny.org

**Project NEPA Classification:** 24 CFR 58.36 (Environmental Assessment)

**Environmental Finding:**  Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.  
 Finding of Significant Impact - The project may significantly 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, Director, Bureau of Environmental Review and Assessment, GOSR

**Environmental Review Prepared By:** Tetra Tech, Inc.  
1999 Harrison Street, Suite 500  
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 2019 NYS CDBG-DR project, Old Fort Johnson Conditions Assessment and Flood Mitigation, Fort Johnson, NY 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 statutes 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 statutes 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.



\_\_\_\_\_  
**Signature of Certifying Officer**

Lori A. Shirley

\_\_\_\_\_  
**Print Name**

September 20, 2019

\_\_\_\_\_  
**Date**

Certifying Officer

\_\_\_\_\_  
**Title**

### CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2019 NYS CDBG-DR project, Old Fort Johnson Conditions Assessment and Flood Mitigation, Fort Johnson, NY are:

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

\_\_\_\_\_  
**Print Name**

September 20, 2019

\_\_\_\_\_  
**Date**

Certifying Officer

\_\_\_\_\_  
**Title**

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

The Dormitory Authority of the State of New York (DASNY) acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson (the Project site) against the impacts of future flood events. Site location maps are located in Appendix A; site plans are located in Appendix B.

Old Fort Johnson is located one mile west of the city of Amsterdam on the north bank of the Mohawk River, near its confluence with Kayaderosseras Creek. Constructed in 1749 as the house, office and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America, the site was fortified during the French and Indian Wars. Originally the house was the center of a complex of outbuildings. The main house is currently used as a museum by the Montgomery County Historical Society. Other than the house, only two of the outbuildings survive today – a privy and a barn, with the barn now used as a visitor center and staff housing. An additional non-historic building (the garage) is also located onsite. Fort Johnson is listed in the National Register of Historic Places and was designated a National Historic Landmark, in 1972.

The site is within the 100-year floodplain. During Hurricane Irene the Kayaderosseras Creek and Mohawk River merged and covered the entire site; in the course of a few hours over eight feet of water poured across the grounds and through the buildings. The basement of the 1749 historic house was completely filled with water and mud. On the raised first floor, five-and-a-half feet of water covered the tops of the fireplace mantels and left mud and debris on the original wood paneling, windows, shutters and floors. The Visitor Center building had two feet of water on the first floor. The historic 18th century privy tipped over and floated into the footbridge across the Kayaderosseras Creek and connecting the parking lot to the Fort Johnson grounds, saving it from disappearing downstream.

The proposed project includes the removal of the existing concrete retaining walls along the banks of the Kayaderosseras Creek through the site; regrading both banks of Kayaderosseras Creek; regrading of the site and adding a berm on the western bank of Kayaderosseras Creek with a 2-foot high concrete retaining wall at the top, installing new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; constructing a new stone path between the buildings; and improving the gravel parking lot with asphalt to meet the Americans with Disabilities Act (ADA) requirements regarding parking spaces. Approximately 1.5 acres will be disturbed.

The existing pedestrian bridge over Kayaderosseras Creek will be removed, the existing access steps demolished, new bridge abutments/footings constructed, the bridge reinstalled, new embankment, handicap access, and stairs constructed on the west side, and the access path to the parking area on the east side will be paved with asphalt.

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

In 2011, Hurricane Irene caused serious damage to Fort Johnson. Fort Johnson is located near the confluence of Kayaderosseras Creek and the Mohawk River. Flooding from either waterbody can impact the Fort. During Hurricane Irene, extensive flooding across the site resulted in 5 ½ feet of flooding above the level of the first floor within the historic home. Significant damage was done to the historic home as well as some of the items inside. The purpose of the project is to provide flood protection measures for the Old Fort Johnson property and to reduce the impacts of future flood events on the Kayaderosseras Creek. Improvements include removal of the existing concrete retaining walls along the creek, which are damaged and failing, grading back the channel slopes, and installing a short concrete wall near the top of the bank to provide additional protection. The banks will be riprap-lined.

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

Montgomery County lies entirely within the Mohawk River Watershed. Montgomery County covers an area of approximately 409 square miles, including six square miles of water, and includes 10 towns, 10 villages and the City of Amsterdam, its urban and economic center.

New York State experienced a number of storms (e.g., Hurricane Irene, Tropical Storm Lee, and Hurricane Sandy) that caused substantial damage over the last decade. This trend has increased the need for improved storm water management systems and mitigation of damage to transportation corridors to support storm-stricken communities. In the Town of Amsterdam, the flood waters from Hurricane Irene eroded the banks of local creeks and caused property damage to residences. Many roads were washed out. Steep grades in the Town caused storm water runoff to flow down hillsides and collect and backup at undersized culverts. During Hurricane Irene the Kayaderosseras Creek and Mohawk River merged and covered the Old Fort Johnson site.

The Montgomery County Resiliency Plan states that the 2013 floods were not an isolated incident, and that every time Montgomery County's communities are hit by extreme flooding, the result is immediate, physical damage to essential infrastructure, bridges and homes as well as more persistent long-term economic impacts. Recovery is an ongoing effort. The proposed project would increase the resiliency of the Old Fort Johnson National Historical Monument.

**Standard Conditions for All Projects**

Any change to the approved scope of work will require re-evaluation by the GOSR Environmental 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.

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### **Funding Information**

**Estimated Total HUD Funded Amount: \$\$802,500**

**Estimated Total Project Cost**

**(HUD and non-HUD funds) [24 CFR 58.32(d)]: \$802,500**

**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.

| <b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6   | Are formal compliance steps or mitigation required?                 | Compliance determinations  |
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| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>   |   |  |
| <b>Airport Hazards</b><br>24 CFR Part 51 Subpart D  | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | 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.<br><br>There are no civilian airports within 2,500 feet of the Project site, and no military airports are within 15,000 feet of the Project site. No runway clear zones would be affected by the Project. (See <b>Appendix A</b> , Figures)<br><br><b>Source: 3, 4</b> |
| <b>Coastal Barrier Resources</b><br>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]          | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | According to the Coastal Barrier Resources System (CBRS) Mapper, the Project Area is not in a Coastal Barrier Resources Area as defined by the state’s Coastal Zone Management Program. (See <b>Appendix C</b> , Coastal Consistency)<br><br><b>Source: 5</b>  |
| <b>Flood Insurance</b><br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | The project area is located within flood zones Zone AE (floodway within the 1% annual chance flood) and Zone X (within the 0.2% annual chance flood, area of minimal flood hazard), as depicted on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 36057C0203E. GOSR  |

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|  | <p>published and distributed an Early Notice of a Proposed Activity in a 100-Year Floodplain and Wetland to interested parties on May 24, 2019. (See <b>Appendix D</b>, Floodplains and Wetlands). Flood insurance will be required for all insurable structures and contents.</p> <p><b>Source: 6</b></p> |
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| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>   |  |   |
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| <p><b>Clean Air</b><br/>           Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project site is not located within a nonattainment or maintenance area for the 2015 and 2008 8-hour ozone standards, as defined by the US Environmental Protection Agency (EPA) Green Book Nonattainment Areas for Criteria Pollutants.</p> <p>The Project would not require an NYS Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit. The Project activities would not substantively affect air quality since no sources are proposed.</p> <p>Implementation of standard best management practices (BMP) would control dust and other emissions during construction.</p> <p>Air quality impacts would be short term and localized during construction; there would not be impact from operations as there are no sources of air emissions associated with the proposed boardwalk. Therefore, there would be no significant adverse impacts to air quality.</p> <p><b>Source: 7</b></p> |
| <p><b>Coastal Zone Management</b><br/>           Coastal Zone Management Act, sections 307(c) &amp; (d)</p>                     | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project site is not in a coastal zone as defined by the state's Coastal Zone Management Program or a Local Waterfront Revitalization Program. (See <b>Appendix C</b>, Coastal Consistency)</p> <p><b>Source: 8</b></p>   |
| <p><b>Contamination and Toxic Substances</b><br/>           24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>                            | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project Area was not identified in New York State Department of Environmental Conservation</p>   |

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|  | <p>(NYSDEC) Remedial or Bulk Storage Site Databases.</p> <p>A search of the NYSDEC Remedial Site Database, containing records of the sites being addressed under one of DEC'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 one Environmental Restoration Program site and one State Superfund Program site within a one-mile radius of the Project Site.</p> <p>The site listed in the Environmental Restoration Program (#B00050) is an abandoned storage site located northwest of the Project area. - The site was purchased by the Tyron Corporation on July 6, 1961 and was developed and used as an oil storage facility, truck maintenance facility, and field office. The site contained two 16,000-gallon and one 8,000-gallon above-ground storage tanks (ASTs). Also onsite were one 275-gallon AST and one 500-gallon underground storage tank (UST). These tanks and contaminated soils surrounding the UST and under the ASTs were removed in November 1999. In the early 1960's, when first filling one of the 16,000-gallon ASTs, the concrete support cradle collapsed, rupturing the tank, and No. 2 home heating fuel oil was spilled onto the surface of the site. The oil entered the Kayaderosseras Creek, and also ran into a drainage culvert under Route 67 into the creek. The main contaminants of concern at this site are xylene (mixed), ethylbenzene, toluene, and benzene. According to a Site Environmental Assessment, remediation at the site is complete. The site maintains a site management plan to address residual contaminated soils, institutional controls that limit site use to non-residential as well as restrict groundwater, and groundwater monitoring to reduce potential for future exposures at the site. This site is currently used by the Village of Fort Johnson to store a plow</p> |
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|  | <p>truck and road salt, and is zoned for commercial use. Groundwater flow on the site is west to east towards Kayaderosseras Creek. Therefore, offsite contamination is not expected to affect the environmental conditions of the Project area. (See <b>Appendix E</b>, Contamination and Toxic Substances)</p> <p>A former landfill is listed in the State Superfund Program (#429002) and is located northwest of the Project area. It is a closed landfill that accepted municipal and industrial wastes from the Amsterdam area. It operated from the 1960s to 1978. A cap was constructed over the landfill and a leachate collection system was also built, both of which have since been redesigned and expanded. A former leachate collection system pond has been abandoned and removed, and post-closure monitoring is ongoing. Homeowner wells were sampled in 1994 by the NYSDOH, and the analytical results did not reveal any notable contamination. A site environmental assessment has been conducted in order to reduce a recurring leachate outbreak problem at the site. A monitoring program is in place. Since the site is closed, capped, and leachate is controlled, exposures to contamination at the surface are not expected. No routes of exposure to contaminants are apparent. Therefore, offsite contamination is not expected to affect the environmental conditions of the Project area. (See <b>Appendix E</b>, Contamination and Toxic Substances)</p> <p>Ambient Environmental, Inc. performed a limited pre-demolition survey of the Project area noted in an April 3, 2019 report for asbestos containing material (ACM), lead-based paint (LBP), and polychlorinated biphenyl (PCB) caulk. The demolition area contains ACM and LBP; PCB caulk was not observed. Disturbances of these areas would require a NYS DOL Site Specific Variance to allow for the clean-up and abatement of this material by a NYS licensed and certified asbestos</p> |
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|  | <p>abatement contractor. Areas identified for removal would be cordoned off and not occupied by any uncertified asbestos personnel until the proper cleanup is complete. (See <b>Appendix E</b>, Contamination and Toxic Substances)</p> <p>A search of the NYSDEC Bulk Storage Program Database identified three petroleum bulk storage facilities (PBS) within one mile east of the Project Area. The PBS program applies to facilities that store more than 1,100 gallons of petroleum in aboveground and underground storage tanks (AST and UST). Facilities with one or more underground storage tanks larger than 110 gallons must also be registered.</p> <p>These bulk storage sites are not considered a hazard that could affect the health and safety pertaining to drainage improvements because the bulk storage sites are permitted and regulated by the NYDEC bulk storage program ensuring the proper containment, handling and storage of petroleum, hazardous substances/chemicals, or liquefied natural gas (LNG).</p> <p>The Project will not result in the exposure of people or sensitive environmental resources to the locations identified in these databases. (See <b>Appendix E</b> Contamination and Toxic Substances).</p> <p>The EPA's Enforcement and Compliance History Online (ECHO) database identified NYS Department of Transportation (NYSDOT) BIN 1002550 (Facility Registry Service ID 110007986171) as an inactive hazardous waste handler located at Route 5 Over Kayaderosseras Creek adjacent to the Project site. No violations were identified. Its presence does not affect the environmental conditions of the Project site. (See <b>Appendix E</b>, Contamination and Toxic Substances)</p> <p><b>Source: 9, 10, 11</b></p> |
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| <p><b>Endangered Species</b><br/>         Endangered Species Act of 1973,<br/>         particularly section 7; 50 CFR Part 402</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>Section 7 of the Endangered Species Act requires the action agency (GOSR) to make a determination of effect on any federally listed species or designated critical habitat that may occur from an action that is funded, authorized, or carried out by the action agency. GOSR is acting as HUD’s designated representative for this program.</p> <p>GOSR received notice of no known state-listed rare or endangered species recorded within the project area from NYSDEC, Division of Fish and Wildlife on January 18, 2017 and the Division of Environmental Permits on March 20, 2017. The recommendations included that any tree removal be conducted between November 1 and March 31 during hibernation of the NLEB.</p> <p>On December 10, 2018, GOSR consulted with the U.S. Fish and Wildlife Service (USFWS), New York Ecological Services Field Office, via the Information, Planning, and Conservation System (IPaC), Consultation Code: 05E1NY00-2019-SLI-0580, regarding the potential presence of species under the jurisdiction of the USFWS within the project area on December 10, 2018. The IPaC identified one threatened species, the northern long eared bat (NLEB, <i>Myotis septentrionalis</i>), that is potentially associated with the project site. No critical habit for this species was identified in IPaC. At the time of this consultation, the design did not include the planned removal of any trees, but the consultation stated that there was a potential that trees might have to be removed during construction. The project included the mitigations so that the construction would not:</p> <ol style="list-style-type: none"> <li>1) disturb hibernating NLEBs in a known hibernaculum;</li> <li>2) alter the entrance or interior environment of a known hibernaculum;</li> <li>3) remove any trees within 0.25 miles of a known hibernaculum at any time of year; or</li> </ol> |
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|  | <p>4) cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree, during the pup season (June 1 through July 31).</p> <p>The project area does not occur in the immediate vicinity of known occurrences of NLEB. The major concern for bat species in relation to this project would be the destruction of potential roosts and roosting habitat that may occur from tree clearing. To avoid potential take, tree clearing will be conducted between November 1 and March 31, when bats are inactive in hibernation sites. None of the trees to be removed are snag or cavity trees. Therefore, GOSRS determined that the proposed project would have <b>No effect</b> on NLEB.</p> <p>On June 21, 2019, GOSR again consulted with the USFWS due to changes in the proposed project definitively involving tree removal. The revised design included the proposed removal of 28 trees would occur between November 1 and March 31, the inactive season of the NLEB. None of the trees to be removed are snag or cavity trees. Therefore, GOSRS determined that the proposed project would have <b>No effect</b> on NLEB.</p> <p>The IPaC review also indicated that there are several migratory birds of concern that could potentially be affected by the proposed project. Five Birds of Conservation Concern (BCC) [Black-billed Cuckoo (<i>Coccyzus erythrophthalmus</i>), Bobolink (<i>Dolichonyx oryzivorus</i>), Prairie Warbler (<i>Dendroica discolor</i>), Snowy Owl (<i>Bubo scandiacus</i>), and Wood Thrush (<i>Hylocichla mustelina</i>)] were identified. The breeding season for these birds occurs outside of the proposed tree clearing timeframe (note: the Snowy owl breeds outside of the project area). GOSR determined that the project would have no significant adverse impact on migratory birds or their habitat. It is anticipated that passerine birds would temporarily leave the area during</p> |
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|   |  | <p>construction due to noise and disturbance. Extensive areas of high-quality woodland habitat are available. (See <b>Appendix F</b>, USFWS, NYNHP, and NYSDEC Correspondence).</p> <p>On July 18, 2019, the USFWS concurred with the GOSR determination of No Effect.</p> <p><b>Source: 12</b></p>  |
| <p><b>Explosive and Flammable Hazards</b><br/>24 CFR Part 51 Subpart C</p>  | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project would not introduce housing at the site that could be exposed to explosive or flammable hazards. The Project would not increase public exposure to any potential hazards in the vicinity of the Project area. The Project does not constitute a HUD-funded hazardous facility, so 24 CFR part 51 Subpart C does not apply. (See <b>Appendix A</b>, Figures)</p> <p><b>Source: 9</b></p>   |
| <p><b>Farmlands Protection</b><br/>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The soils on the site are Fluvaquants, Loamy which are not classified as prime farmland. The Project area is not located within any agricultural districts. (See <b>Appendix A</b>, Figures)</p> <p><b>Source: 13</b></p>   |
| <p><b>Floodplain Management</b><br/>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>                              | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> | <p>A total of approximately 1.5 acres of previously disturbed floodplain would be disturbed by the Project. The proposed project includes the removal of the concrete retaining walls along the banks of the Kayaderosseras Creek through the site, regrading the banks, regrading the site and adding a berm on the western side of Kayaderosseras Creek with new sidewalks, regrading the area around the catch basin in the southwestern corner of the site, and the construction of a new parking area. The floodplain area in the Project site is previously disturbed by existing roads and non-residential structures. The Proposed Activity will result in permanent impacts to approximately 1.5 acres of 100-Year Floodplain. These impacts will consist of new sidewalks.</p> |

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|  | <p>Though there will be minor impacts to floodplain permeability from the proposed sidewalks, the project as fully proposed will provide flood protection measures to the site as described previously. No changes in land use would occur as a result of the Project.</p> <p>Prior to construction, the appropriate permits would be obtained in accordance with NYSDEC Article 15, Protection of Waters Program, Section 401 of the Clean Water Act, and the US Army Corps of Engineers. A stormwater pollution prevention plan (SWPPP) would be prepared for the Project. GOSR published and provided notice of the proposed activity in the 100-year floodplain to all interested agencies, groups, and individuals on May 24, 2019. (See <b>Appendix D</b>, Floodplains and Wetlands). No comments were received in response to the notice.</p> <p>An 8-Step Floodplain Analysis has been performed in compliance with Executive Order 11988 in accordance with HUD regulations at 24 CFR 55.20. The analysis examined the direct and indirect impacts associated with the development within the floodplain. (See <b>Appendix D</b>, Floodplains and Wetlands) The analysis concluded that these effects would be minimal because the conversion of the existing artificial stream profile of Kayaderosseras Creek through the site to a more natural profile. The construction of new impermeable sidewalks would be the only long-term effect on the floodplain. The potential effect on the floodplain from the small decrease in impervious surface would be minor and would be increase the natural and beneficial floodplain values of the floodplain or lives and property, particularly with the respect to the beneficial increase in the National Historic Landmarks' resiliency. (See <b>Appendix D</b>, Floodplains and Wetlands)</p> <p><b>Source: 6</b></p> |
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| <p><b>Historic Preservation</b><br/>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.</p> | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> | <p>The proposed Project area is the historically sensitive area of Old Fort Johnson, a National Historic Landmark. The SHPO reviewed project materials and responded that New Stairs #1 and #2 should have pressure-treated wood similar to existing railings on the bridge in a December 7, 2018 letter. In addition, a Phase IB was recommended for certain portions of the property.</p> <p>GOSR submitted a draft Phase I Archaeological Survey May 20, 2019 and a revised draft to SHPO on June 25, 2019 based on comments from the SHPO. The SHPO concurred with the report recommendation that the previously identified Mrs. HB Shepard archaeological site located within the project's area of potential effect (APE) is not eligible for listing in the New York State and/or National Registers of Historic Places and no additional archaeological work is necessary in a July 2, 2019 letter to GOSR.</p> <p>SHPO reviewed a change in the proposed work scope within the rear yard of Old Fort Johnson. In a letter dated July 1, 2019, SHPO recommended additional archaeological testing within this area consisting of 50-centimeter-square shovel test excavations at 5-meter intervals within the Limits of Disturbance, from the rear of the building to approximately 50 feet from the building.</p> <p>The subsequent survey did not find evidence of any eighteenth-century deposits or features. Upon receipt of the additional survey information, the SHPO determined that the project will have No Adverse Effect on historic or archaeological resources (July 23, 2019).</p> <p>(See <b>Appendix G</b>, SHPO Correspondence)</p> |
| <p><b>Noise Abatement and Control</b><br/>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>                                      | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The 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</p>  |

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|  |  | <p>that are provided to save lives and protect public health and safety.</p> <p>The Project would not introduce any new or rehabilitate any existing noise-sensitive uses. Construction activities would abide by all local noise ordinances.</p>   |
| <p><b>Sole Source Aquifers</b><br/>         Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project area is not located within a sole source aquifer (SSA). The closest SSA is the Schenectady-Niskayuna SSA, which is located greater than one mile east of the Project site. (See <b>Appendix H</b>, Sole Source Aquifers)</p> <p><b>Source: 14</b></p>  |
| <p><b>Wetlands Protection</b><br/>         Executive Order 11990, particularly sections 2 and 5</p>  | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> | <p>The Kayaderosseras Creek, which is classified as an NWI Riverine Wetland, crosses the Project area. Additionally, the Project area is within 300 feet of NYS Freshwater Wetlands.</p> <p>The existing channel of the Kayaderosseras Creek through the Project Area has been modified through man-made activities since the 1700's. The stream channel has rock/concrete walls on both side of the channel. The bottom of the channel has a natural substrate with ongoing scour and depositional processes. The channel between the walls does not include vegetation. The vegetation beyond the channel walls is not wetland vegetation.</p> <p>The project proposes to remove the walls and cut back on the slopes of the stream banks, allowing better flood conveyance. The normal/low flows would continue through the stream channel as before.</p> <p>The project's core focus is to protect an eroding upper riverbank utilizing the techniques associated with living riverbanks. The vegetation and soil located along the parks southern edge has been eroded and has therefore associated habitat has been lost. The proposed project seeks the creation of a living riverbank. Anticipated benefits of the improvements include improved water quality, habitat creation, erosion</p> |

|  |  |  |
|--|--|--|
|  |  | <p>control, aesthetic improvements, and improved passive recreation accessibility.</p> <p>Prior to construction, the appropriate permits would be obtained in accordance with NYSDEC Article 15, Protection of Waters Program, Section 401 of the Clean Water Act, and the US Army Corps of Engineers. A stormwater pollution prevention plan (SWPPP) would be prepared for the Project. No changes in land use would occur as a result of the Project that would affect these wetlands in the long term. (See <b>Appendix D, Floodplains and Wetlands</b>)</p> <p><b>Source: 15, 16, 17</b></p> |
| <p><b>Wild and Scenic Rivers</b><br/>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project is not located within nor would impact Wild or Scenic Rivers. (See <b>Appendix A, Figures</b>)</p> <p><b>Source: 18, 19, 20</b></p>   |
| <p><b>ENVIRONMENTAL JUSTICE</b></p>  |  |  |
| <p><b>Environmental Justice</b><br/>Executive Order 12898</p>  | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | <p>The Project is not located within an Environmental Justice area. (see <b>Appendix A, Figures</b>)</p> <p><b>Source: 21</b></p>  |

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

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

| Environmental Assessment Factor  | Impact Code | Impact Evaluation   |
|--|-------------|---|
| <b>LAND DEVELOPMENT</b>  |             |   |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | <b>1</b>    | The Project conforms with the plans, land use, and zoning as described in the NYRCR Montgomery County, NY Rising Community Reconstruction Plan. The Town of Amsterdam proposes to design and implement storm resiliency improvements to the banks of the Kayaderosseras Creek that are compatible with and would enhance its current design use.  |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff                   | <b>1</b>    | This area of Fort Johnson experiences frequent and recurring flooding resulting in damage inflicted during Hurricane Irene and Tropical Storm Lee in 2011. Damage was from poor drainage and the back flow of water during storm events, high tides, and rainfall events. This project would restore and repair the Kayaderosseras Creek banks in order to prevent/minimize future significant damage from storms and flooding.<br><br>No changes in land use would occur as a result of the Project. No habitable structures are proposed. |

| Environmental Assessment Factor                       | Impact Code | Impact Evaluation  |
|---|-------------|--|
| Hazards and Nuisances including Site Safety and Noise | 2           | No habitable structures are proposed. The Project would not introduce any new or rehabilitate any existing noise-sensitive areas. Construction activity would abide by all local noise ordinances. Proposed improvements to the gravel parking lot would include asphalt for the Americans with Disabilities Act (ADA) compliant parking spaces. |
| Energy Consumption                                    | 2           | No habitable structures are proposed. The proposed action is for infrastructure improvements. There would be no change in energy consumption.  |
| <b>SOCIOECONOMIC</b>                                  |             |  |
| Employment and Income Patterns                        | 2           | No habitable structures are proposed. The proposed action is for infrastructure improvements. Proposed construction would be small-scale and temporary. There would be no long-term change in employment.  |
| Demographic Character Changes, Displacement           | 2           | No habitable structures are proposed. The proposed action is for infrastructure improvements. There would be no changes in demographics or population displacement.  |
| <b>COMMUNITY FACILITIES AND SERVICES</b>              |             |  |
| Educational and Cultural Facilities                   | 1           | The proposed action is for infrastructure improvements to mitigate flood damage of a National Historic Landmark. Proposed improvements to the gravel parking lot would include asphalt for the Americans with Disabilities Act (ADA) compliant parking spaces would improve access to this cultural facility of disabled persons.                |
| Commercial Facilities                                 | 2           | No habitable structures are proposed. There would be no changes in population or demand for commercial facilities. There is a small potential for increase in tourism associated with the park due to increased ease of parking and handicap access.   |
| Health Care and Social Services                       | 2           | Because the Project involves no changes in population, there would be no impact on demand for health care and social services.   |
| Solid Waste Disposal / Recycling                      | 2           | Construction may result in a temporary increase in solid waste. Construction debris would be collected on-site and disposed of or recycled as appropriate.   |

| Environmental Assessment Factor                    | Impact Code | Impact Evaluation  |
|--|-------------|--|
|  |             | There would be no increase in solid waste disposal or recycling from operation of the Project because it would not result in any changes in population.  |
| Waste Water / Sanitary Sewers                      | 2           | No habitable structures are proposed. The proposed Project would not generate wastewater and sewage. There would be no change to existing public restrooms.  |
| Water Supply                                       | 2           | This Project would not change the site or visitors use of water. No changes to the water supply system are anticipated.  |
| Public Safety - Police, Fire and Emergency Medical | 2           | The Project would not involve an increase in resident population; therefore, no major increase in police and fire protection or emergency medical services would occur. An increase in visitors to the area as a result of the Project could result in a slight increase in fire and emergency responses but would not be beyond the capacity of existing services to provide. |
| Parks, Open Space and Recreation                   | 1           | The proposed action is for infrastructure improvements to mitigate flood damage of a National Historic Landmark. Proposed improvements to the gravel parking lot would improve ease of parking and access.   |
| Transportation and Accessibility                   | 1           | No habitable structures are proposed. The proposed action is for infrastructure improvements. Public transportation changes are not proposed. Proposed improvements to the gravel parking lot would include asphalt for the Americans with Disabilities Act (ADA) compliant parking spaces.  |
| <b>NATURAL FEATURES</b>                            |             |  |
| Unique Natural Features, Water Resources           | 1           | Improvements and enhancements proposed would provide beneficial impacts to the wetland and water resources of the wetland.   |
| Vegetation, Wildlife                               | 1           | The proposed project seeks to create a living riverbank. Anticipated benefits of the improvements include improved water quality, habitat creation, erosion control, aesthetic improvements, and improved passive recreation accessibility.  |

GOSR Environmental Review Record

Old Fort Johnson Conditions Assessment and Flood Mitigation, Fort Johnson, NY

Page 23 of 29 (plus 241 pages of attachments)

| <b>Environmental Assessment Factor</b> | <b>Impact Code</b> | <b>Impact Evaluation</b>   |
|--|--------------------|--|
| Other Factors                          | 2                  | No additional factors would be impacted by the project, and no additional impacts would occur. |

**Additional Studies Performed:**

- Hazardous Materials Survey Report, March 19, 2019
- Phase I Archeological Survey Report, May 20, 2019
- Additional Phase I Archeological Survey Report, July 22, 2019

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

- Hazardous Materials Survey, March 19, 2019
- Phase I Archeological Survey, March 25, 2019 through April 25, 2019
- Additional Phase I Archeological Survey, July 12, 2019

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

1. New York State. 2013. State of New York Action Plan for Community Development Block Grant Program Disaster Recovery (Action Plan, issued April 25, 2013, amended July 3, 2012) New York State. 2013.
2. New York State. 2014. NYRCR Montgomery County. NY Rising Countywide Resiliency Plan. NY Rising Community Reconstruction Plan. July.
3. Federal Aviation Administration. Report to Congress – National Plan of Integrated Airport Systems. Internet Website: [http://www.faa.gov/airports/planning\\_capacity/npias/reports/media/npias-2015-2019-report-appendix-b-part-4.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/media/npias-2015-2019-report-appendix-b-part-4.pdf).
4. Federal Aviation Administration. Report to Congress – National Plan of Integrated Airport Systems. Internet Website: [http://www.faa.gov/airports/planning\\_capacity/npias/reports/media/npias-2015-2019-report-narrative.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/media/npias-2015-2019-report-narrative.pdf).
5. US Fish and Wildlife Service. 2015. Coastal Barrier Resources Mapper – Beta. Internet Website: <https://www.fws.gov/cbra/Maps/Mapper.html>.
6. United States Federal Emergency Management Agency. Current FEMA issued Flood Maps. Internet Website: <https://msc.fema.gov/portal/advanceSearch>.
7. United States Environmental Protection Agency. Green Book Nonattainment Areas. Internet Website: <http://www.epa.gov/oaqps001/greenbk/ancl.html>.
8. New York State Department of State, Office of Communities and Waterfronts – Coastal Boundary Map. Internet Website: [http://appext20.dos.ny.gov/coastal\\_map\\_public/map.aspx](http://appext20.dos.ny.gov/coastal_map_public/map.aspx).
9. New York State Department of Environmental Conservation Bulk Storage Database Search. Internet Website: <http://www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=4>.

10. New York State Department of Environmental Conservation Environmental Site Remediation Database Search. Internet Website:  
<https://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3>.
11. United States Environmental Protection Agency. 2019. NEPAassist Internet Mapping Tool. <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>.
12. U.S. Fish and Wildlife Service, New York Field Office. 2019.  
<https://www.fws.gov/northeast/nyfo/es/section7.htm>
13. United States Department of Agriculture. Natural Resources Conservation Service. Internet Website: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.
14. U.S. Environmental Protection Agency Region 2. 2007. Sole Source Aquifers for NY and NJ. September 2007. Internet Website:  
[http://www.epa.gov/region02/gis/data/downloads/r2sole\\_source\\_aquifer.zip](http://www.epa.gov/region02/gis/data/downloads/r2sole_source_aquifer.zip).
15. U.S. Fish and Wildlife Service. 2014. National Wetlands Inventory, New York. Internet Website: <https://www.fws.gov/wetlands/Data/State-Downloads.html>.
16. New York State Department of Environmental Conservation. Regulatory Freshwater Wetlands – New York State – 2002 GIS data. Internet Website:  
<https://cugir.library.cornell.edu/catalog/cugir-008187?id=111>.
17. New York State Department of Environmental Conservation. Tidal Wetlands – NYC and Long Island – 1974. Internet Website:  
<https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1139>
18. National Wild and Scenic Rivers System. Internet Website: <http://www.rivers.gov/new-york.php>.
19. New York State Department of Environmental Conservation. Wild Scenic and Recreational Rivers. Internet Website: <https://www.dec.ny.gov/permits/32739.html>.
20. USDA Forest Service – Automated Lands Program. 2015. Wild and Scenic Rivers GIS data. November 30.
21. New York State Department of Environmental Conservation. Potential Environmental Justice Areas in Montgomery County, New York. Internet Website:  
<https://www.dec.ny.gov/public/911.html>.
22. Bergmann Architects, Engineers, Planners. 2018. Flood Control Analysis and Corrective Measures [sic], Old Fort Johnson Historic Site. May.

**List of Appendices**

|            |   |
|------------|---|
| Appendix A | Figures                                 |
| Appendix B | Site Plans                              |
| Appendix C | Coastal Consistency                     |
| Appendix D | Floodplains and Wetlands                |
| Appendix E | Contamination and Toxic Substances      |
| Appendix F | USFWS, NYNHP, and NYSDEC Correspondence |
| Appendix G | SHPO Correspondence                     |
| Appendix H | Sole Source Aquifers                    |

**List of Permits Obtained or Required:**

- NYSDEC Article 15, Protection of Waters Permit
- Clean Water Act Section 401, Water Quality Certification
- U.S. Army Corps of Engineers/NYSDEC/NYSDOS Joint Permit Application:
  - Section 10 Rivers & Harbors Act
  - Section 404 Permit (Nationwide)

**List of Other Approvals Obtained or Required:**

- NYS DOL Site Specific Variance (for abatement of hazardous materials within the structure)
- NYSDOT consultation

**Public Outreach [24 CFR 50.23 & 58.43]:**

On September 25, 2019, a combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds will be published in *The Recorder*, a local newspaper. Any individual, group, or agency may submit written comments on the Environmental Review Record to:

Lori A. Shirley, GOSR, HCR  
38-40 State Street  
Albany, NY 12207  
(518) 474-0755  
NYSCDBG\_DR\_ER@nyshcr.org

**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.

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

The Dormitory Authority of the State of New York (DASNY) acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson against the impacts of future flood events as described in the “Description of the Proposed Project” section. Therefore, there are no other alternative locations for the project.

**No Action Alternative [24 CFR 58.40(e)]:**

Under the No Action Alternative, the erosion of the walls and vegetation beyond the walls would continue during high flows/flood. The historic buildings will continue to be damaged to be damaged during floods. The foundations of the pedestrian bridge could be compromised, limiting access to the park. The existing access would continue to be noncompliant with the Americans with Disability Act.

**Summary of Findings and Conclusions:**

The proposed Project would not result in a significant impact on the quality of the human environment or result in other direct, indirect, or cumulative impacts. The Project would comply with all relevant regulations listed in 24 CFR subparts 58.5 and 58.6.

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

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

| <b>Law, Authority, or Factor</b>  | <b>Mitigation Measure</b>  |
|---|--|
| SPDES regulations for Stormwater Discharges Associated with Construction Activities for disturbances greater than one acre. | Protection of wetlands and waterways adjacent to the Project area from potential stormwater runoff during construction activities. |
| 6 NYCRR Part 608, Article 15  | Protection of Waters Program   |
| Section 401 of the Clean Water Act  | Water quality certification  |
| U.S. Army Corps of Engineers, Section 10 Permit   | Protection of Waters of the U.S.   |
| U.S. Army Corps of Engineers, Section 404 Permit  | Protection of Waters of the U.S.   |
| Endangered species  | Winter tree clearing, between November 1 and March 31  |
|   |  |

**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**

Clifford J. Jarman, Sr. Environmental Scientist

**Name/Title/Organization**

September 20, 2019

**Date**



**Signature of Certifying Officer**

Lori A. Shirley

**Print Name**

September 20, 2019

**Date**

Certifying Officer

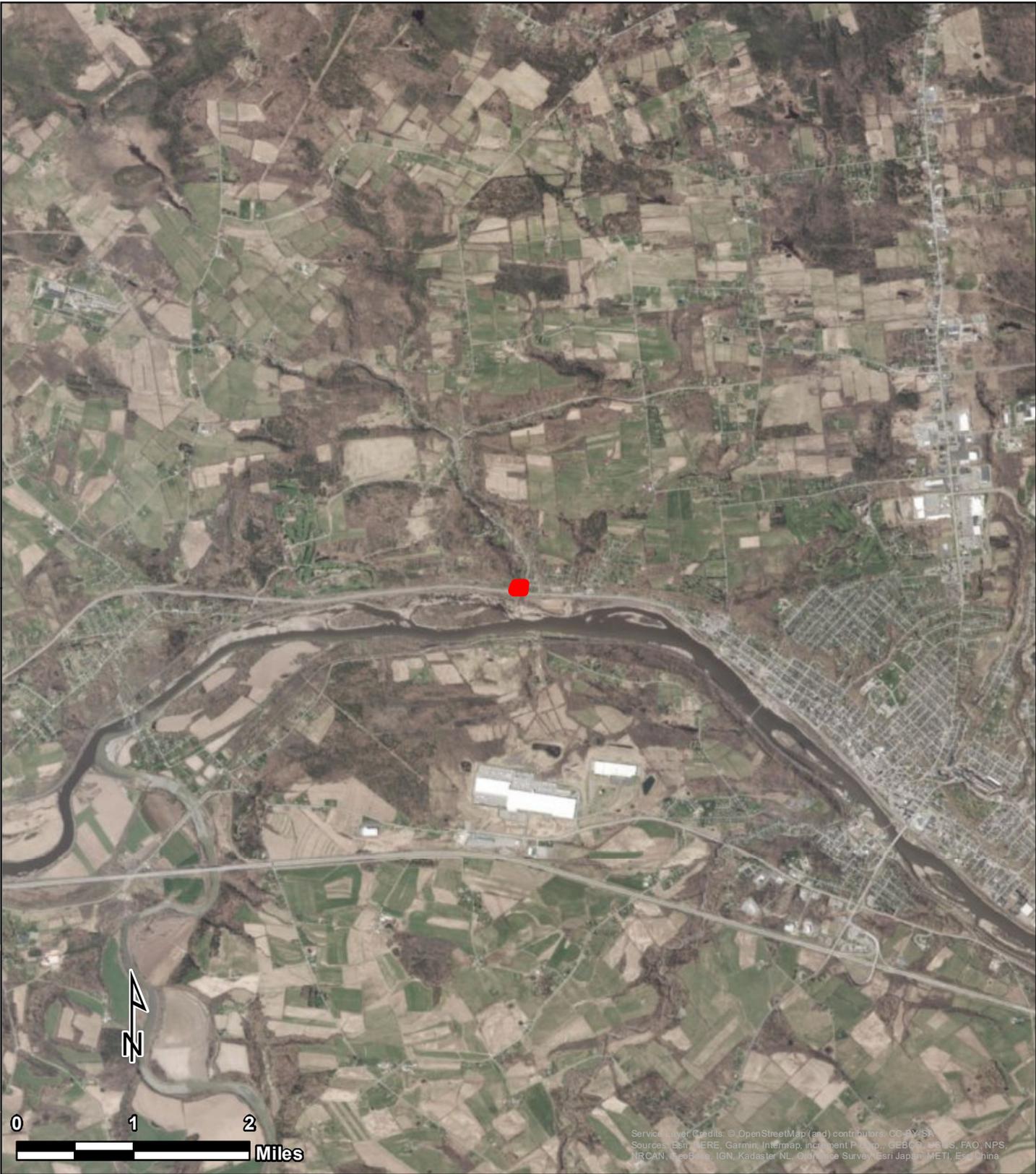
**Title**

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**

Path: C:\Projects\Old Fort Johnson\_HUD\_EA\_103P3592X\GIS\Old Fort Johnson - Project\_Location.mxd



Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS,  
NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

## ***Project Location***

### **Legend**

 Project Location

Old Fort Johnson  
2 Mergner Road  
City of Fort Johnson  
Montgomery County, New York



Path: C:\Projects\Old Fort Johnson HUD EA\_103P3592X\GIS\Old Fort Johnson - Project Area.mxd

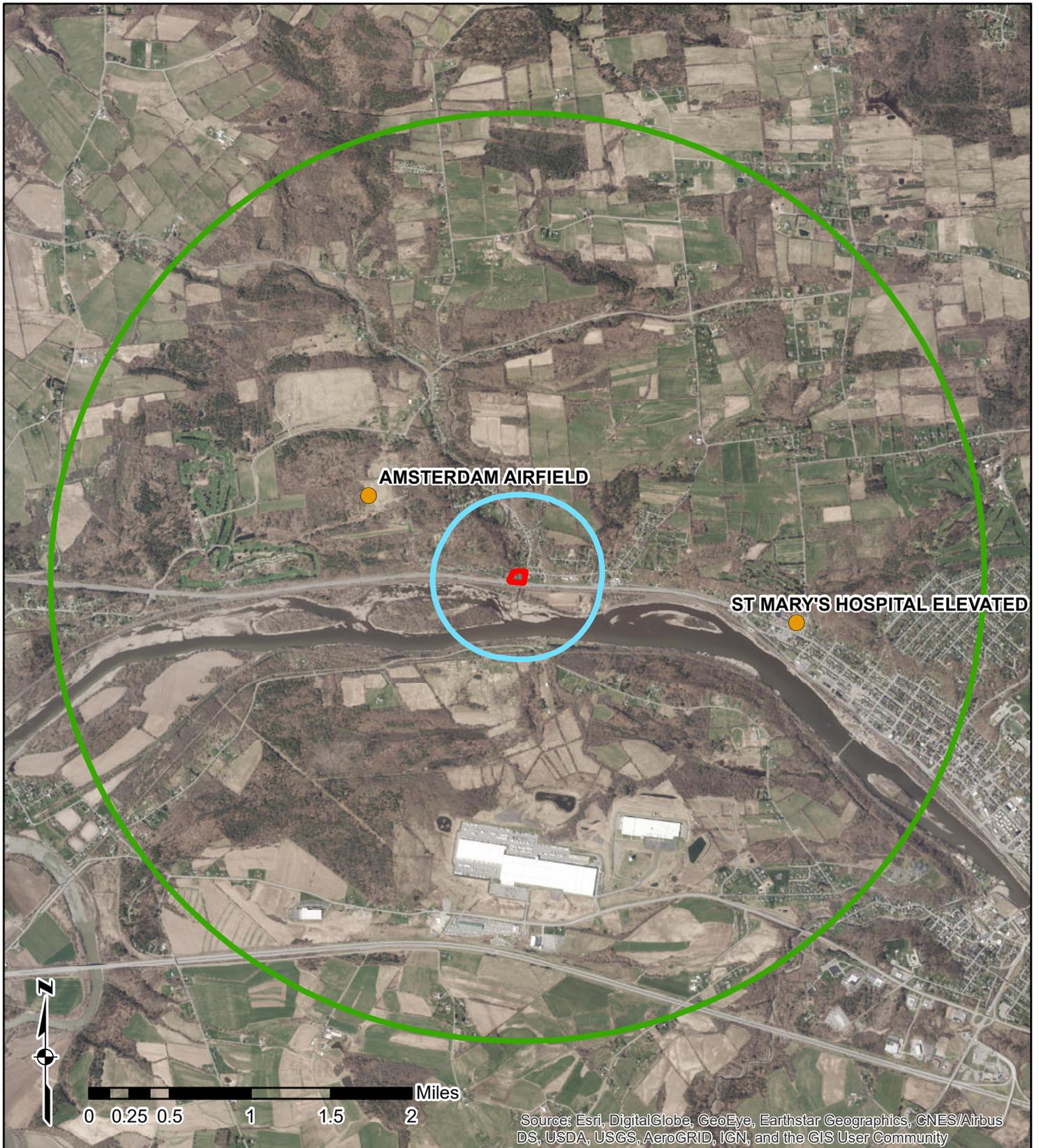
Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS,  
 NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

## Project Area

Old Fort Johnson  
 2 Mergner Road  
 City of Fort Johnson  
 Montgomery County, New York

### Legend

 Project Area



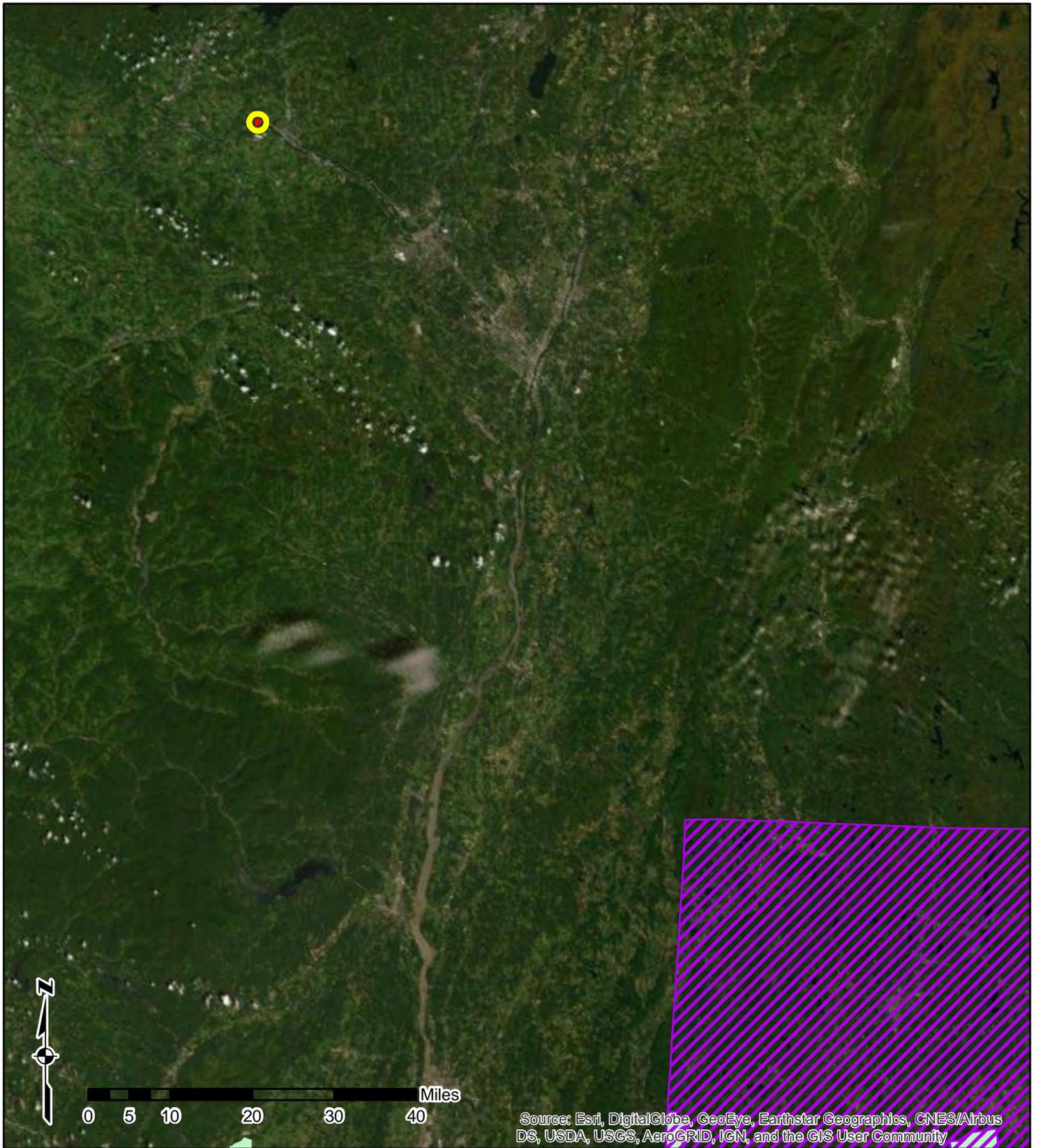
**Legend**

-  Project Area
-  2,500 Feet Project Area Buffer
-  15,000 Feet Project Area Buffer

 Private Use

**Airports**  
 Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York





**Legend**

-  Project Area
-  One Mile Project Area Buffer
-  Ozone 8 hr 2008 Standard NAA
-  PM2.5 2006 Standard NAA

**Nonattainment Areas**

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York





## Legend

-  Project Area
-  CFL = Cut and Fill Land
-  FL = Fluvaquents, Loamy

## Protected Soils

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York



## Montgomery County, New York

### FL—Fluvaquents, loamy

#### Map Unit Setting

*National map unit symbol:* 9tpl  
*Elevation:* 300 to 1,800 feet  
*Mean annual precipitation:* 38 to 44 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 110 to 170 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Fluvaquents and similar soils:* 75 percent  
*Minor components:* 25 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Fluvaquents

##### Setting

*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Dip  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Parent material:* Alluvium with highly variable texture

##### Typical profile

*H1 - 0 to 5 inches:* gravelly silt loam  
*H2 - 5 to 70 inches:* very gravelly silt loam

##### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):*  
Moderately low to very high (0.06 to 19.98 in/hr)  
*Depth to water table:* About 0 to 12 inches  
*Frequency of flooding:* Frequent  
*Frequency of ponding:* Frequent  
*Calcium carbonate, maximum in profile:* 15 percent  
*Available water storage in profile:* Moderate (about 6.1 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 5w  
*Hydrologic Soil Group:* B/D  
*Hydric soil rating:* Yes

### **Minor Components**

#### **Wayland**

*Percent of map unit:* 5 percent

*Landform:* Flood plains

*Hydric soil rating:* Yes

#### **Granby**

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

#### **Teel**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### **Hamlin**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### **Saprists**

*Percent of map unit:* 3 percent

*Landform:* Marshes, swamps

*Hydric soil rating:* Yes

#### **Aquents**

*Percent of map unit:* 2 percent

*Landform:* Flood plains

*Hydric soil rating:* Yes

## **Data Source Information**

Soil Survey Area: Montgomery County, New York

Survey Area Data: Version 16, Sep 3, 2018

## Montgomery County, New York

### CFL—Cut and fill land

#### Map Unit Setting

*National map unit symbol:* 9tp6  
*Mean annual precipitation:* 38 to 44 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 110 to 170 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Udorthents and similar soils:* 70 percent  
*Minor components:* 30 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Udorthents

##### Typical profile

*H1 - 0 to 4 inches:* gravelly loam  
*H2 - 4 to 70 inches:* very gravelly loam

##### Properties and qualities

*Slope:* 0 to 15 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Somewhat excessively drained  
*Capacity of the most limiting layer to transmit water (Ksat):*  
Moderately low to high (0.06 to 5.95 in/hr)  
*Depth to water table:* About 36 to 72 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 15 percent  
*Available water storage in profile:* Low (about 5.4 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 7s  
*Hydrologic Soil Group:* A  
*Hydric soil rating:* No

#### Minor Components

##### Ilion

*Percent of map unit:* 5 percent  
*Landform:* Depressions  
*Hydric soil rating:* Yes

##### Alton

*Percent of map unit:* 5 percent  
*Hydric soil rating:* No

**Angola**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

**Raynham**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

**Hudson**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

**Sun**

*Percent of map unit:* 5 percent

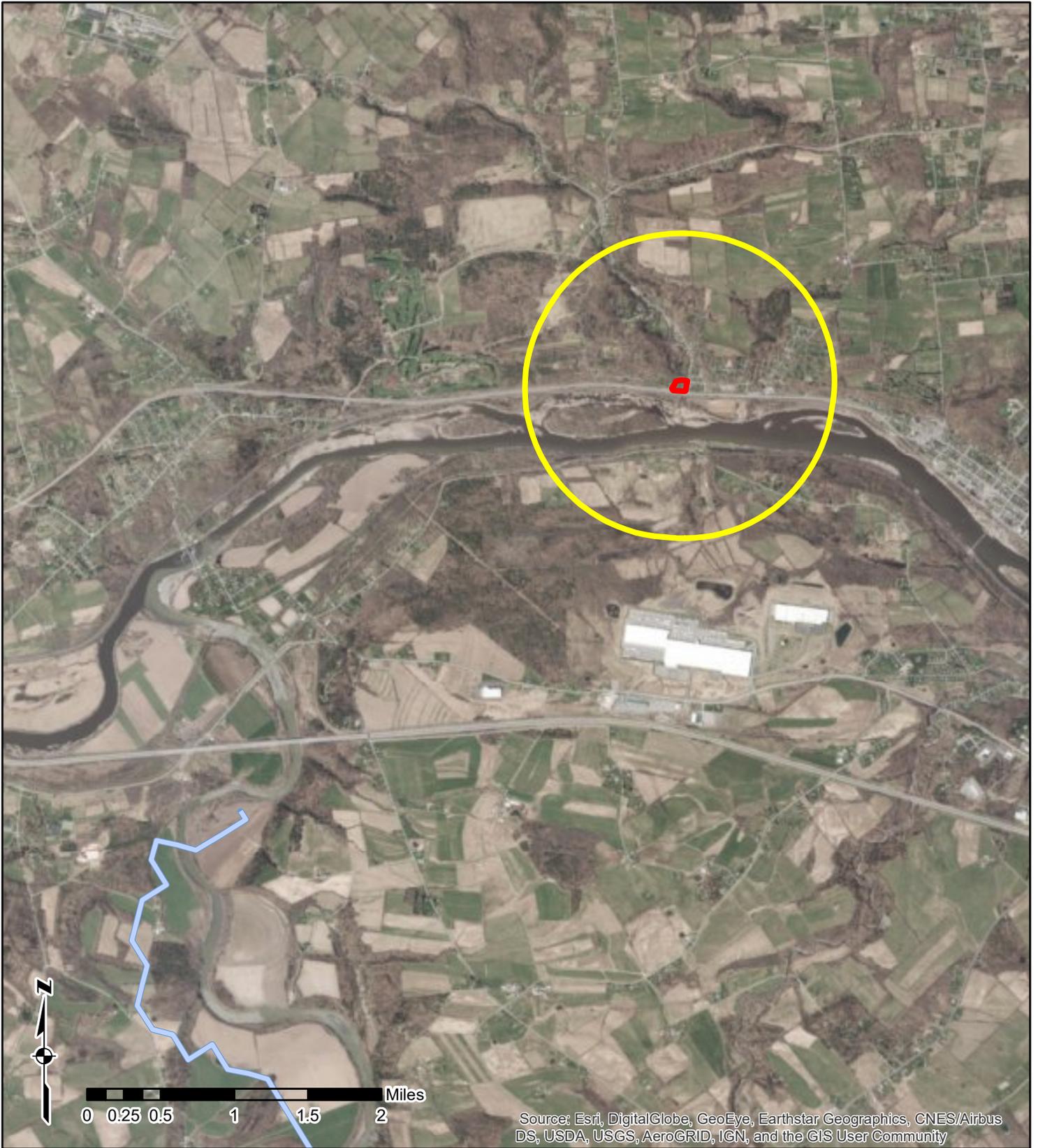
*Landform:* Depressions

*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Montgomery County, New York

Survey Area Data: Version 16, Sep 3, 2018



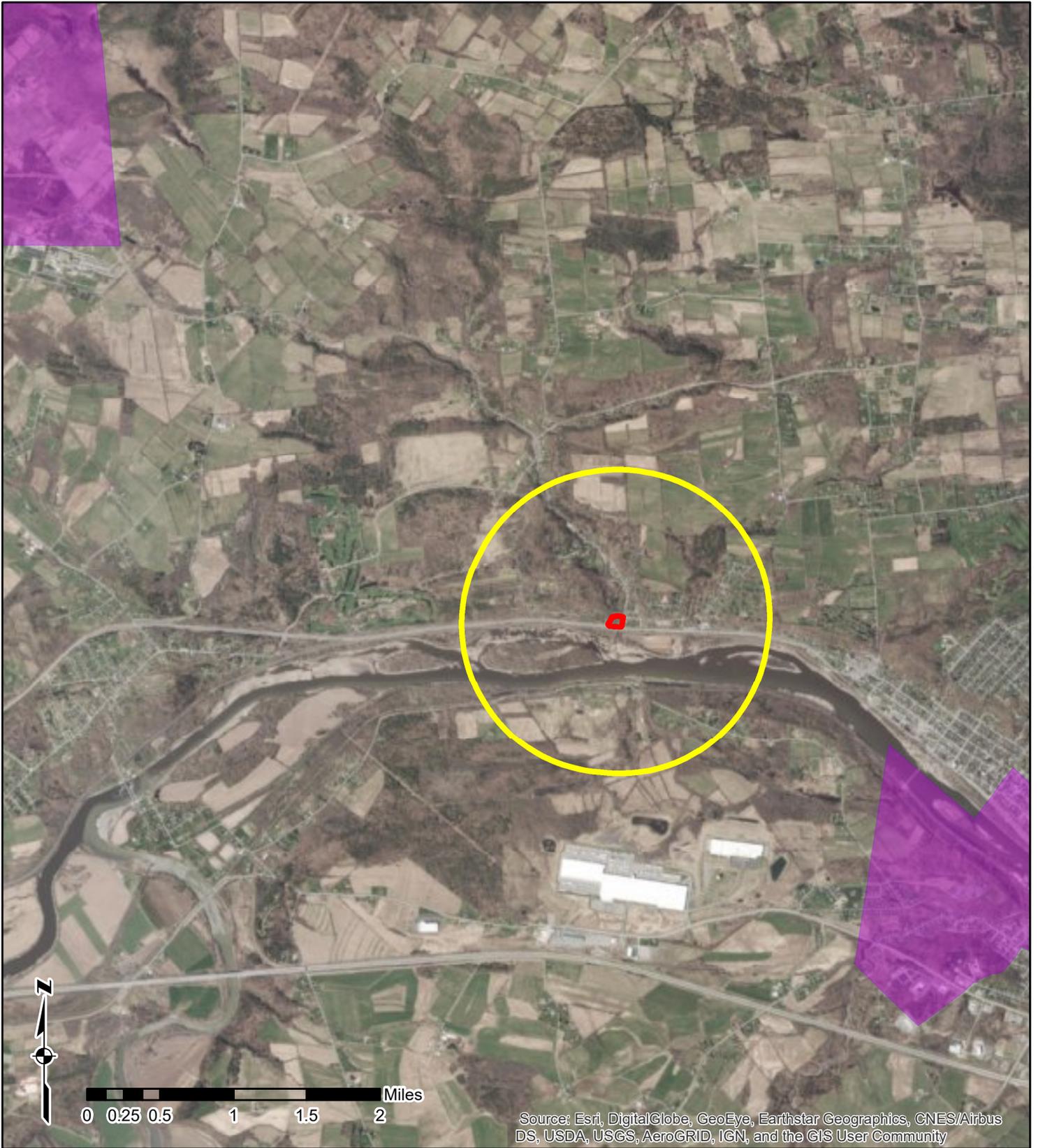
**Legend**

-  One Mile Project Area Buffer
-  Project Area
-  Wild and Scenic Rivers

**Wild and Scenic Rivers**

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York





**Legend**

-  One Mile Project Area Buffer
-  Project Area
-  Environmental Justice Areas

**Environmental Justice**

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York



# **APPENDIX B**

## **SITE PLANS**

OLD FORT JOHNSON  
 2 MERGNER RD  
 FORT JOHNSON, NY, 12070

# FLOOD CONTROL AND SITE IMPROVEMENTS

100% SUBMISSION SET

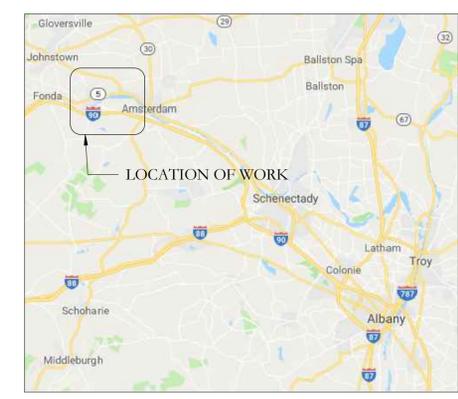
GOVERNOR'S  
 OFFICE OF  
 STORM  
 RECOVERY

**DASNY**  
**UPSTATE DESIGN**  
 515 BROADWAY  
 ALBANY, NY 12207

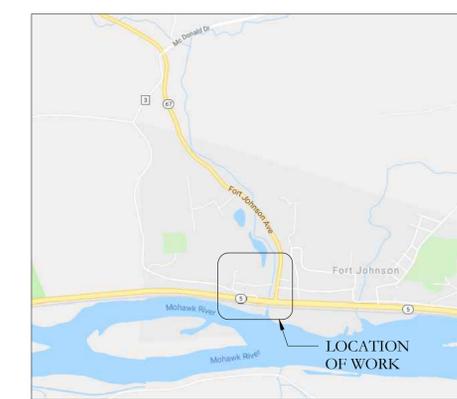
## INDEX of DRAWINGS

| DWG NO: | TITLE:                          | SHEET NO: |
|---------|---------------------------------|-----------|
| C000    | COVER SHEET                     | 1         |
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| C120    | GRADING PLAN                    | 4         |
| C130    | LANDSCAPE PLAN                  | 5         |
| C140    | EROSION & SEDIMENT CONTROL PLAN | 6         |
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LOCATION PLAN



SITE PLAN



NOT FOR CONSTRUCTION

**OLD FORT JOHNSON**  
**FLOOD CONTROL AND SITE IMPROVEMENTS**  
 DASNY Project No: 335940 | 100% SUBMISSION | Date: 02/08/2019  
 Drawing 1 of 13

**LEGEND**



- EXISTING PAVEMENT/FEATURES TO REMAIN
- EXISTING PAVEMENT/FEATURES TO BE REMOVED
- LDD — LIMITS OF DISTURBANCE
- EXISTING LANDSCAPING/TREES TO BE REMOVED
- EXISTING LANDSCAPING/TREES TO REMAIN

515 Broadway, Albany, New York 12207-2944  
 One Penn Plaza, 52 Floor, NY, NY 10119-0098  
 539 Franklin Street, Buffalo, NY 14202-1109  
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Project Key

**REVISIONS**

| Rev No | Description                                  | Date       |
|--------|--|------------|
| 1      | PRE-FINAL SUBMISSION PER 60% REVIEW COMMENTS | 12/21/2018 |
| 2      | FINAL SUBMISSION DOCUMENTS                   | 02/08/2018 |
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Client  
**NYS GOSR**

Project Title  
**OLD FORT JOHNSON  
 FLOOD CONTROL & SITE IMPROVEMENTS**

Drawing Title  
**DEMOLITION PLAN**

Phase  
 100% SUBMISSION

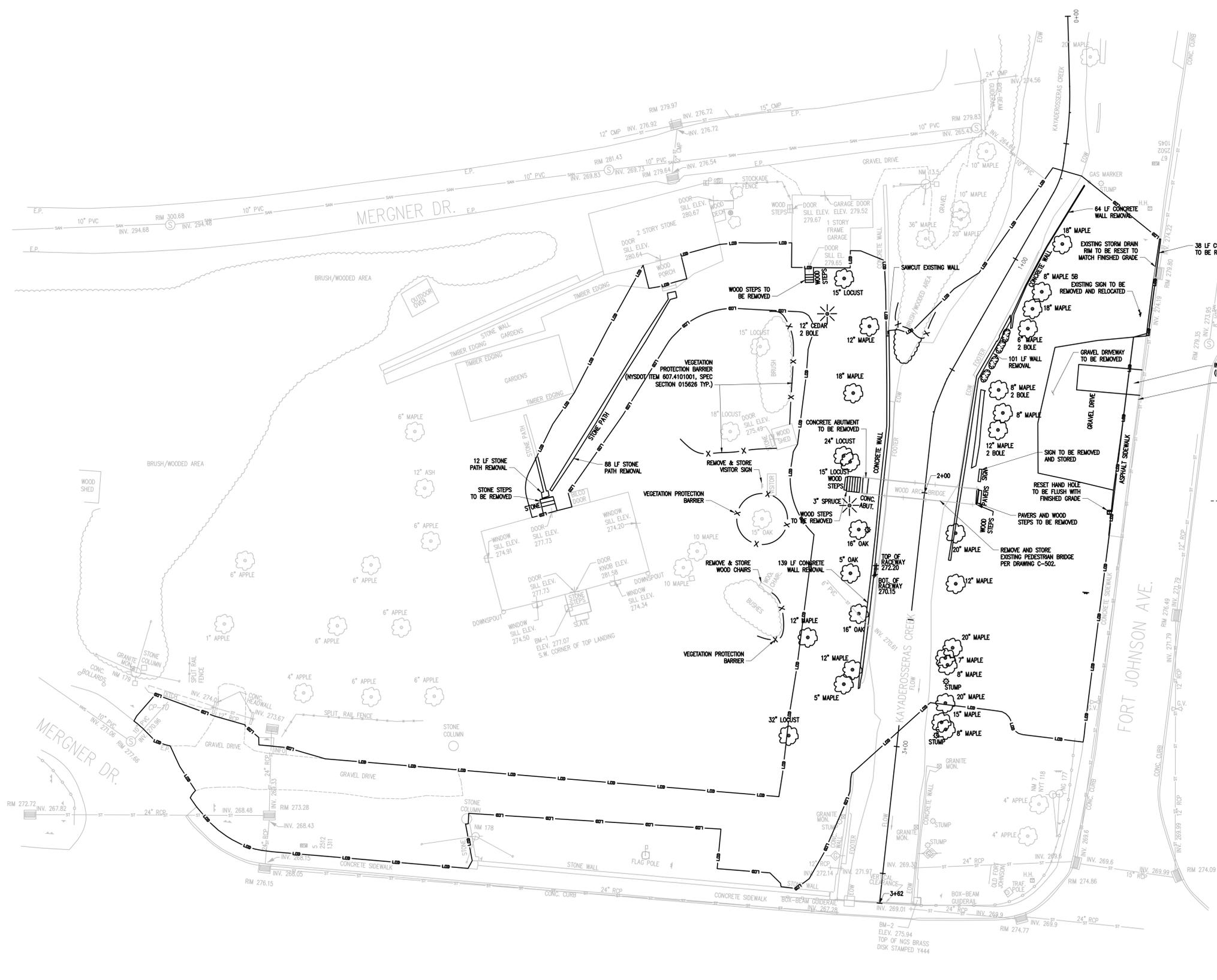
Drawn By: **TCB KRA** Checked By: **TCB KRA** Date: **11/02/18**

Seal & Signature  
 **TCB KRA**

DASNY Project No:  
**335940**

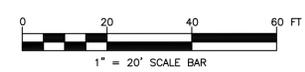
Drawing Number  
**C080**

Drawing  
 02 of 13



**DEMOLITION NOTES:**

1. ALL REQUIRED DEMOLITION PERMITS MUST BE OBTAINED FROM ALL REQUIRED AGENCIES PRIOR TO COMMENCEMENT OF WORK.
2. SILT FENCE OR OTHER EROSION AND SEDIMENT CONTROL DEVICES SHOULD BE INSTALLED PRIOR TO ANY DISTURBANCE.
3. ANY ASBESTOS REMOVAL MUST BE DONE BY A CERTIFIED ASBESTOS REMOVAL CONTRACTOR.
4. PROPER FENCING OR PUBLIC PROTECTION DEVICES MUST BE CONSTRUCTED AND MAINTAINED AROUND THE PERIMETER OF THE SITE AT ALL TIMES DURING DEMOLITION PHASE.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTROL DUST, DIRT, AND DEBRIS DURING DEMOLITION AND CONSTRUCTION PHASES.
6. THE CONTRACTOR SHALL CALL THE UNDERGROUND FACILITIES PROTECTION ORGANIZATION (UFO) AT LEAST (3) FULL WORKING DAYS PRIOR TO THE START OF THE DEMOLITION PHASE. (800) 962-7962. THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING ANY AND ALL UTILITY COMPANIES THAT ARE NOT A MEMBER OF THE "BIG SAFELY NEW YORK" PROGRAM. THE CONTRACTOR SHALL PAY FOR THE REPAIR OR REPLACEMENT IF ANY DAMAGED UTILITY LINES OR LOSS OF SERVICE. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
7. CONTRACTOR TO REMOVE OR RELOCATE, WHEN APPLICABLE, ALL EXISTING BUILDINGS, FOUNDATIONS, BASEMENTS, CONNECTING IMPROVEMENTS, DRAIN PIPES, SANITARY SEWER PIPES, POWER POLES, AND GUY WIRES, WATER METERS AND WATER LINES, WELLS, SIDEWALKS, SIGN POLES, UTILITIES AND ASPHALT, SHOWN AND NOT SHOWN, WITHIN CONSTRUCTION LIMITS AND WHERE NEEDED, TO ALLOW FOR NEW CONSTRUCTION AS SHOWN.
8. CONTRACTOR SHALL FOLLOW ALL LOCAL, STATE, AND FEDERAL REGULATIONS IN DISPOSING OF DEMOLISHED MATERIALS REMOVED FROM THIS SITE.
9. THE UNDERGROUND STRUCTURES AND UTILITIES SHOWN ON THIS MAP HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORD MAPS, THEY ARE NOT CERTIFIED TO THE ACCURACY OF THEIR LOCATION AND/OR COMPLETENESS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND EXTENT OF ALL UNDERGROUND STRUCTURES AND UTILITIES PRIOR TO ANY DIGGING OR CONSTRUCTION ACTIVITIES IN THEIR VICINITY.
10. IF SUSPICIOUS AND/OR HAZARDOUS MATERIAL IS ENCOUNTERED DURING DEMOLITION/CONSTRUCTION, ALL WORK SHALL STOP AND THE DEPARTMENT OF HEALTH AND THE NEW YORK STATE DEPARTMENT OF CONSERVATION SHALL BE NOTIFIED IMMEDIATELY. WORK SHALL NOT RESUME UNTIL THE DEVELOPER HAS OBTAINED APPROPRIATE ACTION FOR DEALING WITH THE WASTE MATERIAL AND THE DEVELOPMENT PLANS ARE MODIFIED AS MAY BE NECESSARY.
11. ANY EXISTING WATERLINES ENCOUNTERED ON PROPERTY SHALL BE REMOVED AND PLUGGED BACK TO EXISTING MAIN IN STREET.
12. EXISTING BURIED FOUNDATION ELEMENTS (IF ENCOUNTERED) SHOULD BE REMOVED FROM PROPOSED PAVEMENT AREAS TO A MINIMUM DEPTH OF 3 FEET BELOW FINISHED GRADES. EXISTING FLOOR SLABS (IF LEFT AT A MINIMUM DEPTH OF 3 FEET BELOW PAVEMENT) SHALL BE BROKEN UP TO PROMOTE DRAINAGE AND MINIMIZE THE POTENTIAL FOR TRAPPED WATER.
13. LIMITS OF SIDEWALK TO BE REMOVED IS SHOWN AS APPROXIMATE. THE CONTRACTOR SHALL REMOVE SIDEWALK AS NECESSARY BACK TO NEAREST CONSTRUCTION JOINT.
14. EXISTING TREES/VEGETATION TO REMAIN SHALL BE PROTECTED BY INSTALLING A TEMPORARY FENCE AT THE OUTER LIMITS OF THE TREE CANOPY AS SHOWN ON PLAN (NYS DOT ITEM 607.4101001).
15. TREE REMOVAL SHALL CONFORM TO NYS DOT STANDARD SPECIFICATION SECTIONS 614.060204, 614.060304, 614.060404.
16. ALL SIGNS AND TRAFFIC CONTROL MEASURES DURING CONSTRUCTION AND MAINTENANCE ACTIVITIES SHALL BE CONSTRUCTED AND INSTALLED PER THE LATEST EDITION OF THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (N.M.U.T.C.D.) WITH NEW YORK STATE SUPPLEMENT.
17. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL CONFORM TO THE STANDARDS OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION.
18. ANY POTENTIALLY HISTORIC ARTIFACTS UNCOVERED DURING EXCAVATION SHALL BE TURNED OVER TO OLD FORT JOHNSON STAFF/MONTGOMERY COUNTY HISTORICAL SOCIETY.



NYS ROUTE 5

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 fax: 585.232.4652



**UTILITY NOTES:**

1. ALL WORKMANSHIP, MATERIALS, AND CONSTRUCTION PRACTICES SHALL CONFORM TO THE REQUIREMENTS OF THE VILLAGE OF FORT JOHNSON OR THE AGENCY HAVING JURISDICTION OVER THE APPLICABLE UTILITY.
2. CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING UTILITY DURING CONSTRUCTION AT NO COST TO THE OWNER.
3. ALL FILL MATERIAL IS TO BE IN PLACE, AND COMPACTED BEFORE INSTALLATION OF PROPOSED UTILITIES.
4. CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES 72 HOURS BEFORE CONNECTING TO ANY EXISTING LINE.
5. IN THE EVENT OF A VERTICAL CONFLICT BETWEEN WATERLINES, SANITARY LINES, STORM LINES AND GAS LINES (EXISTING AND PROPOSED), THE CONTRACTOR SHALL NOTIFY THE ENGINEER AS SOON AS THE CONFLICT IS DISCOVERED.
6. TOPS OF EXISTING UTILITY STRUCTURES SHALL BE ADJUSTED TO FINISHED GRADE.
7. EXISTING UTILITIES SHALL BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES.
8. CONTRACTOR IS RESPONSIBLE FOR COMPLYING TO THE CONSTRUCTION REQUIREMENTS OF THE UTILITY OWNERS.
9. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
10. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.
11. THE CONTRACTOR SHALL CONDUCT ALL REQUIRED TESTS TO THE SATISFACTION OF THE RESPECTIVE UTILITY COMPANIES AND THE OWNER'S INSPECTING AUTHORITIES.
12. CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST STANDARDS OF OSHA DIRECTIVES OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR SHALL USE SUPPORT SYSTEMS, SLOPING, BENCHING, AND OTHER MEANS OF PROTECTION. THIS TO INCLUDE BUT NOT LIMITED FOR ACCESS AND EGRESS FROM ALL EXCAVATION AND TRENCHING. CONTRACTOR IS RESPONSIBLE TO COMPLY WITH PERFORMANCE CRITERIA FOR OSHA.
13. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING PIPE SIZES AND INVERTS ELEVATIONS BEFORE ORDERING MANHOLE AND CATCH BASIN STRUCTURES.
14. ALL UTILITIES BELOW PAVED AREAS SHALL BE BACKFILLED WITH 100% GRANULAR MATERIAL (OR APPROVED EQUAL) AND COMPACTED TO 95% OF ITS MAXIMUM UNIT WEIGHT.
15. ALL RIM ELEVATIONS IN LAWN AREAS ARE APPROXIMATE ONLY AND SHALL BE ADJUSTED BY THE CONTRACTOR AFTER FINAL GRADES ARE ESTABLISHED.

**UTILITY LEGEND:**

- LIMITS OF MEDIUM STONE FILL
- STORM SEWER
- CATCH BASIN
- STORM MANHOLE
- HYDRANT
- VALVE/CURB BOX
- P.I.V.
- WATER MAIN
- SANITARY SEWER
- SANITARY SEWER MANHOLE

**GENERAL NOTES:**

1. ALL ROADS AND PRIVATE DRIVES SHALL BE KEPT CLEAN OF MUD, DEBRIS ETC. AT ALL TIMES.
2. THE CONTRACTOR SHALL CONSULT THE CONSTRUCTION MANAGER BEFORE DEVIATING FROM THESE PLANS.
3. IN ALL TRENCH EXCAVATIONS, CONTRACTOR MUST LAY THE TRENCH SIDE SLOPES BACK TO A SAFE SLOPE. USE A TRENCH SHIELD OR PROVIDE SHEETING AND BRACING.
4. ALL EXISTING SURFACE APPURTENANCES (I.E. WATER VALVES, CATCH BASIN FRAMES AND GRATES, MANHOLE COVERS) WITHIN THE PROJECT LIMITS SHALL BE ADJUSTED TO FINISHED GRADE.
5. AREAS DISTURBED OR DAMAGED AS PART OF THIS PROJECT'S CONSTRUCTION THAT ARE OUTSIDE OF THE PRIMARY WORK AREA SHALL BE RESTORED, AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE CODES, ORDINANCES, DESIGN STANDARDS AND STANDARD SPECIFICATIONS OF THE AGENCIES WHICH HAVE THE RESPONSIBILITY OF REVIEWING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF ALL ITEMS INCLUDED IN THESE PLANS.
7. THE CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
8. THE CONTRACTOR IS TO VERIFY THAT THE PLANS AND SPECIFICATIONS THAT HE/SHE IS BUILDING FROM ARE THE VERY LATEST PLANS AND SPECIFICATIONS THAT HAVE BEEN APPROVED BY ALL APPLICABLE PERMIT-ISSUING AGENCIES AND THE OWNER. ALL ITEMS CONSTRUCTED BY THE CONTRACTOR PRIOR TO RECEIVING THE FINAL APPROVAL AND PERMITS HAVING TO BE ADJUSTED OR RE-DONE, SHALL BE DONE AT THE CONTRACTOR'S EXPENSE.
9. SHOULD THE CONTRACTOR ENCOUNTER CONFLICT BETWEEN THESE PLANS AND SPECIFICATIONS, EITHER AMONG THEMSELVES OR WITH THE REQUIREMENTS OF ANY AND ALL REVIEWING AND PERMIT-ISSUING AGENCIES, HE/SHE SHALL SEEK CLARIFICATION IN WRITING FROM THE CONSTRUCTION MANAGER BEFORE COMMENCEMENT OF CONSTRUCTION. FAILURE TO DO SO SHALL BE AT THE SOLE EXPENSE TO THE CONTRACTOR.
10. THE CONTRACTOR SHALL FURNISH AS-BUILT DRAWINGS INDICATING ALL CHANGES AND DEVIATIONS FROM APPROVED DRAWINGS.

**Project Key**

**REVISIONS**

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|--------|--|------------|
| 1      | PRE-FINAL SUBMISSION PER 60% REVIEW COMMENTS | 12/21/2018 |
| 2      | FINAL SUBMISSION DOCUMENTS                   | 02/08/2018 |
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**Client**

**NYS GOSR**

**Project Title**  
 OLD FORT JOHNSON  
 FLOOD CONTROL & SITE IMPROVEMENTS

**Drawing Title**

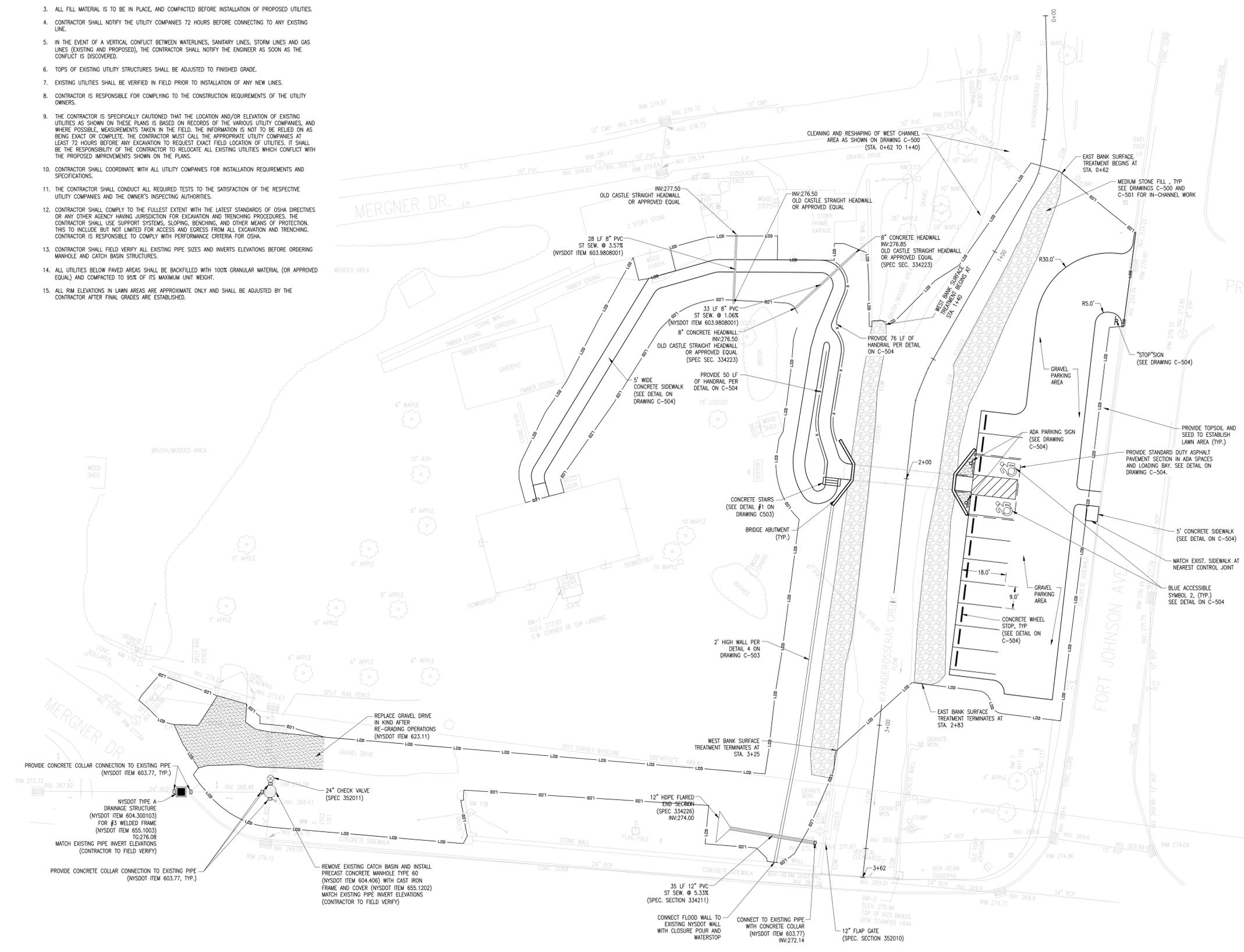
**SITE & UTILITY PLAN**

**Phase**  
 100% SUBMISSION

**Drawn By:** TCB **Checked By:** KRA **Date:** 11/02/18

**Seal & Signature**  
 DASNY Project No: 335940  
 Drawing Number

**C100**  
 Drawing 03 of 13

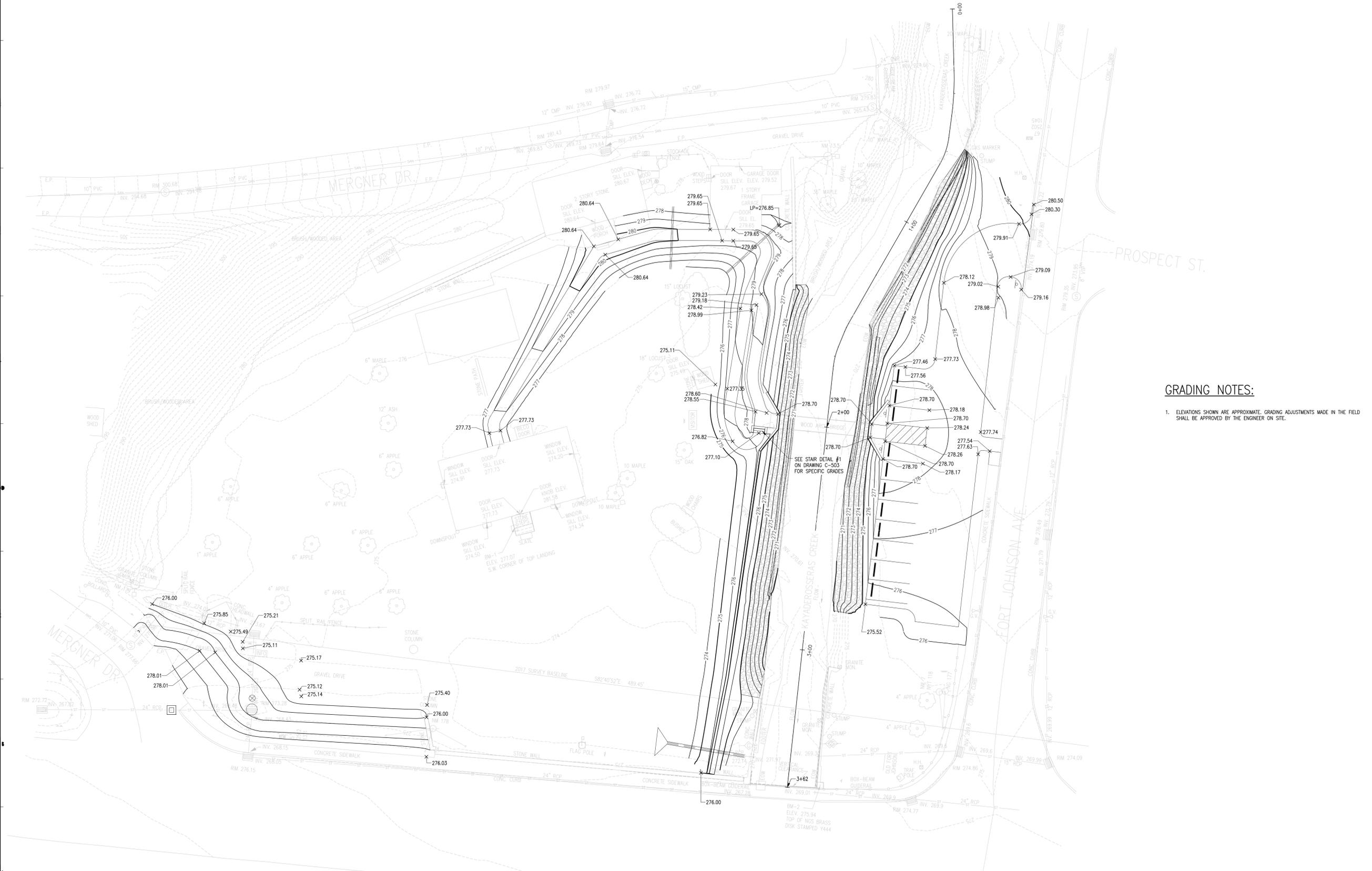




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**Consultants:**  
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 Rochester, NY 14604  
 office: 585.232.5135  
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**GRADING NOTES:**

- ELEVATIONS SHOWN ARE APPROXIMATE. GRADING ADJUSTMENTS MADE IN THE FIELD SHALL BE APPROVED BY THE ENGINEER ON SITE.

**Project Key**

**REVISIONS**

| Rev No | Description                                  | Date:      |
|--------|--|------------|
| 1      | PRE-FINAL SUBMISSION PER 60% REVIEW COMMENTS | 12/21/2018 |
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**Client**  
 NYS GOSR  
 Project Title  
 OLD FORT JOHNSON  
 FLOOD CONTROL & SITE IMPROVEMENTS

**Drawing Title**  
 GRADING PLAN

**Phase**  
 100% SUBMISSION

**Drawn By:** TCB **Checked By:** TCB **Date:** 11/02/18

**Seal & Signature**  
 DASNY Project No: 335940  
 Drawing Number: C120  
 Drawing 04 of 13

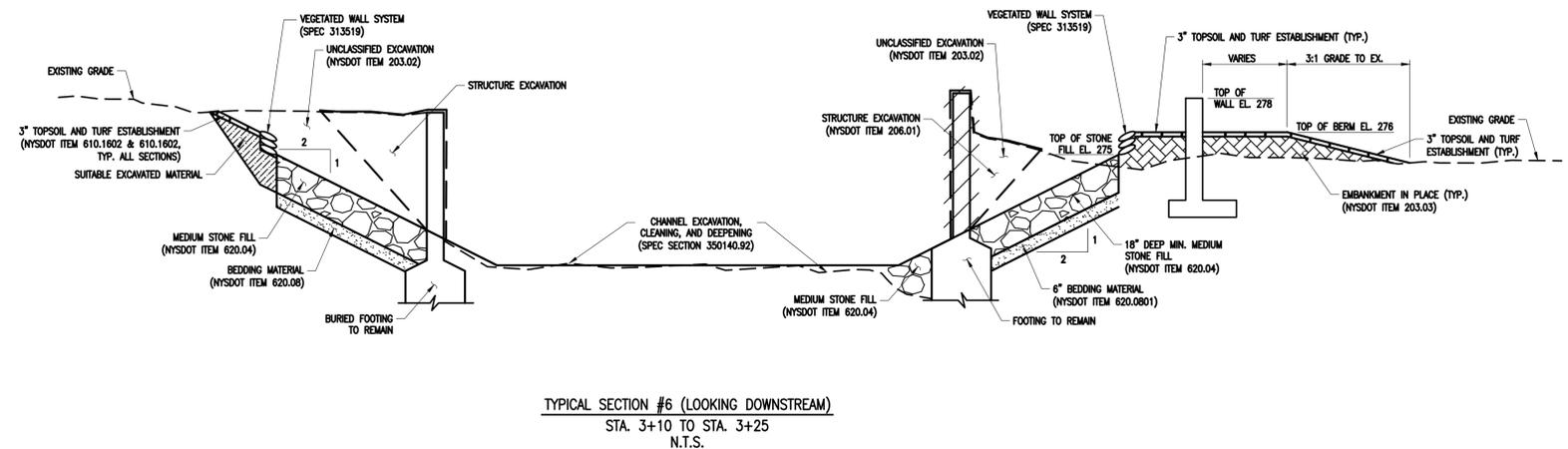
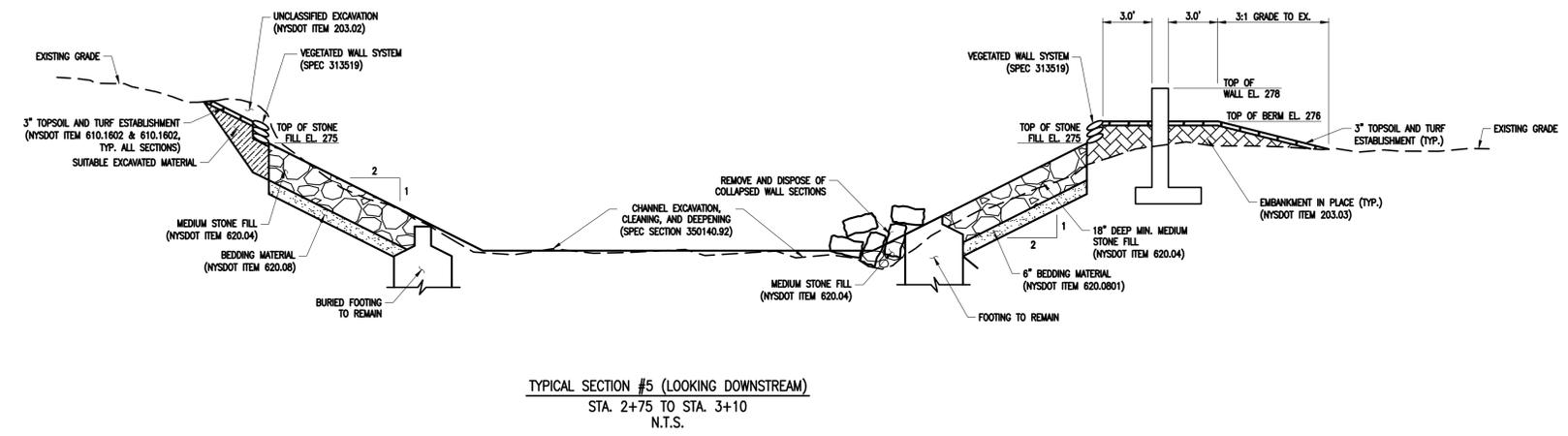
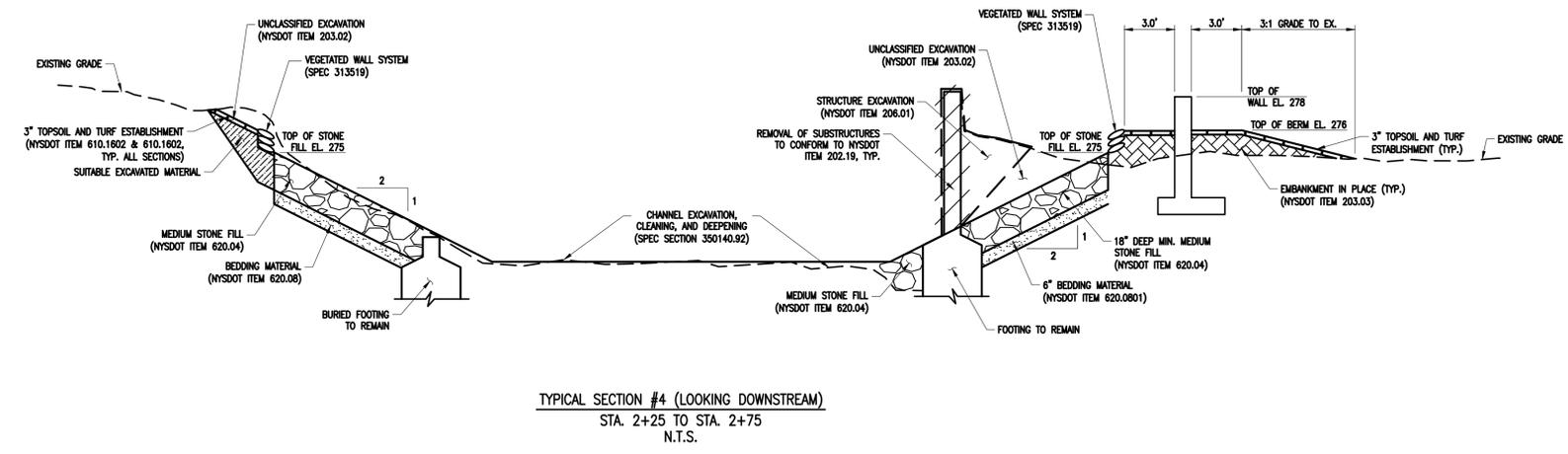


NYS ROUTE 5









Project Key

REVISIONS

| Rev. No. | Description                                  | Date:      |
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| △        | PRE-FINAL SUBMISSION PER 60% REVIEW COMMENTS | 12/21/2018 |
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Client  
**NYS GOSR**

Project Title  
**OLD FORT JOHNSON  
 FLOOD CONTROL & SITE IMPROVEMENTS**

Drawing Title  
**TYPICAL SECTIONS - 2**

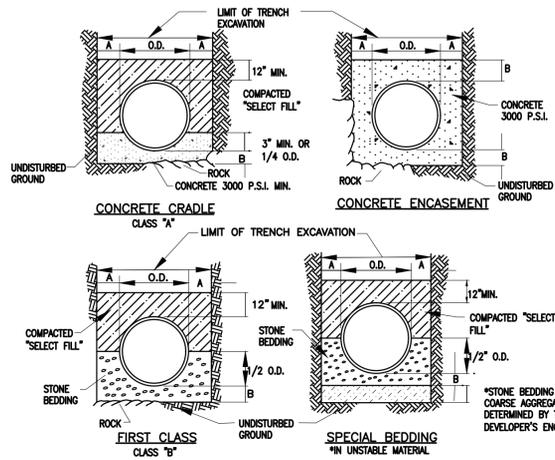
Phase  
 100% SUBMISSION

Drawn By: **CLE** Checked By: **TCB** Date: **11/02/18**

Seal & Signature  
 DASNY Project No: **335940**  
 Drawing Number: **C501**  
 Drawing 08 of 13

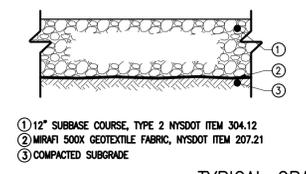
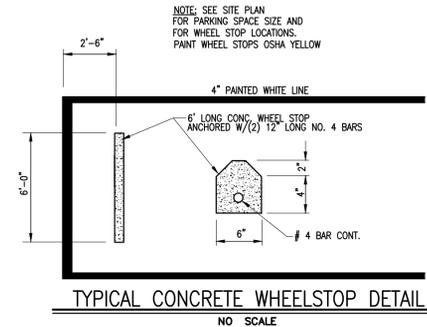
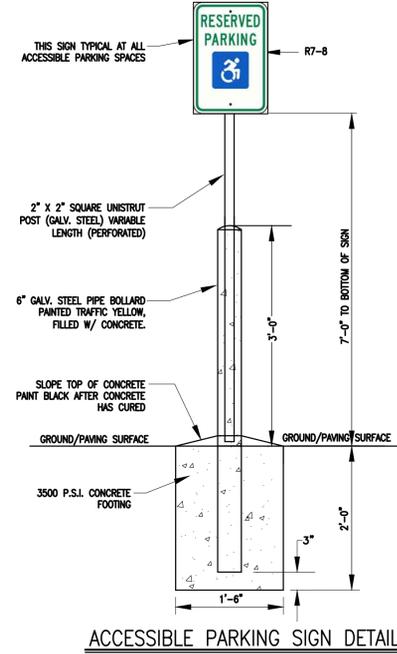
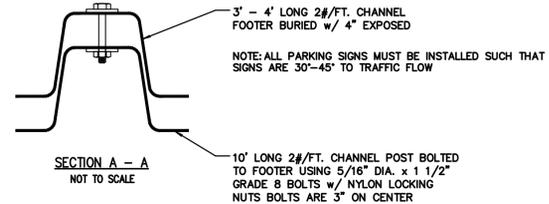
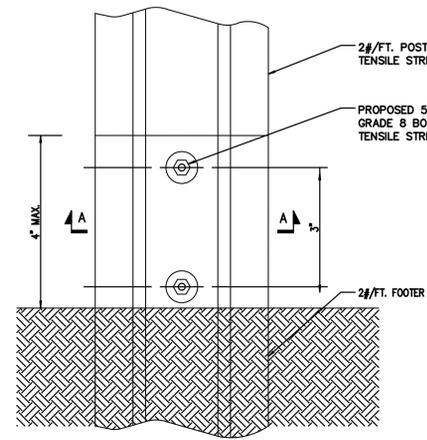




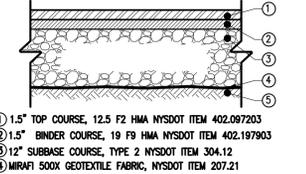


- NOTES:**
- TRENCH AND CULVERT EXCAVATION SHALL CONFORM TO NYS DOT ITEM 206.0201.
  - SELECT FILL SHALL BE SAND, GRAVEL AND SIMILAR MATERIAL WHICH SHALL BE FREE FROM CLAY, LOAM, ORGANIC MATERIAL, DEBRIS, FROZEN MATERIAL AND SHALL CONTAIN ONLY SMALL AMOUNTS OF STONE, PEBBLES OR LUMPS OVER ONE INCH IN GREATEST DIMENSION BUT NONE OVER TWO INCHES IN GREATEST DIMENSION. USE NYS DOT ITEM 203.06 FOR SPECIFICATIONS.
  - STONE BEDDING SHALL MEAN APPROVED IMPORTED AGGREGATE MEETING THE REQUIREMENTS OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION, STANDARD SPECIFICATION, JAN 1, 2019 EDITION, AS REVISED, SUBSECTION 703-0201 "CRUSHED STONE". PRIMARY SIZE 1 OR A MIXTURE OF PRIMARY SIZES 1 AND 2.
  - COARSE AGGREGATE SHALL MEAN APPROVED IMPORTED AGGREGATE MEETING THE REQUIREMENTS OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION, STANDARD SPECIFICATION, JAN 1, 2019 EDITION, AS REVISED, SUBSECTION 703-0201 "CRUSHED STONE". PRIMARY SIZE 3 AND/OR 4.
  - THIS FIGURE APPLIES TO SANITARY, STORM AND COMBINED MAINLINE AND LATERAL PIPE INSTALLATIONS.

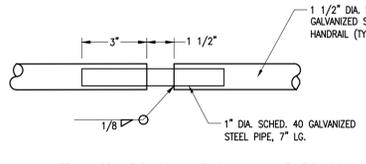
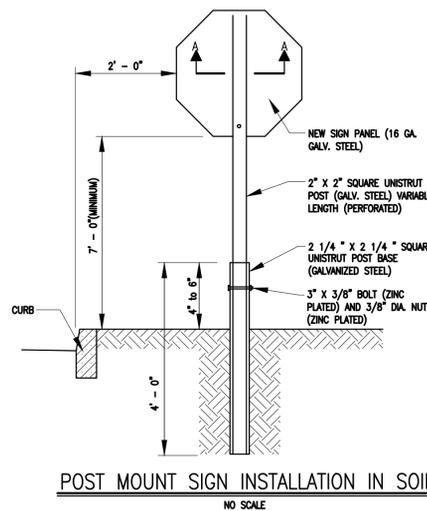
| PIPE DIA.  | DIM. A | DIM. B |
|------------|--------|--------|
| UP TO 18"  | 1.0'   | 6"     |
| 21" TO 36" | 1.5'   | 9"     |
| OVER 36"   | 1.5'   | 12"    |



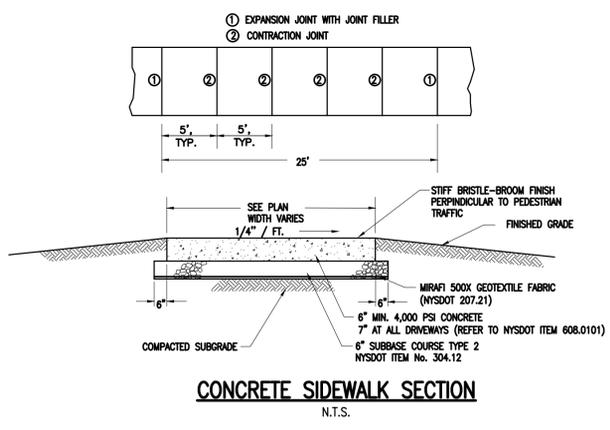
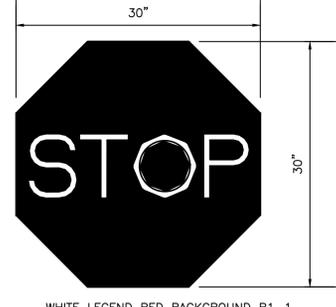
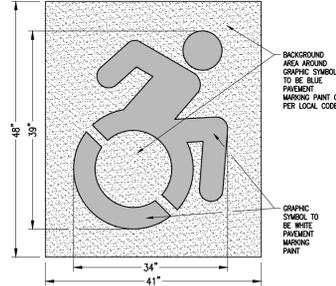
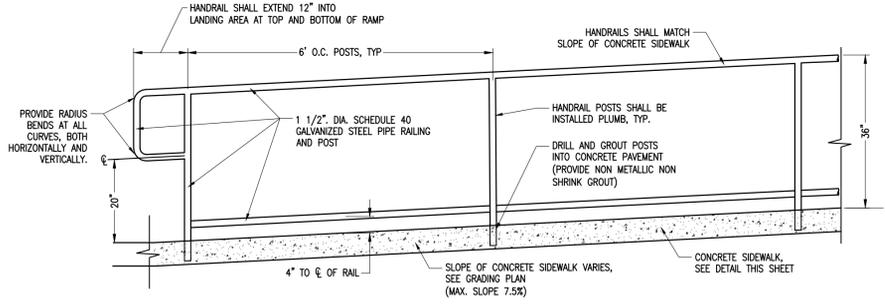
- NOTES:**
- COMPACT SUBGRADE TO A MODIFIED PROCTOR DENSITY OF 95%
  - SUBBASE COURSE SHALL HAVE NO MORE THAN (7%) SEVEN PERCENT BY WEIGHT FINER THAN NO. 200 SIEVE.



- NOTES:**
- COMPACT SUBGRADE TO A MODIFIED PROCTOR DENSITY OF 95%
  - SUBBASE COURSE SHALL HAVE NO MORE THAN (7%) SEVEN PERCENT BY WEIGHT FINER THAN NO. 200 SIEVE.



NOTE: HANDRAIL EXPANSION JOINTS SHALL ALIGN WITH EXPANSION JOINTS IN CONCRETE PAVEMENT.



**NEW YORK STATE OF OPPORTUNITY** **DASNY**

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**Project Key**

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**REVISIONS**

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**Client**

**NYS GOSR**

**Project Title**

**OLD FORT JOHNSON  
FLOOD CONTROL & SITE IMPROVEMENTS**

**Drawing Title**

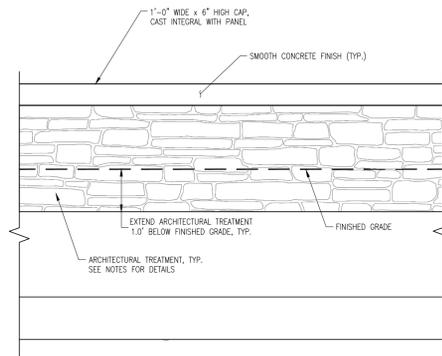
**SITE DETAILS**

**Phase**

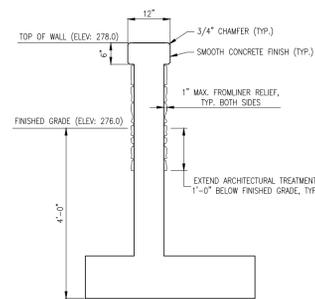
100% SUBMISSION

Drawn By: **TCB** Checked By: **TCB** Date: **11/02/18**

Seal & Signature **DASNY Project No: 335940**  
Drawing Number **C504**  
Drawing **11** of **13**



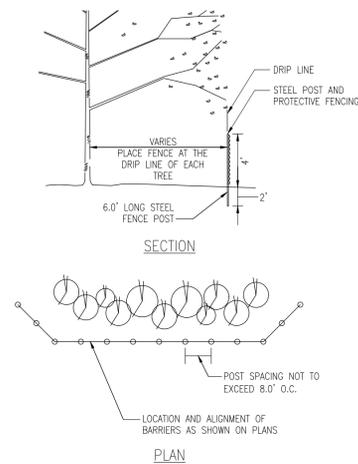
TYPICAL FLOOD WALL ELEVATION  
N.T.S.



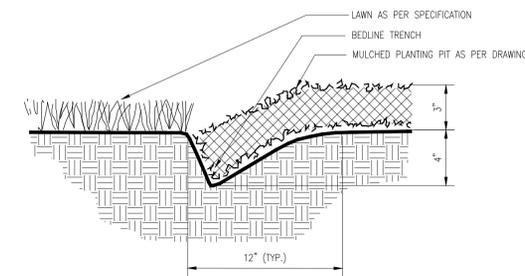
TYPICAL FLOOD WALL SECTION  
N.T.S.

ARCHITECTURAL TREATMENT NOTES:

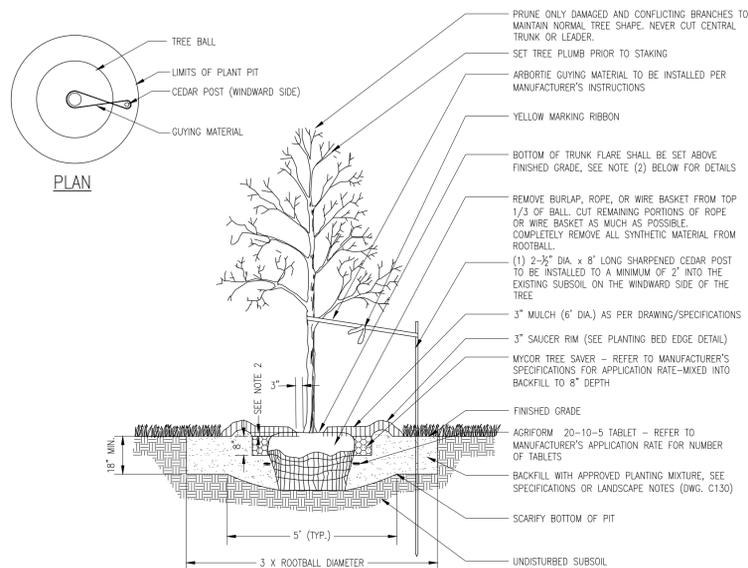
1. ARCHITECTURAL TREATMENT OF VERTICAL SURFACES OF FLOOD WALL SHALL BE THE FOLLOWING PATTERN:  
a. PECAN DRY STACK, PATTERN NO. 2204, AS MANUFACTURED BY CUSTOM ROCK FORMLINER, (800) 637-2447, WWW.CUSTOMROCK.COM, OR APPROVED EQUIVALENT.
2. CONTRACTOR SHALL SUBMIT PRODUCT DATA FOR FORMLINER BEING USED ON PROJECT FOR REVIEW AND APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO MOCK-UP FABRICATION.
3. CONTRACTOR SHALL PROVIDE HANDLING AND CARE OF FORMLINERS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
4. FORMLINER PATTERN SHOWN IS FOR GRAPHIC REPRESENTATION ONLY. CONTRACTOR SHALL PROVIDE SHOP DRAWINGS OF LAYOUT FOR ARCHITECTURAL TREATMENT ON FLOOD WALL. SHOP DRAWINGS SHALL INCLUDE DIMENSIONED PLANS, ELEVATIONS, AND DETAILS TO SHOW OVERALL PATTERN, STRUCTURAL CONSTRUCTION JOINT LINES, FORM TIE LOCATIONS, AND END, EDGE OR OTHER SPECIAL CONDITIONS.
5. CONTRACTOR SHALL PREPARE A 5 FOOT LONG LINEAR MOCK-UP OF THE FLOOD WALL, INCLUDING INTEGRAL CAP, WITH FORMLINER TREATMENT. MOCK-UP SHALL USE THE SAME MATERIALS, METHODS, AND WORK FORCE THAT WILL BE USED FOR THE PERMANENT IN PLACE WORK. MOCK-UP SHALL BE BUILT AT A LOCATION APPROVED BY THE OWNER'S REPRESENTATIVE AND SHALL NOT BE INCORPORATED INTO THE FINAL PROJECT. MOCK-UP SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF PERMANENT IN-PLACE WORK. APPROVED MOCK-UP SHALL REMAIN ON SITE FOR THE DURATION OF THE PROJECT AND USED AS A BASIS OF ACCEPTANCE FOR THE PERMANENT IN PLACE WORK.
6. ALL STANDARD FORMLINERS USED FOR THE PROJECT SHALL BE PROVIDED FROM A SINGLE MANUFACTURER.
7. A RELEASE AGENT COMPATIBLE WITH THE APPROVED FORMLINER SYSTEM SHALL BE PROVIDED.
8. SEE DETAIL ON DRAWING C-503 FOR CONCRETE REINFORCEMENT AND DETAILED WALL SECTION.



VEGETATION PROTECTION BARRIER DETAIL  
NO SCALE



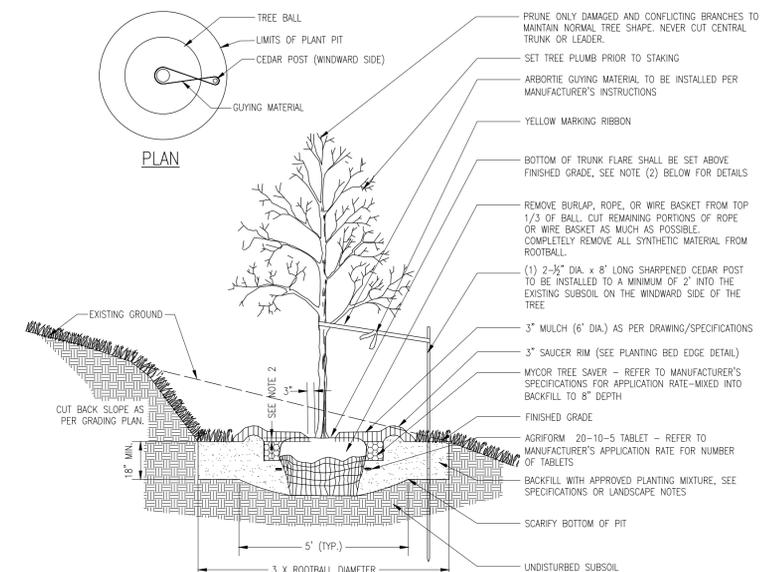
PLANTING BED EDGE TREATMENT  
N.T.S.



NOTES:

1. MAINTAIN A 3" MINIMUM RADIUS CLEAR OF MULCH AROUND THE TRUNK.
2. THE DISTANCE BETWEEN THE BOTTOM OF THE TRUNK FLARE AND THE FINISHED GRADE SHALL BE AS FOLLOWS:  
FOR SANDY OR LOAMY SOILS: 1"  
FOR CLAY OR POORLY DRAINED SOILS: 3"  
THE CONTRACTOR SHALL REVIEW THE APPROPRIATE PLANTING DEPTH WITH THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
3. WHEN TAGGING TREES AT THE NURSERY, MARK THE NORTH SIDE OF THE TREE IN THE FIELD AND WHEN INSTALLING, ROTATE TREE TO FACE NORTH WHENEVER POSSIBLE.

DECIDUOUS TREE PLANTING LESS THAN 4" CAL.  
N.T.S.



NOTES:

1. MAINTAIN A 3" MINIMUM RADIUS CLEAR OF MULCH AROUND THE TRUNK.
2. THE DISTANCE BETWEEN THE BOTTOM OF THE TRUNK FLARE AND THE FINISHED GRADE SHALL BE AS FOLLOWS:  
FOR SANDY OR LOAMY SOILS: 1"  
FOR CLAY OR POORLY DRAINED SOILS: 3"  
THE CONTRACTOR SHALL REVIEW THE APPROPRIATE PLANTING DEPTH WITH THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
3. WHEN TAGGING TREES AT THE NURSERY, MARK THE NORTH SIDE OF THE TREE IN THE FIELD AND WHEN INSTALLING, ROTATE TREE TO FACE NORTH WHENEVER POSSIBLE.
4. FOR TREES 4" CAL OR GREATER, INSTALL GUY AS PER DECIDUOUS TREE PLANTING GREATER THAN 4" CAL DETAIL IN THE SAME CONFIGURATION AS SHOWN ABOVE.

DECIDUOUS TREE PLANTING ON SLOPE (LESS THAN 4" CAL.)  
N.T.S.

Project Key

REVISIONS

| Rev No | Description                                  | Date       |
|--------|--|------------|
| 1      | PRE-FINAL SUBMISSION PER 60% REVIEW COMMENTS | 12/21/2018 |
| 2      | FINAL SUBMISSION DOCUMENTS                   | 02/08/2018 |
|        |  |            |
|        |  |            |
|        |  |            |
|        |  |            |
|        |  |            |
|        |  |            |

Client

NYS GOSR

Project Title  
OLD FORT JOHNSON  
FLOOD CONTROL & SITE IMPROVEMENTS

Drawing Title

LANDSCAPE DETAILS

Phase

100% SUBMISSION

Drawn By: EJS/AMH  
Checked By: [Signature]  
Date: 11/02/18

Seal & Signature

DASNY Project No:  
335940  
Drawing Number  
C505  
Drawing  
12 of 13

THIS DOCUMENT CONTAINS POTENTIALLY SENSITIVE INFORMATION AND SHALL BE USED FOR THE INTENDED PURPOSE. ONCE THE INTENDED PURPOSE HAS BEEN COMPLETED, THE DOCUMENTS SHALL BE DESTROYED IN A SECURE MANNER.  
 IT IS A VIOLATION OF STATE EDUCATION LAW FOR ANY PERSON, UNLESS UNDER THE DIRECTION OF A LICENSED ARCHITECT/ENGINEER TO ALTER THE DOCUMENT IN ANY MANNER. ALTERATIONS MUST HAVE THE SEAL AND SIGNATURE OF THE ARCHITECT/ENGINEER. DATE AND ARCHITECT/ENGINEER'S SIGNATURE. COPYRIGHT © 2015.

**Consultants:**  
**BERGMANN**  
 ARCHITECTS ENGINEERS PLANNERS

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.  
 280 East Broad Street  
 Suite 200  
 Rochester, NY 14604  
 office: 585.232.5135  
 fax: 585.232.4652

**Project Key**

**REVISIONS**

| Rev No | Description                                  | Date       |
|--------|--|------------|
| 1      | PRE-FINAL SUBMISSION PER 60% REVIEW COMMENTS | 12/21/2018 |
| 2      | FINAL SUBMISSION DOCUMENTS                   | 02/08/2019 |
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**Client**  
**NYS GOSR**

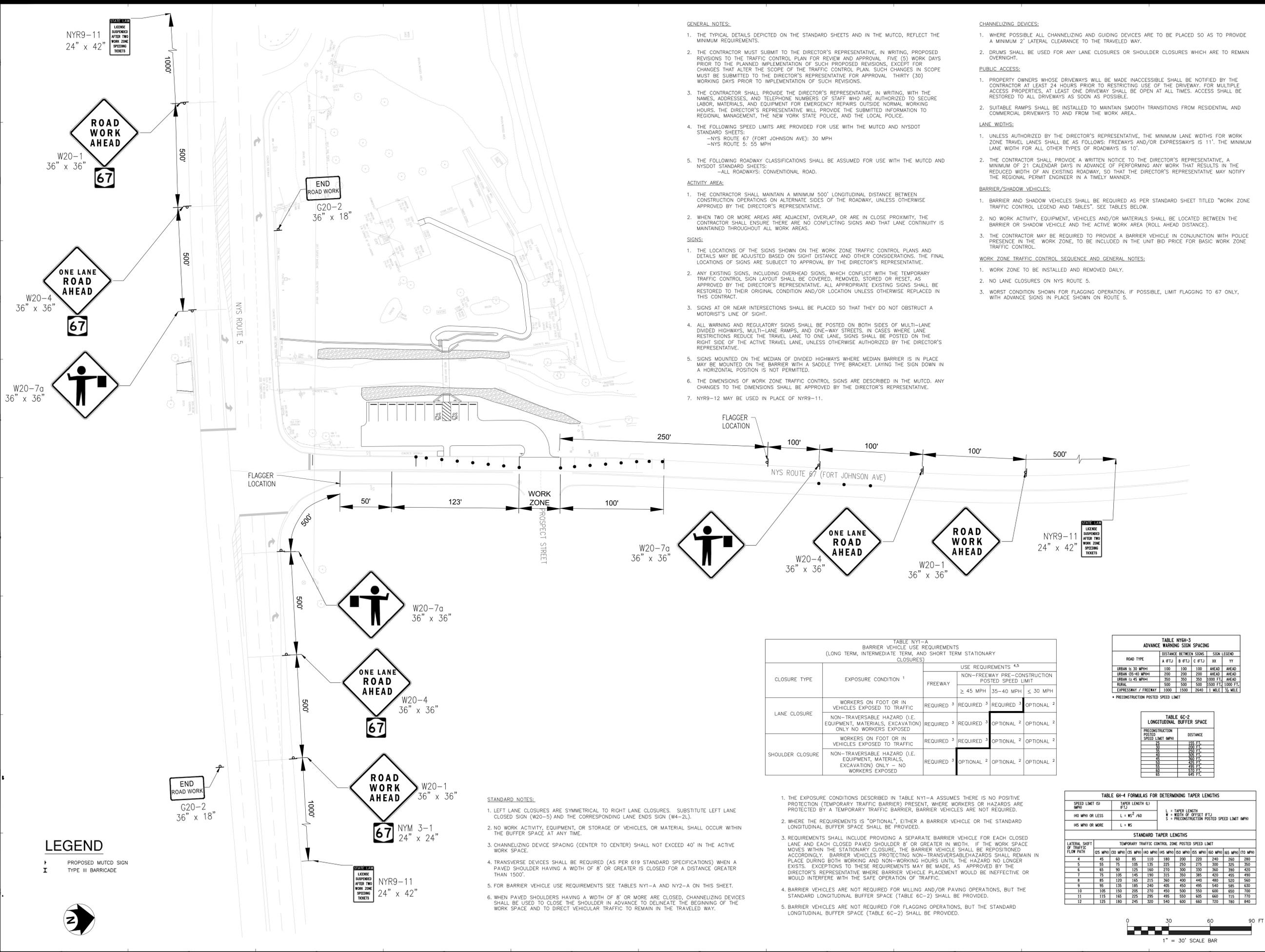
**Project Title**  
**OLD FORT JOHNSON FLOOD CONTROL & SITE IMPROVEMENTS**

**Drawing Title**  
**MAINTENANCE & PROTECTION OF TRAFFIC PLAN**

**Phase**  
 100% SUBMISSION

**Drawn By:** TCB **Checked By:** TRD **Date:** 11/02/18

**Seal & Signature**  
 DASNY Project No: 335940  
 Drawing Number: C506  
 Drawing 13 of 13



**GENERAL NOTES:**

- THE TYPICAL DETAILS DEPICTED ON THE STANDARD SHEETS AND IN THE MUTCD, REFLECT THE MINIMUM REQUIREMENTS.
- THE CONTRACTOR MUST SUBMIT TO THE DIRECTOR'S REPRESENTATIVE, IN WRITING, PROPOSED REVISIONS TO THE TRAFFIC CONTROL PLAN FOR REVIEW AND APPROVAL FIVE (5) WORK DAYS PRIOR TO THE PLANNED IMPLEMENTATION OF SUCH PROPOSED REVISIONS, EXCEPT FOR CHANGES THAT ALTER THE SCOPE OF THE TRAFFIC CONTROL PLAN. SUCH CHANGES IN SCOPE MUST BE SUBMITTED TO THE DIRECTOR'S REPRESENTATIVE FOR APPROVAL THIRTY (30) WORKING DAYS PRIOR TO IMPLEMENTATION OF SUCH REVISIONS.
- THE CONTRACTOR SHALL PROVIDE THE DIRECTOR'S REPRESENTATIVE, IN WRITING, WITH THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF STAFF WHO ARE AUTHORIZED TO SECURE LABOR, MATERIALS, AND EQUIPMENT FOR EMERGENCY REPAIRS OUTSIDE NORMAL WORKING HOURS. THE DIRECTOR'S REPRESENTATIVE WILL PROVIDE THE SUBMITTED INFORMATION TO REGIONAL MANAGEMENT, THE NEW YORK STATE POLICE, AND THE LOCAL POLICE.
- THE FOLLOWING SPEED LIMITS ARE PROVIDED FOR USE WITH THE MUTCD AND NYS DOT STANDARD SHEETS:
  - NYS ROUTE 67 (FORT JOHNSON AVE): 30 MPH
  - NYS ROUTE 5: 55 MPH
- THE FOLLOWING ROADWAY CLASSIFICATIONS SHALL BE ASSUMED FOR USE WITH THE MUTCD AND NYS DOT STANDARD SHEETS:
  - ALL ROADWAYS: CONVENTIONAL ROAD.

**ACTIVITY AREA:**

- THE CONTRACTOR SHALL MAINTAIN A MINIMUM 500' LONGITUDINAL DISTANCE BETWEEN CONSTRUCTION OPERATIONS ON ALTERNATE SIDES OF THE ROADWAY, UNLESS OTHERWISE APPROVED BY THE DIRECTOR'S REPRESENTATIVE.
- WHEN TWO OR MORE AREAS ARE ADJACENT, OVERLAP, OR ARE IN CLOSE PROXIMITY, THE CONTRACTOR SHALL ENSURE THERE ARE NO CONFLICTING SIGNS AND THAT LANE CONTINUITY IS MAINTAINED THROUGHOUT ALL WORK AREAS.

**SIGNS:**

- THE LOCATIONS OF THE SIGNS SHOWN ON THE WORK ZONE TRAFFIC CONTROL PLANS AND DETAILS MAY BE ADJUSTED BASED ON SIGHT DISTANCE AND OTHER CONSIDERATIONS. THE FINAL LOCATIONS OF SIGNS ARE SUBJECT TO APPROVAL BY THE DIRECTOR'S REPRESENTATIVE.
- ANY EXISTING SIGNS, INCLUDING OVERHEAD SIGNS, WHICH CONFLICT WITH THE TEMPORARY TRAFFIC CONTROL SIGN LAYOUT SHALL BE COVERED, REMOVED, STORED OR RESET, AS APPROVED BY THE DIRECTOR'S REPRESENTATIVE. ALL APPROPRIATE EXISTING SIGNS SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AND/OR LOCATION UNLESS OTHERWISE REPLACED IN THIS CONTRACT.
- SIGNS AT OR NEAR INTERSECTIONS SHALL BE PLACED SO THAT THEY DO NOT OBSTRUCT A MOTORIST'S LINE OF SIGHT.
- ALL WARNING AND REGULATORY SIGNS SHALL BE POSTED ON BOTH SIDES OF MULTI-LANE DIVIDED HIGHWAYS, MULTI-LANE RAMP, AND ONE-WAY STREETS. IN CASES WHERE LANE RESTRICTIONS REDUCE THE TRAVEL LANE TO ONE LANE, SIGNS SHALL BE POSTED ON THE RIGHT SIDE OF THE ACTIVE TRAVEL LANE, UNLESS OTHERWISE AUTHORIZED BY THE DIRECTOR'S REPRESENTATIVE.
- SIGNS MOUNTED ON THE MEDIAN OF DIVIDED HIGHWAYS WHERE MEDIAN BARRIER IS IN PLACE MAY BE MOUNTED ON THE BARRIER WITH A SADDLE TYPE BRACKET. LAYING THE SIGN DOWN IN A HORIZONTAL POSITION IS NOT PERMITTED.
- THE DIMENSIONS OF WORK ZONE TRAFFIC CONTROL SIGNS ARE DESCRIBED IN THE MUTCD. ANY CHANGES TO THE DIMENSIONS SHALL BE APPROVED BY THE DIRECTOR'S REPRESENTATIVE.
- NYR9-12 MAY BE USED IN PLACE OF NYR9-11.

**CHANNELIZING DEVICES:**

- WHERE POSSIBLE ALL CHANNELIZING AND GUIDING DEVICES ARE TO BE PLACED SO AS TO PROVIDE A MINIMUM 2' LATERAL CLEARANCE TO THE TRAVELED WAY.
- DRUMS SHALL BE USED FOR ANY LANE CLOSURES OR SHOULDER CLOSURES WHICH ARE TO REMAIN OVERNIGHT.

**PUBLIC ACCESS:**

- PROPERTY OWNERS WHOSE DRIVEWAYS WILL BE MADE INACCESSIBLE SHALL BE NOTIFIED BY THE CONTRACTOR AT LEAST 24 HOURS PRIOR TO RESTRICTING USE OF THE DRIVEWAY. FOR MULTIPLE ACCESS PROPERTIES, AT LEAST ONE DRIVEWAY SHALL BE OPEN AT ALL TIMES. ACCESS SHALL BE RESTORED TO ALL DRIVEWAYS AS SOON AS POSSIBLE.
- SUITABLE RAMPS SHALL BE INSTALLED TO MAINTAIN SMOOTH TRANSITIONS FROM RESIDENTIAL AND COMMERCIAL DRIVEWAYS TO AND FROM THE WORK AREA.

**LANE WIDTHS:**

- UNLESS AUTHORIZED BY THE DIRECTOR'S REPRESENTATIVE, THE MINIMUM LANE WIDTHS FOR WORK ZONE TRAVEL LANES SHALL BE AS FOLLOWS: FREEWAYS AND/OR EXPRESSWAYS IS 11'. THE MINIMUM LANE WIDTH FOR ALL OTHER TYPES OF ROADWAYS IS 10'.
- THE CONTRACTOR SHALL PROVIDE A WRITTEN NOTICE TO THE DIRECTOR'S REPRESENTATIVE, A MINIMUM OF 21 CALENDAR DAYS IN ADVANCE OF PERFORMING ANY WORK THAT RESULTS IN THE REDUCED WIDTH OF AN EXISTING ROADWAY, SO THAT THE DIRECTOR'S REPRESENTATIVE MAY NOTIFY THE REGIONAL PERMIT ENGINEER IN A TIMELY MANNER.

**BARRIER/SHADOW VEHICLES:**

- BARRIER AND SHADOW VEHICLES SHALL BE REQUIRED AS PER STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGEND AND TABLES". SEE TABLES BELOW.
- NO WORK ACTIVITY, EQUIPMENT, VEHICLES AND/OR MATERIALS SHALL BE LOCATED BETWEEN THE BARRIER OR SHADOW VEHICLE AND THE ACTIVE WORK AREA (ROLL AHEAD DISTANCE).
- THE CONTRACTOR MAY BE REQUIRED TO PROVIDE A BARRIER VEHICLE IN CONJUNCTION WITH POLICE PRESENCE IN THE WORK ZONE, TO BE INCLUDED IN THE UNIT BID PRICE FOR BASIC WORK ZONE TRAFFIC CONTROL.

**WORK ZONE TRAFFIC CONTROL SEQUENCE AND GENERAL NOTES:**

- WORK ZONE TO BE INSTALLED AND REMOVED DAILY.
- NO LANE CLOSURES ON NYS ROUTE 5.
- WORST CONDITION SHOWN FOR FLAGGING OPERATION. IF POSSIBLE, LIMIT FLAGGING TO 67 ONLY, WITH ADVANCE SIGNS IN PLACE SHOWN ON ROUTE 5.

**TABLE NY1-A**  
 BARRIER VEHICLE USE REQUIREMENTS  
 (LONG TERM, INTERMEDIATE TERM, AND SHORT TERM STATIONARY CLOSURES)

| CLOSURE TYPE     | EXPOSURE CONDITION 1   | USE REQUIREMENTS 4,5 |   |            |                    |
|------------------|--|----------------------|---|------------|--------------------|
|                  |  | FREEWAY              | NON-FREEWAY PRE-CONSTRUCTION POSTED SPEED LIMIT | ≥ 45 MPH   | 35-40 MPH ≤ 30 MPH |
| LANE CLOSURE     | WORKERS ON FOOT OR IN VEHICLES EXPOSED TO TRAFFIC  | REQUIRED 3           | REQUIRED 3                                      | REQUIRED 3 | OPTIONAL 2         |
|                  | NON-TRAVERSABLE HAZARD (I.E. EQUIPMENT, MATERIALS, EXCAVATION) ONLY NO WORKERS EXPOSED   | REQUIRED 3           | REQUIRED 3                                      | OPTIONAL 2 | OPTIONAL 2         |
| SHOULDER CLOSURE | WORKERS ON FOOT OR IN VEHICLES EXPOSED TO TRAFFIC  | REQUIRED 3           | REQUIRED 3                                      | OPTIONAL 2 | OPTIONAL 2         |
|                  | NON-TRAVERSABLE HAZARD (I.E. EQUIPMENT, MATERIALS, EXCAVATION) ONLY - NO WORKERS EXPOSED | REQUIRED 3           | OPTIONAL 2                                      | OPTIONAL 2 | OPTIONAL 2         |

**TABLE NYH-3**  
 ADVANCE WARNING SIGN SPACING

| ROAD TYPE            | DISTANCE BETWEEN SIGNS |        |        | SIGN LEGEND |          |
|----------------------|------------------------|--------|--------|-------------|----------|
|                      | A (FT)                 | B (FT) | C (FT) | XX          | YY       |
| URBAN (6-30 MPH)     | 100                    | 100    | 100    | AHEAD       | AHEAD    |
| URBAN (35-40 MPH)    | 200                    | 200    | 200    | AHEAD       | AHEAD    |
| URBAN (45-55 MPH)    | 300                    | 350    | 350    | 1000 FT     | AHEAD    |
| RURAL                | 500                    | 500    | 500    | 1500 FT     | 1000 FT  |
| EXPRESSWAY / FREEWAY | 1000                   | 1500   | 2400   | 1 MILE      | 1/2 MILE |

\* PRECONSTRUCTION POSTED SPEED LIMIT

**TABLE 6C-2**  
 LONGITUDINAL BUFFER SPACE

| PRECONSTRUCTION POSTED SPEED LIMIT MPH | DISTANCE |
|--|----------|
| 15                                     | 155 FT   |
| 20                                     | 205 FT   |
| 25                                     | 255 FT   |
| 30                                     | 305 FT   |
| 35                                     | 355 FT   |
| 40                                     | 405 FT   |
| 45                                     | 455 FT   |
| 50                                     | 505 FT   |
| 55                                     | 555 FT   |
| 60                                     | 605 FT   |
| 65                                     | 655 FT   |

**TABLE 6H-4 FORMULAS FOR DETERMINING TAPER LENGTHS**

**TEMPORARY TRAFFIC CONTROL ZONE POSTED SPEED LIMIT**

| LATERAL SHIFT OF TRAFFIC FLOW PATH | 25 MPH | 30 MPH | 35 MPH | 40 MPH | 45 MPH | 50 MPH | 55 MPH | 60 MPH | 65 MPH | 70 MPH |
|------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 4                                  | 45     | 60     | 85     | 110    | 140    | 180    | 220    | 240    | 250    | 280    |
| 5                                  | 55     | 75     | 105    | 135    | 175    | 220    | 275    | 300    | 325    | 350    |
| 6                                  | 65     | 90     | 125    | 160    | 210    | 260    | 320    | 360    | 390    | 420    |
| 7                                  | 75     | 105    | 145    | 190    | 245    | 300    | 365    | 420    | 455    | 490    |
| 8                                  | 85     | 120    | 165    | 215    | 280    | 340    | 400    | 440    | 480    | 520    |
| 9                                  | 95     | 135    | 185    | 240    | 310    | 380    | 440    | 490    | 540    | 580    |
| 10                                 | 105    | 150    | 205    | 270    | 345    | 420    | 500    | 560    | 620    | 680    |
| 11                                 | 115    | 165    | 225    | 295    | 380    | 460    | 550    | 620    | 690    | 760    |
| 12                                 | 125    | 180    | 245    | 320    | 410    | 500    | 600    | 680    | 760    | 840    |

**STANDARD NOTES:**

- LEFT LANE CLOSURES ARE SYMMETRICAL TO RIGHT LANE CLOSURES. SUBSTITUTE LEFT LANE CLOSED SIGN (W20-5) AND THE CORRESPONDING LANE ENDS SIGN (W4-2L).
- NO WORK ACTIVITY, EQUIPMENT, OR STORAGE OF VEHICLES, OR MATERIAL SHALL OCCUR WITHIN THE BUFFER SPACE AT ANY TIME.
- CHANNELIZING DEVICE SPACING (CENTER TO CENTER) SHALL NOT EXCEED 40' IN THE ACTIVE WORK SPACE.
- TRANSVERSE DEVICES SHALL BE REQUIRED (AS PER 619 STANDARD SPECIFICATIONS) WHEN A PAVED SHOULDER HAVING A WIDTH OF 8' OR GREATER IS CLOSED FOR A DISTANCE GREATER THAN 1500'.
- FOR BARRIER VEHICLE USE REQUIREMENTS SEE TABLES NY1-A AND NY2-A ON THIS SHEET.
- WHEN PAVED SHOULDERS HAVING A WIDTH OF 8' OR MORE ARE CLOSED, CHANNELIZING DEVICES SHALL BE USED TO CLOSE THE SHOULDER IN ADVANCE TO DELINEATE THE BEGINNING OF THE WORK SPACE AND TO DIRECT VEHICULAR TRAFFIC TO REMAIN IN THE TRAVELED WAY.

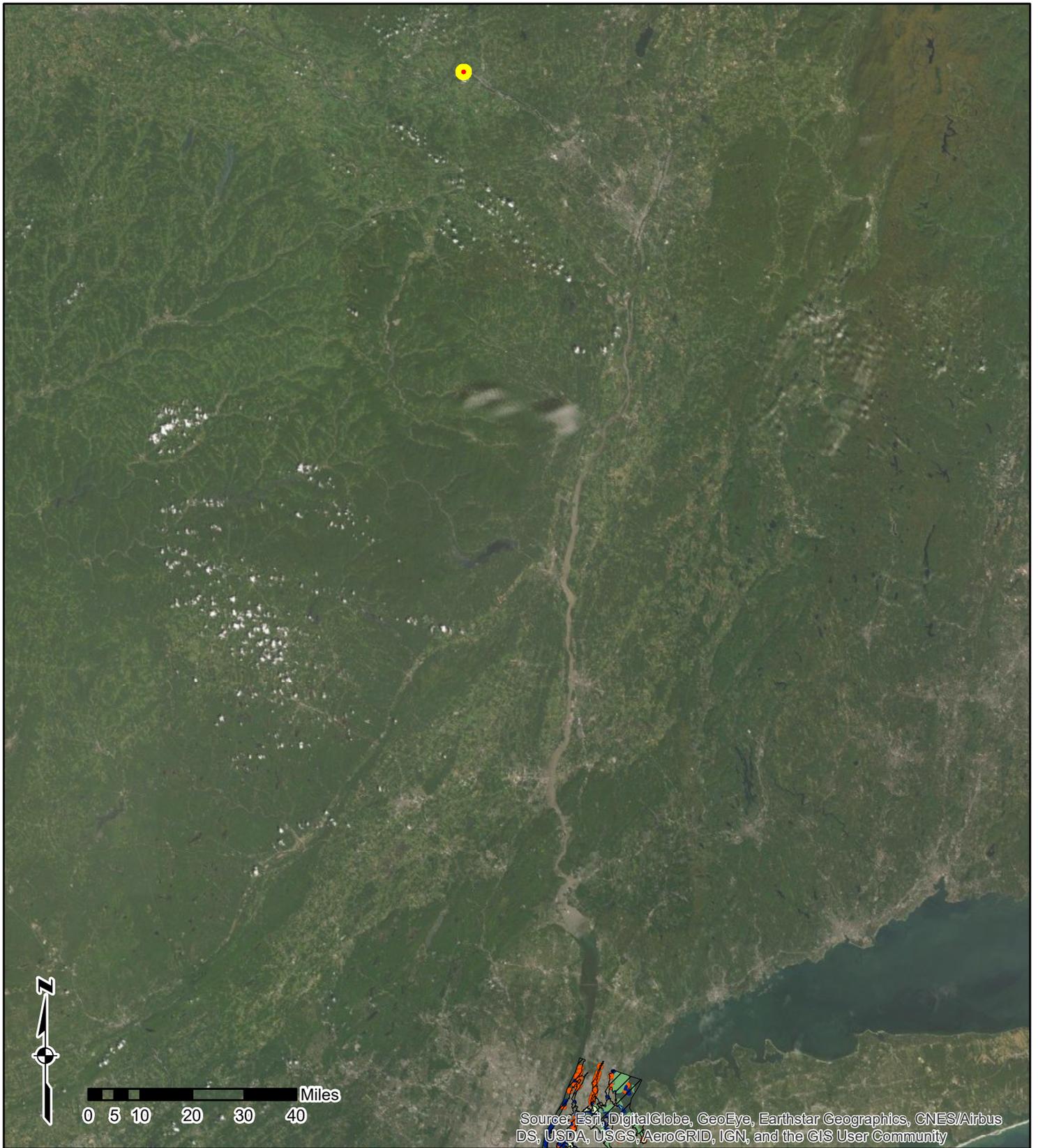
**LEGEND**

➤ PROPOSED MUTCD SIGN  
 I TYPE III BARRICADE



# **APPENDIX C**

## **COASTAL CONSISTENCY**



**Legend**

- Project Area
- One Mile Project Area Buffer
- nycwrpczb\_201601
- nycwrpesmia\_201601
- nycwrpsmia\_201601
- nycwrpsnwa\_201601
- nycwrppmaz\_201601
- nycwrprec\_201601

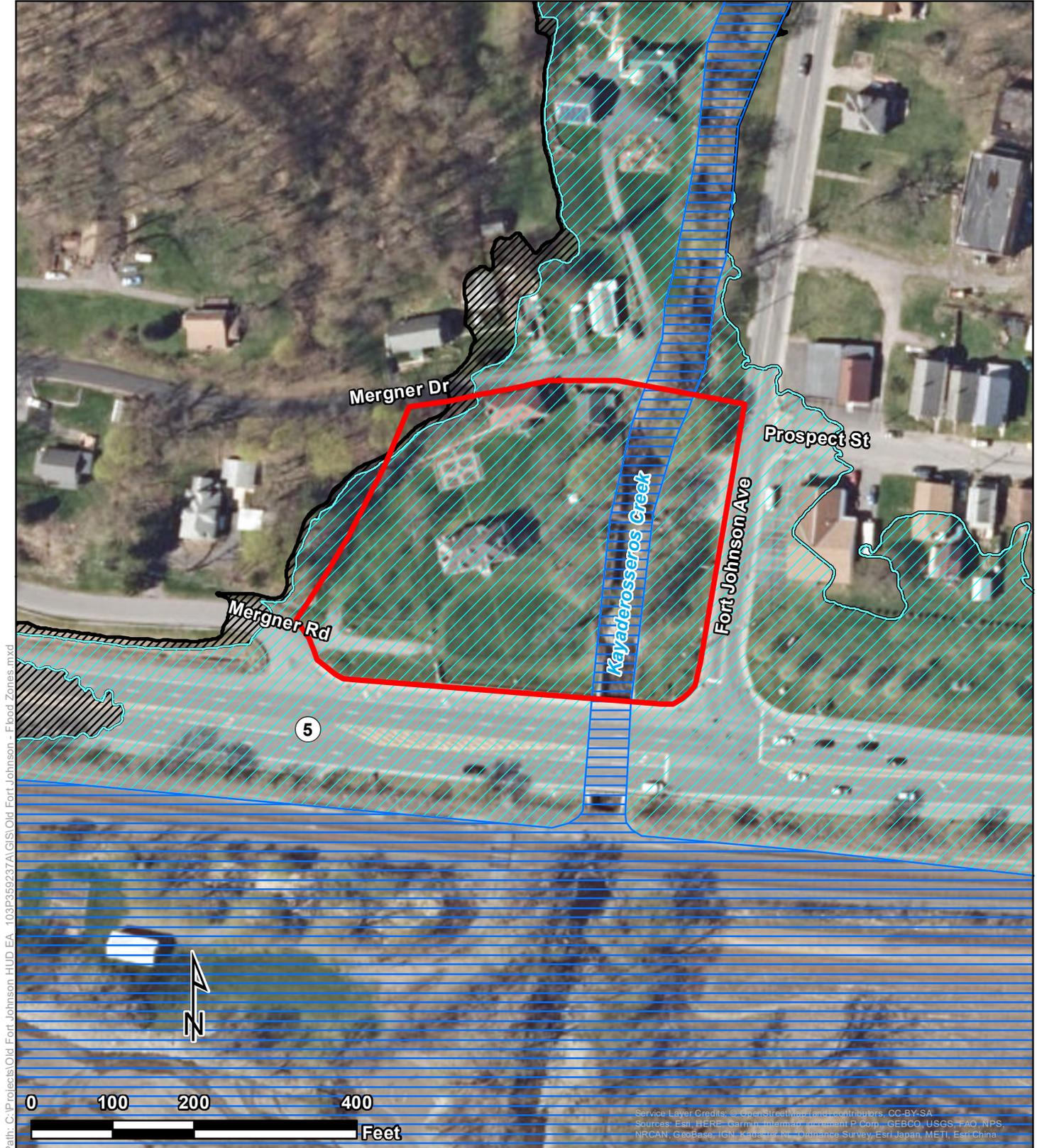
# Coastal Zone

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York



# **APPENDIX D**

## **FLOODPLAINS AND WETLANDS**



Path: C:\Projects\Old Fort Johnson HUD EA\_103P359237A\GIS\Old Fort Johnson - Flood Zones.mxd

Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

**Legend**

- Project Area
- Flood Zones (Preliminary)**
- Zone AE- Floodway within the 1% annual chance flood
- Zone AE- within the 1% annual chance flood
- Zone X-within the 0.2% annual chance of flood
- Zone X- area of minimal flood hazard

**Flood Zones**

Old Fort Johnson  
2 Mergner Road  
City of Fort Johnson  
Montgomery County, New York



# **SUMMARY OF 8-STEP FLOODPLAIN AND WETLAND ANALYSIS FOR THE OLD FORT JOHNSON PROJECT FORT JOHNSON, MONTGOMERY, NEW YORK**

Governor's Office of Storm Recovery

U.S. Department of Housing and Urban Development Community Development Block Grant –  
Disaster Recovery

## **Introduction & Overview**

The purpose of Executive Order (EO) 11988 Floodplain Management is “to avoid to the extent possible the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” This report contains the analysis prescribed by 24 CFR Part 55 and documents the eight-step decision making process for the Proposed Action and pertains to activities within the Special Flood Hazard Area (SFHA) as defined by the Federal Emergency Management Agency (FEMA), or its successors, pursuant to the National Flood Insurance Program (NFIP), or a successor program, whether advisory, preliminary, or final.

The Governor's Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), proposes to provide Community Development Block Grant – Disaster Recovery (CDBG-DR) funding from the NY Rising Community Reconstruction Program to the Dormitory Authority of the State of New York (DASNY) acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, to harden Old Fort Johnson against the impacts of future flood events. Old Fort Johnson is located in the village of Fort Johnson, one mile west of the city of Amsterdam on the north bank of the Mohawk River near its confluence with Kayaderosseras Creek (**Figures 1 and 2**).

The analysis that follows focuses on floodplain and wetland impacts because the Proposed Action will result in impacts to the 100-year floodplain. Based on an analysis of the Proposed Action activities and locations described herein, it is concluded that there is a reasonable basis to proceed with funding for this Proposed Action within the floodplain. The CDBG-DR funding is administered through the New York State Rising Community Reconstruction Program which is using bottom-up community participation and State-provided technical expertise to develop resilient and sustainable communities. Thus, alternatives preventing or impeding the development of resilient and sustainable communities are not considered reasonable alternatives.

## **Description of Proposed Action & Land Use**

DASNY, acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson against the impacts of future flood events. Old Fort Johnson is located in the village of Fort Johnson, one mile west of the city of Amsterdam on the north bank of the Mohawk River near its confluence with Kayaderosseras Creek. Constructed in 1749 as the house, office and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America, the site was fortified during the French and Indian Wars. Originally, the house was the center of a complex of outbuildings. The main house, a 2-1/2 story structure, built out of limestone and topped by a hip roof, is currently

used as a museum by the Montgomery County Historical Society. Other than the house, only two of outbuildings survive today – a privy and a barn, with the barn now used as a visitor center and staff housing. An additional non-historic building (the garage) is also located onsite. Fort Johnson is listed in the National Register of Historic Places and was designated a National Historic Landmark, in 1972.

During Hurricane Irene, the Creek and River merged and covered the entire site; in the course of a few hours over eight feet of water poured across the grounds and through the buildings. In the 1749 historic house, the basement was completely filled with water and mud. On the raised first floor, five-and-a half feet of water covered the tops of the fireplace mantels and left mud and debris on the original wood paneling, windows, shutters and floors. The Visitor Center building (old barn) had two feet of water on the first floor. The historic 18th century privy tipped over and floated into the footbridge across the Kayaderosseras Creek and connecting the parking lot to the Fort Johnson grounds, saving it from disappearing downstream. The garage was also flooded with several feet of water, with over 30” in the public bathroom on the Creek side.

The proposed project includes the removal of the existing concrete retaining walls along the banks of the Kayaderosseras Creek through the site, regrading both banks of Kayaderosseras Creek, regrading the site and adding a berm on the western side of Kayaderosseras Creek with a 2-foot high concrete retaining wall at the top. The current retaining walls are damaged by past floods and do not provide adequate flood protection for the historic buildings. The regrading of the stream banks will allow for greater flow through the site, with the berm and wall on the western bank will provide greater flood protection for the site buildings.

The project also includes installing new sidewalks, regrading the area around the catch basin in the southwestern corner of the site, and improving the gravel parking lot with asphalt to meet the Americans with Disabilities Act (ADA) requirements regarding parking spaces. A total of approximately 1.5 acres of previously disturbed area would be disturbed by the Project.

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

The Project includes work along the banks of Kayaderosseras Creek. The entire project area lies within the 100-year Special Flood Hazard Area (SFHA), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 360447 0001B, dated January 19, 1983. See the attached **Figure 3**. The Proposed Action will result in impacts to 100-year floodplain.

**Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.**

Because the proposed action is located within the 100-year floodplain, GOSR published an early notice, that allowed for the public and public agencies to provide input on the decision to provide funding for the proposed action. The early public notice and 15-day comment period is complete.

The “Early Notice of Proposed Activity in a 100-Year Floodplain” was published in *The Amsterdam Recorder* newspaper on May 24, 2019 edition of the with the 15-day period expiring on June 10, 2019. The notice targeted local residents, including those within the floodplain. (See the attached **Early Notice** and **Affidavit of Publication**). GOSR did not receive comments in response to the Early Notice.

**Step 3: Identify and evaluate practicable alternatives.**

The New York State Rising Community Reconstruction Program is structured to provide eligible communities' resources and expertise to build projects resilient to future flooding events. The purpose of the proposed project is to harden Old Fort Johnson against the impacts of future flood events as described in the "Description of the Proposed Project" section. Therefore, there are no other alternative locations for the project.

The primary alternative for the current proposed action is the "No Action" alternative. Under the No Action Alternative, the erosion of the walls and vegetation beyond the damaged retaining walls along the banks of Kayaderosseras Creek would continue during high flows/flood. The historic buildings will continue to be damaged to be damaged during floods. The foundations of the pedestrian bridge could be compromised, limiting access to Old Fort Johnson. The existing access would continue to be noncompliant with the Americans with Disability Act.

Preliminary alternatives evaluated included repair and reconstruction of the retaining walls along the banks of Kayaderosseras Creek, improvements to the drainages around the buildings, and other site grading, to direct flood waters away from the historic buildings. These alternatives were found to provide inadequate protection or would involve adverse impacts to the historic character of the grounds around the buildings.

The above identified alternatives will be re-evaluated in response to public comments received.

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

The site is within the 100-year floodplain of Kayaderosseras Creek. During Hurricane Irene, the Kayaderosseras Creek and Mohawk River merged and covered the entire site; in the course of a few hours over eight feet of water poured across the grounds and through the buildings. The floodplain area in the Project site is previously disturbed by existing roads and non-residential structures.

The proposed project includes the removal of the concrete retaining walls along the banks of the Kayaderosseras Creek through the site; regrading the banks of Kayaderosseras Creek; regrading of the site and adding a berm on the western of Kayaderosseras Creek with new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; constructing a new stone path between the buildings; and improving the gravel parking lot with asphalt to meet the Americans with Disabilities Act (ADA) requirements regarding parking spaces. Approximately 1.5 acres will be disturbed.

The existing pedestrian bridge over Kayaderosseras Creek will be removed, the existing access steps demolished, new bridge abutments/footings constructed, the bridge reinstalled, new embankment, handicap access, and stairs constructed on the west side, and the access path to the parking area on the east side will be paved with asphalt.

The disturbance of this area would occur during project construction and would cease once construction is completed. The Proposed Activity will result in permanent impacts to approximately 1.5 acres of 100-Year Floodplain. These impacts will result from the removal of the concrete retaining walls along the banks of the Kayaderosseras Creek through the site, regrading the banks, regrading the site and adding a berm on the western side of Kayaderosseras Creek, new sidewalks, regrading the area around the catch basin in the southwestern corner of the site, and the construction of a new parking area.

The impacts to the stream banks will be beneficial as the Creek will be returned to a more natural profile. Though there will be minor impacts to floodplain permeability from the proposed sidewalks, the project as fully proposed will provide flood protection measures to the site as described previously. No changes in land use would occur as a result of the Project.

The Project would reduce future damage to the historic buildings and directly increase the resiliency of the Old Fort Johnson National Historic Landmark.

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

Because historic nature of the buildings they cannot be moved and retain their historic context. The Project design would result in a more natural profile for Kayaderosseras Creek through the project area and increase the resiliency of the Old Fort Johnson National Historic Landmark to future flooding.

Prior to construction, the appropriate permits would be obtained in accordance with NYSDEC Article 15, Protection of Waters Program, Section 401 of the Clean Water Act, and the US Army Corps of Engineers. A stormwater pollution prevention plan (SWPPP) would be prepared for the Project. It will describe the use of best management practices to control runoff during construction. No changes in land use would occur as a result of the Project.

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

The minor increase in impermeable surface to the new sidewalks would be the only long-term adverse effect on the floodplain. The potential effect on the floodplain from the removal of the concrete retaining walls along Kayaderosseras Creek and regrading of stream banks would provide long-term beneficial impact increases to the natural values of the floodplain and better protection to the property. No changes in land use would occur as a result of the Project. As a result, the proposed action is still practicable.

**Step 7: Determination of No Practicable Alternative**

It is the finding of this report that there is no practicable alternative to locating the project in the floodplain. The location within floodplain cannot be avoided to provide flooding protection for the Old Fort Johnson National Historic Landmark.

A combined Notice of Intent to Release Funds (NOIRROF)/final public notice was published in *The Recorder* newspaper by the Governor's Office of Storm Recovery on September 25, 2019, 2019, in compliance with Executive Order 11988 and 24 CFR Part 55. The final notice details the reasons why the project must be located in floodplain, a list of alternatives considered, and all mitigation measures taken to minimize adverse impacts and preserve natural and beneficial values of the floodplains. All comments received during the comment period will be addressed prior to funds being committed to the proposed project. The comment period started with the Notice of Intent to Release Funds (NOIRROF)/final public notice on September 25, 2019. The comment period for the Final Notice is 7 days, which expires at 5pm on October 3, 2019.

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

GOSR, operating under the auspices of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, is the responsible entity. GOSR will ensure that the Proposed Action, as described above, is executed and necessary language will be included in

all agreements with participating parties. Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the Project. It is acknowledged there is a continuing responsibility by the responsible entity to ensure, to the extent feasible and necessary, compliance with Steps 5 through 7.



Path: C:\Projects\Old Fort Johnson HUD EA\_103P3592X\GIS\Old Fort Johnson - Project Area.mxd

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 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

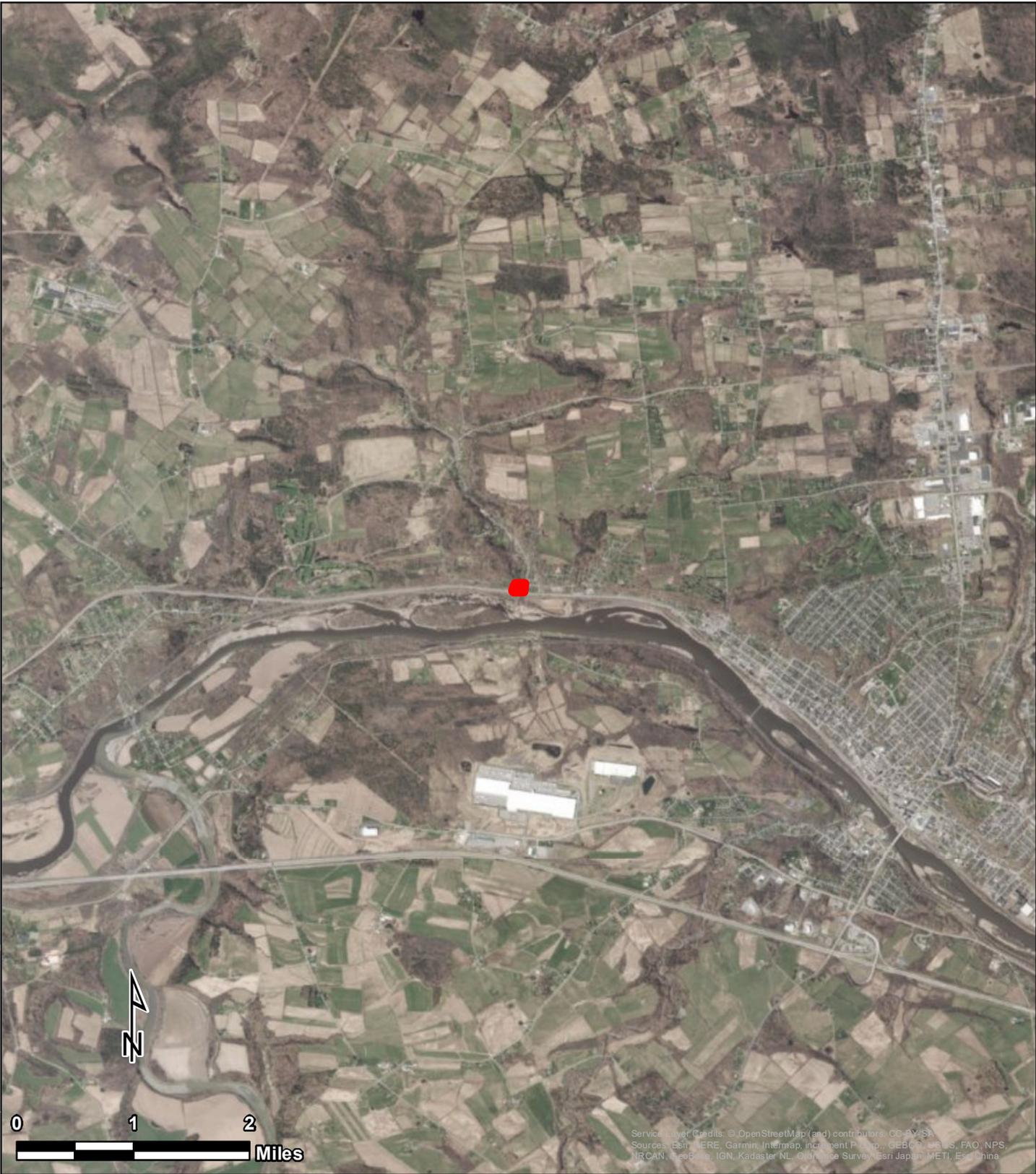
## Project Area

Old Fort Johnson  
 2 Mergner Road  
 City of Fort Johnson  
 Montgomery County, New York

### Legend

 Project Area

Path: C:\Projects\Old Fort Johnson\_HUD\_EA\_103P3592X\GIS\Old Fort Johnson - Project\_Location.mxd



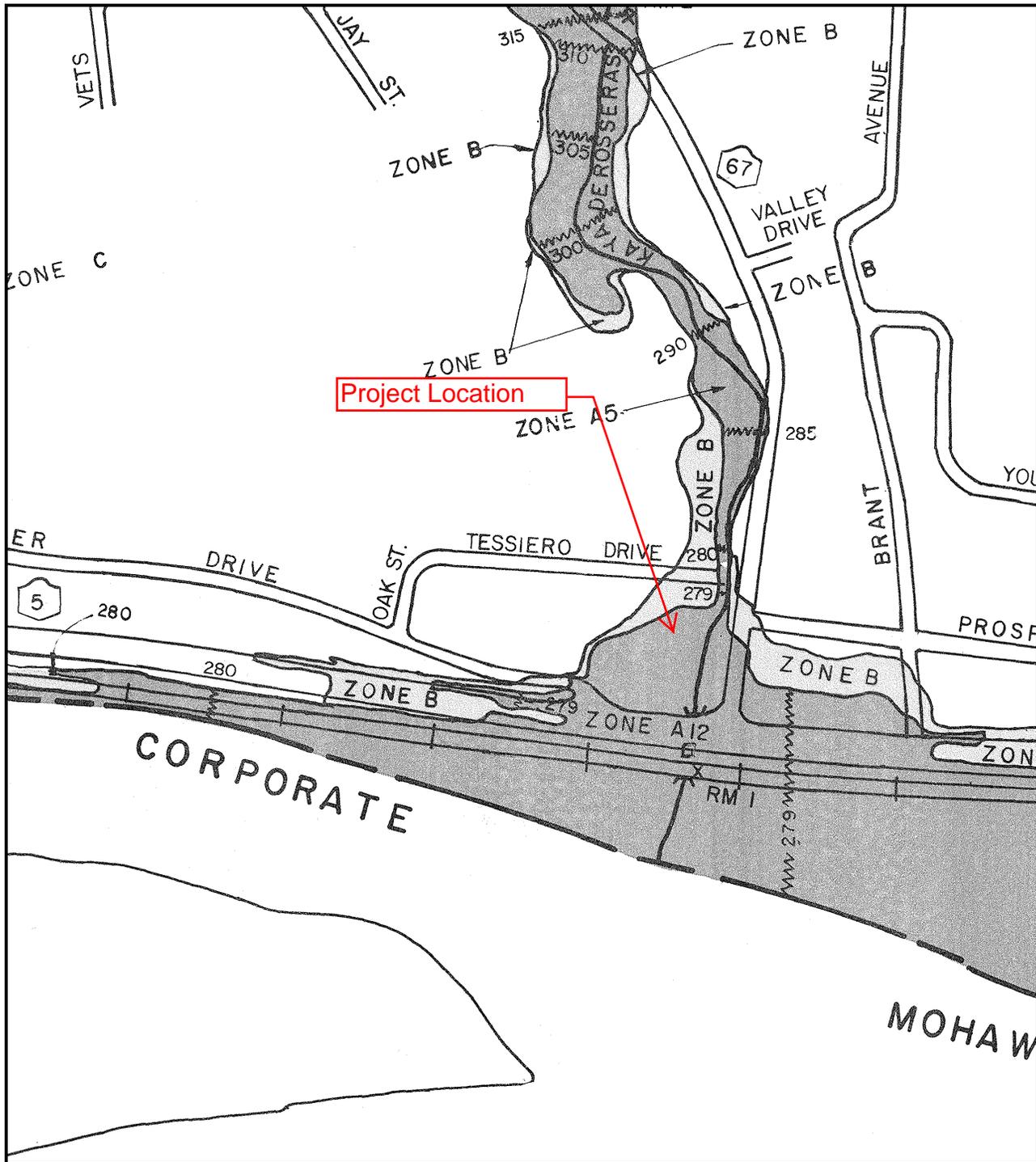
Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
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NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

## ***Project Location***

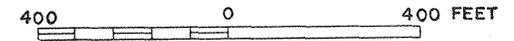
### **Legend**

 Project Location

Old Fort Johnson  
2 Mergner Road  
City of Fort Johnson  
Montgomery County, New York



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

VILLAGE OF  
**FORT JOHNSON,**  
**NEW YORK**  
MONTGOMERY COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER  
360447 0001B

EFFECTIVE DATE:  
JANUARY 19, 1983



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# AFFIDAVIT OF PUBLICATION

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## STATE OF NEW YORK COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Amsterdam Recorder newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York State Governor's Office of Storm Recovery advertisement, of which the annexed is a true copy, has been published in the said publication on the following issue date(s): May 24, 2019.



Alison Bloom

**Subscribed to and Sworn before me**

This 8<sup>th</sup> day of July, 2019



Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2022

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# The Recorder

YOUR HOMETOWN NEWSPAPER SINCE 1832

## Deadlines

| Publication | Deadline      |
|-------------|---------------|
| Monday      | Friday 2pm    |
| Tuesday     | Monday 2pm    |
| Wednesday   | Tuesday 2pm   |
| Thursday    | Wednesday 2pm |
| Friday      | Thursday 2pm  |
| Saturday    | Friday NOON   |

## HOURS

Call our Classified Department  
 Monday-Friday  
 8am-5pm  
 (518) 843-1100  
 1-800-453-6397  
 or fax 518-843-1338  
 or email  
 advertising@McClarymedia.com  
 Have Your Credit Card Ready  
 All Classifieds line ads must be pre-paid.  
 Cash, Check or Credit Card

### LEGALS

**Baker Street NY LLC** Arts of Org. filed with the SSNY on 12/31/2018. Office: Montgomery County. Uzma Atif designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to 173 EAST MAIN ST FORT JOHNSON, NY 12070. Purpose: Any lawful purpose. MAY - 35 5/17 5/24 5/31 6/7 6/14 6/21/19

**Empire Tax & Advisory, LLC** Arts of Org. filed with the SSNY on 04/11/2019. Office loc: Montgomery County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, P O Box 333 Haganan NY 12086 Purpose: Any Lawful Purpose. APR - 56 4/26 5/3 5/10 5/17 5/24 5/31/19

**HAGAMAN MOTORS LLC** Arts of Org. filed with the SSNY on 04/11/2019. Office loc: Montgomery County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 1600 Perry Blvd., Tribes Hill, New York 12177 Purpose: Any Lawful Purpose. APR - 45 4/19 4/26 5/3 5/10 5/17 5/24/19

**Lumber Jack's Firewood Processing, LLC.** Arts of Org. filed with the SSNY on 4/10/19. Office: Montgomery County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 354 Dunlap Rd., Amsterdam, NY 12010. Purpose: Any lawful purpose. Apr - 45 4/19 4/26 5/3 5/10 5/17 5/24/19

**Mongler & R LLC** Arts of Org. filed with the SSNY on 04/10/2019. Office loc: Montgomery County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 106 Perry Blvd., Tribes Hill, New York 12177 Purpose: Any Lawful Purpose. MAY - 31 5/10 5/17 5/24 5/31 6/7 6/14/19

**NOTICE OF FILING OF THE ARTICLES OF ORGANIZATION OF BYLERS CONSTRUCTION & RENOVATIONS, LLC** Under Section 203 of Limited Liability Company Law of the State of New York filed with the Secretary of the State on April 30, 2019. First: The name of the Company is Bylers Construction & Renovations, LLC. Second: The purpose of the Company is to engage in any lawful act or activity for which limited liability companies may be organized under the LLC. Third: The county within the State of New York in which the office of the Company is to be located is Montgomery County. Fourth: The Company shall dissolve upon such happenings as specified in Section 701 of the LLC. Fifth: The Secretary of State is designated as the agent of the Company upon whom process against the Company may be served. The post office address within or without the State of New York to which the Secretary of State shall mail a copy of any process against the Company served upon such Secretary of State is 480 Youngs Drive, Fort Plain, New York 13339. MAY - 31 5/10 5/17 5/24 5/31 6/7 6/14/19

**NOTICE OF FILING OF THE ARTICLES OF ORGANIZATION OF FISHON TRANSPORT, LLC.** Office Location: Montgomery County, NY. Articles of Organization filed with the Secretary of State on 04/29/2019. SSNY is designated agent of LLC upon whom process may be served and SSNY shall mail process to: FISHON TRANSPORT, LLC, 1652 A Crescent Road, Clifton Park, NY 12065. Purpose: any lawful purpose. May - 13 5/3 5/10 5/17 5/24 5/31 6/7/19

**NOTICE OF Formation of Limited Liability Company Pursuant to Section 206 of the New York Limited Liability Law, a. The name of the Limited Liability Company is 26 Elk Street Amsterdam, LLC b. The Articles of Organization were filed with the Secretary of State on April 23, 2019. c. The office of the Limited Liability Company will be located in Montgomery County. d. The Secretary of State is designated as agent of the Limited Liability Company upon whom process against it may be served. The address to which the Secretary of State shall mail a copy of any process against the Limited Liability Company served upon him or her is: 26 Elk Street Amsterdam, LLC 336 Forest Avenue Amsterdam, New York 12010 e. The Limited Liability Company is formed for any lawful business purpose or purposes. MAY - 7 5/3 5/10 5/17 5/24 5/31 6/7/19**

**NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY ("LLC"). NAME: SWEET CANAL STORE, LLC.** Articles of Organization were filed with the Secretary of State of New York (SSNY) on 4/22/2019. Office location: Montgomery County. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 26 Henrietta Blvd., Amsterdam, NY 12010. Purpose: For any lawful activity. May 29 5/24 5/31 6/7 6/14 6/21 6/28/19

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**NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY ("LLC"). NAME: AMERICA'S PASTIME STABLES, LLC.** Articles of Organization were filed with the Secretary of State of New York (SSNY) on 03/18/2019. Office location: Montgomery County. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 20 University Place, Amsterdam, NY 12010. Purpose: For any lawful activity. MAY - 58 5/24 5/31 6/7 6/14 6/21 6/28/19

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## TODAY'S CROSSWORD PUZZLE

**ACROSS**

- 1 Bassoon cousin
- 5 Kitten's pleas
- 10 Sulk
- 14 Vindictive goddess
- 15 Fly the shuttle
- 16 "Nah"
- 17 Slickers
- 18 New wife
- 19 Business salutation
- 20 Gourmet delicacies
- 22 Lawmaker
- 24 Per
- 26 Director
- 27 Trip
- 30 "Arabian Nights" hero
- 34 More than most (2 wds.)
- 35 Concluded
- 38 Slack-jawed
- 39 Least amt.
- 40 Pyle or Kovacs
- 42 Make dollies
- 43 Duck out from under
- 46 Test, as ore
- 48 Sorbet
- 49 Halvah base
- 51 Cheese gc-with
- 53 Hold sway
- 55 Earthenware pot
- 56 Use up
- 59 Eccentric old man

**DOWN**

- 1 Units of resistance
- 2 Soup ingredient
- 3 Fierce whale
- 4 Less difficult
- 5 Tumultuous gathering (2 wds.)
- 6 Make a typo
- 7 Kimono closers
- 8 Expand the boundaries
- 9 Dictation pros
- 10 Wild horse
- 11 17th state
- 12 Happy rumble
- 13 Codgers' queens
- 21 Road division (2 wds.)
- 23 "La Traviata" highlight
- 25 Serpent
- 26 Hercules fought

**PREVIOUS PUZZLE SOLVED**

RIT A C Z P A S F L E W  
 E N A C T I L I T R O V E  
 A T R I A N A N T E I D E S  
 M O O D I E S T E X T E N T  
 C A L G A R I A L M O S T  
 O N I O N R B O R N E R F R E E  
 O N E S R I L E S L A R K  
 T A S H K E N T M A I N E  
 G O R N C L O X S T A P L E D  
 B E L U G A M A N I S H E D  
 O D D S T H A N M A O R I  
 L A I T E M I T S I M O N  
 T R E Y D O N I S L E I S T

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27 Michener or 47 Connecticut campus

28 Clavel

29 Martin extra

28 Radium

29 Radium neighbors

31 Tie-dye cousin

32 Postnaste

33 Hinder

36 Jr. naval officer

37 Nightclub

41 Tea variety (2 wds.)

44 Fixing a sock

45 Green-egg layers

50 Avocides capture

52 Gaul conqueror

54 Novelist — Zola

55 Attord

57 Finished

58 Harm

60 Wacky

61 This, in Barcelona

62 Wacky

63 Daily work

65 KLM datum

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Austin, Ballard, Beach, Boynton, Brian, Bryan, Deacon, Fandango, Farrokhi, Film, Foster, Freddie, Gillen, Guitar, Hardy, Hutton, Iconic, John, Legend, Legend, Legend, Lucy, Malek, Mary, May, Mazzello, Mercury, Mike, Music, Myers, Ottman, Prenter, Queen, Rami, Ray, Reid, Rock N Roll, Roger, Score, Singer, Solo, Talent, Taylor, Tours, Under, We Will Rock You

**Yesterday's Answer: Hello Dolly**

Jo's Jewels Collector's Edition is back by popular demand! Purchase online at www.WonderWordBooks.com or call 1-800-642-6480.

## WONDERWORD By DAVID OUELLET

HOW TO PLAY: All the words listed below appear in the puzzle — horizontally, vertically, diagonally and even backward. Find them, circle each letter of the word and strike it off the list. The leftover letters spell the WONDERWORD.

'BOHEMIAN RHAPSODY' (FILM) Solution: 11 letters

C S S C S R E Y M K E L A M W  
 N I T S U A Q A H U H C A E B  
 O N N A Y R B U C R S Z W R R  
 T G D O S C O R B E R Z I E C A  
 T E N Y C U L D E E L T C U T  
 U R E D M I N G L L N M Y R A  
 H A G E I U O L R E L A D Y Y  
 E M A E K R O O R L R M R F L  
 G I L L E N C P O T T M A N O  
 D N D I H K O R R A F N H Y R  
 E A D D Y S N D L A D I O U E  
 A I L O E K R E N A T J L S T  
 C R U L C R N U N O O I O M S  
 O B C A M T F G O H L L U H O  
 N Y R A M B O Y N T O N E G F

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**CALIFORNIA JURAT WITH AFFIANT STATEMENT**  
**GOVERNMENT CODE § 8202**

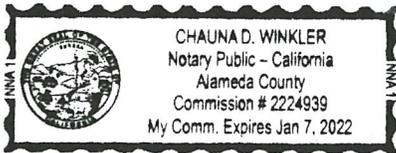
- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_

Signature of Document Signer No. 1 \_\_\_\_\_  
Signature of Document Signer No. 2 (if any) \_\_\_\_\_

State of California  
County of Alameda

Subscribed and sworn to (or affirmed) before me  
on this 3rd day of June, 2019,  
by Trevor Tinline  
(1) \_\_\_\_\_  
(2) \_\_\_\_\_  
Name(s) of Signer(s)



Place Notary Seal Above

proved to me on the basis of satisfactory evidence  
to be the person(s) who appeared before me.

Signature Chauna D. Winkler  
Signature of Notary Public

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document  
or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: Affidavit of Mailing via United States Postal Service (USPS)  
Document Date: 05/24/2019 Number of Pages: 3  
Signer(s) Other Than Named Above: \_\_\_\_\_

**AFFIDAVIT OF MAILING**

Trevor Tinline, being duly sworn, deposes and states:

1. I am over the age of 18 years.
2. On May 24, 2019, I mailed true and correct copies of the Early Notice of a Proposed Activity in a 100-Year Floodplain, Old Fort Johnson Project, 2 Mergner Road, Fort Johnson, Montgomery County, New York, dated May 24, 2019, by placing the same in first-class, postage-paid envelopes addressed to the recipients on the attached list.
3. On said day, I deposited said envelopes in an official USPS Standard Collection Box Receptacle at 350 20th Street, Oakland, CA 94612.
4. I have confirmed the delivery of said envelopes with the tracking information provided by USPS.



Trevor Tinline  
Tetra Tech, Inc.

05/24/19  
DATE

**Early Floodplain Notice Distribution List**  
**Old Fort Johnson, Fort Johnson, Montgomery County, New York**

**FEDERAL AGENCIES**

**By Overnight Express:**

Tennille Smith Parker, Director  
U.S. Dep. of Housing and Urban Development  
Disaster Recovery and Special Issues Division  
451 7th Street SW, Room 7272  
Washington, DC 20410

**By E-mail only:**

Mike Poetzsch  
poetzsch.michael@epa.gov

Rhoda M. Nicholson  
disaster\_recovery@hud.gov

**By U.S. Mail:**

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Jerome Hatfield, Regional Administrator  
U.S. Dep. of Homeland Security  
Federal Emergency Management Agency, R II  
26 Federal Plaza  
New York, NY 10278-0002

William Clarke, Regional Permit Administrator, Region 4  
New York State Department of Environmental Conservation  
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Schenectady, NY 12306-2014

Andrew Dangler  
ATTN: CENAN-OP-RU  
Biologist/Senior Project Manager, Upstate New York Section  
Department of the Army, US Army Corps of Engineers,  
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North Watervliet, NY 12189

Marlene White  
Supervisor of Mitigation Projects  
NYS Division of Homeland Security & Emergency Services  
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Albany, NY 12242

Mr. Ron Rausch, Director  
Environmental Management Bureau  
Office of Parks, Recreation and Historic Preservation  
625 Broadway, 2nd Floor  
Albany, New York 12238

James Piccola  
Planning Department  
New York State Department of Transportation Region 2  
Utica State Office Building  
207 Genesee Street  
Utica, NY 13501

Michael Simmons, Mayor  
Village of Fort Johnson  
P.O. Box 179  
Fort Johnson, NY 12070

Barbara Smith, Clerk  
Village of Fort Johnson  
P.O. Box 179  
Fort Johnson, NY 12070

Sandra L. Daigler  
Director, Upstate Planning, Design and Quality Assurance  
Dormitory Authority of State of New York  
515 Broadway  
Albany, New York 12150

Montgomery County Historical Society  
Old Fort Johnson  
2 Mergner Road  
P. O. Box 196  
Fort Johnson, NY 12070

**EARLY NOTICE OF A PROPOSED ACTIVITY  
IN A 100-YEAR FLOODPLAIN**

**OLD FORT JOHNSON PROJECT  
2 MERGNER ROAD, FORT JOHNSON, MONTGOMERY COUNTY, NEW YORK  
May 24, 2019**

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), has received an application from the Dormitory Authority of the State of New York (DASNY) to fund the Old Fort Johnson hardening project (hereinafter, the "Proposed Activity") and is conducting an evaluation as required by Executive Order 11988 and Executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations (24 CFR Part 55). There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk. Funding for the Proposed Activity will be provided by the HUD Community Development Block Grant – Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

DASNY, acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson against the impacts of future flood events. Old Fort Johnson is located one mile west of the city of Amsterdam on the north bank of the Mohawk River near its confluence with Kayadossieross Creek. Constructed in 1749 as the house, office and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America, the site was fortified during the French and Indian Wars. Originally the house was the center of a complex of outbuildings. Only two of these survive today – a privy and a barn, now used as a visitor center and staff housing. Fort Johnson is listed in the National Register of Historic Places and was designated a National Historic Landmark, in 1972.

The site is within the 100-year floodplain. During Hurricane Irene the Creek and River merged and covered the entire site; in the course of a few hours over eight feet of water poured across the grounds and through the buildings. In the 1749 historic house, the basement was completely filled with water and mud. On the raised first floor, five-and-a half feet of water covered the tops of the fireplace mantels and left mud and debris on the original wood paneling, windows, shutters and floors. The Visitor Center building had 2 feet of water on the first floor. The historic 18th century privy tipped over and floated into the footbridge, saving it from disappearing downstream. The Garage was also flooded with several feet of water, with over 30" in the public bathroom on the Creek side.

The proposed project includes the demolition of the concrete walls along the banks of the Kayadossieross Creek through the site; regrading the banks; regrading of the site and adding a berm on the western of Kayadossieross Creek with new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; and the construction of a new parking area. Approximately 0.65 acres will be disturbed.

The Proposed Activity will result in permanent impacts to approximately 0.65 acres of 100-Year Floodplain. These impacts will consist of new sidewalks.

Floodplain maps based on the FEMA Base Flood Elevation Maps and wetlands maps based on the National Wetland Inventory and New York State Department of Environmental Conservation (NYSDEC) data have been prepared and are available for review with additional information at <http://www.stormrecovery.ny.gov/environmental-docs>.

Any individual, group, or agency may submit written comments on the Proposed Activity or request further information by contacting Lori A. Shirley, Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12260; email: NYSCDBG\_DR\_ER@nyshcr.org. Standard office hours are 9:00 AM to 5:00 PM Monday through Friday. For more information call 518-474-0755. All comments received by June 10, 2019 will be considered.

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**  
**GOVERNMENT CODE § 8202**

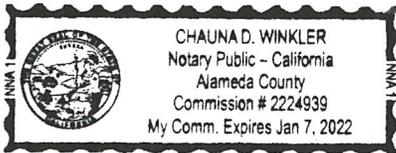
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- See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
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5 \_\_\_\_\_  
6 \_\_\_\_\_

Signature of Document Signer No. 1 \_\_\_\_\_  
Signature of Document Signer No. 2 (if any) \_\_\_\_\_

State of California  
County of Alameda

Subscribed and sworn to (or affirmed) before me  
on this 3rd day of June, 2019,  
by Trevor Tinline  
(1) \_\_\_\_\_  
(2) \_\_\_\_\_  
Name(s) of Signer(s)



Place Notary Seal Above

proved to me on the basis of satisfactory evidence  
to be the person(s) who appeared before me.  
Signature Chauna D. Winkler  
Signature of Notary Public

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document  
or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

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Tetra Tech, Inc.

05/24/19  
DATE

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Disaster Recovery and Special Issues Division  
451 7th Street SW, Room 7272  
Washington, DC 20410

**By E-mail only:**

Mike Poetzsch  
poetzsch.michael@epa.gov

Rhoda M. Nicholson  
disaster\_recovery@hud.gov

**By U.S. Mail:**

Ms. Therese J. Fretwell, Enviro. Officer, R 1 & 2  
U.S. Dep. of Housing and Urban Development  
26 Federal Plaza, Room 3541  
New York, NY 10278-0068

Jerome Hatfield, Regional Administrator  
U.S. Dep. of Homeland Security  
Federal Emergency Management Agency, R II  
26 Federal Plaza  
New York, NY 10278-0002

William Clarke, Regional Permit Administrator, Region 4  
New York State Department of Environmental Conservation  
1130 North Westcott Road  
Schenectady, NY 12306-2014

Andrew Dangler  
ATTN: CENAN-OP-RU  
Biologist/Senior Project Manager, Upstate New York Section  
Department of the Army, US Army Corps of Engineers,  
1 Buffington St., Bldg. 10, 3rd Fl.  
North Watervliet, NY 12189

Marlene White  
Supervisor of Mitigation Projects  
NYS Division of Homeland Security & Emergency Services  
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Albany, NY 12242

Mr. Ron Rausch, Director  
Environmental Management Bureau  
Office of Parks, Recreation and Historic Preservation  
625 Broadway, 2nd Floor  
Albany, New York 12238

James Piccola  
Planning Department  
New York State Department of Transportation Region 2  
Utica State Office Building  
207 Genesee Street  
Utica, NY 13501

Michael Simmons, Mayor  
Village of Fort Johnson  
P.O. Box 179  
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Barbara Smith, Clerk  
Village of Fort Johnson  
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Fort Johnson, NY 12070

Sandra L. Daigler  
Director, Upstate Planning, Design and Quality Assurance  
Dormitory Authority of State of New York  
515 Broadway  
Albany, New York 12150

Montgomery County Historical Society  
Old Fort Johnson  
2 Mergner Road  
P. O. Box 196  
Fort Johnson, NY 12070



Path: C:\Projects\Old Fort Johnson\_HUD\_EA\_103P359237A\GIS\Old Fort Johnson - Freshwater Wetlands.mxd

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 Sources: Esri, HERE, Garmin, Swisstopo, increment P Corp., GEBCO, USGS, FAO, NPS,  
 NRCAN, GEBCO, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

**Legend**

- Project Area
- NYS Freshwater Wetlands
- NYS Freshwater Wetlands Buffer
- NWI Wetlands**
- Riverine

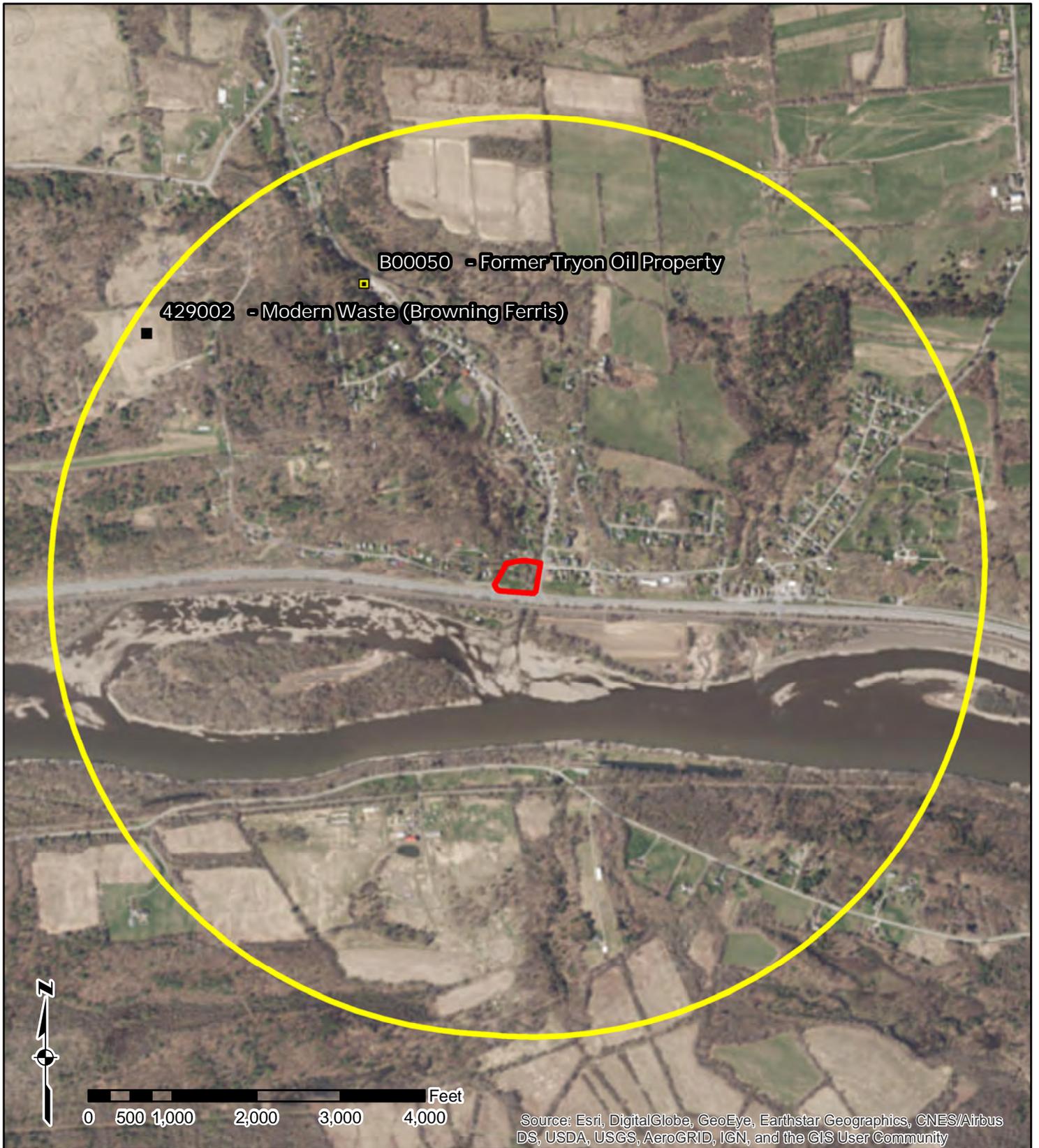
**Freshwater Wetlands**

Old Fort Johnson  
 2 Mergner Road  
 City of Fort Johnson  
 Montgomery County, New York



# **APPENDIX E**

## **CONTAMINATION AND TOXIC SUBSTANCES**



## Legend

-  Project Area
-  One Mile Project Area Buffer
-  Environmental Restoration Program
-  State Superfund Site

## Remediation Sites

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York





Department of  
Environmental  
Conservation

# Environmental Site Remediation Database Search Details

---

## Site Record

### Administrative Information

**Site Name:** Former Tryon Oil Property

**Site Code:** B00050

**Program:** Environmental Restoration Program

**Classification:** C

**EPA ID Number:**

### Location

**DEC Region:** 4

**Address:** Fort Johnson Avenue

**City:** Amsterdam Zip: 12070-

**County:** Montgomery

**Latitude:** 42.964235229

**Longitude:** -74.245392432

**Site Type:**

**Estimated Size:** 0.83 Acres

### Institutional And Engineering Controls

**Control Type:**

[Environmental Easement](#)

**Control Elements:**

Ground Water Use Restriction

Landuse Restriction

Building Use Restriction

### Site Owner(s) and Operator(s)

**Current Owner Name:** VILLAGE OF FT. JOHNSON

**Current Owner(s) Address:** 91 FT. JOHNSON AVE

VILLAGE OF FT. JOHNSON,NY, 12070

### Site Description

Location: Tryon Oil was an abandoned oil storage site located in the Village of Fort Johnson. The site is 0.83 acres in size and is located on the west side of Route 67, north of the Mohawk River. Site Features: The property is approximately 150 ft. deep with 240 ft. of road frontage that decreases to 185 ft. at the back. It is topographically level with Rt 67. The site is next to Kayaderosseras Creek. The site contained two 16,000 gallon and one 8,000 gal. ASTs. Also on site were one 275 gal. AST and a 500 gal. underground tank adjacent to the south corner of the garage. These tanks and contaminated soil surrounding the UST and under the ASTs were removed as part of an IRM in November 1999. Current Zoning and Land Use(s): The site is currently used by the Village of Fort Johnson to store the plow truck and road salt, and is zoned for commercial use. The surrounding parcels are residential structures. The nearest residential structure is adjacent to the site. Past Use of the Site: The site was purchased by the Tryon Corporation on July 6, 1961. The site was developed by the Tryon Corporation and used as an oil storage facility, truck maintenance facility, and field office. In the early 1960's, when first filling one of the 16,000 gallon above ground oil storage tanks, the concrete support cradle collapsed, the tank ruptured and No. 2 home heating fuel oil was spilled onto the surface of the site. The oil ran over the ground across Route 67 into the Kayaderosseras Creek, and also through a drainage culvert under Route 67 into the creek. Site Geology and Hydrogeology: Overburden material encountered during the subsurface investigation consisted of interbedded layers of gravel, sand, silt, and clay. Gravel was encountered across the majority of the site from the surface to depths of 1 to 9.5 ft. There was an impermeable, compact, clayey till layer underlying the site at depths between seven to nine ft. below grade. The average depth to groundwater in the wells installed at the site was between one and five feet below the ground surface. The depth to groundwater increased from west to east and flows toward the Kayaderosseras Creek. Groundwater elevations and stream levels suggest that the groundwater and stream is hydraulically connected.

## Contaminants of Concern (Including Materials Disposed)

### Contaminant Name/Type

xylene (mixed)

ethylbenzene

toluene

benzene

## Site Environmental Assessment

Nature and Extent of Contamination: Remediation at the site is complete. Prior to remediation, the primary contamination of concern were BTEX compounds in soil.

## Site Health Assessment

The interim remedial measure removed the abandoned petroleum storage tanks and petroleum contaminated soils. The combination of the site management plan (to address residual contaminated

soils), the institutional controls (that limit site use to non-residential and restrict groundwater use), and groundwater monitoring serves to reduce the potential for future exposures at this site.

For more Information: [E-mail Us](#)

Refine This Search



Department of  
Environmental  
Conservation

# Environmental Site Remediation Database Search Details

---

## Site Record

### Administrative Information

**Site Name:** Modern Waste (Browning Ferris)

**Site Code:** 429002

**Program:** State Superfund Program

**Classification:** 04

**EPA ID Number:**

### Location

**DEC Region:** 4

**Address:** Sand Pit Road

**City:** Amsterdam Zip: 12010

**County:** Montgomery

**Latitude:** 42.963052498

**Longitude:** -74.252472099

**Site Type:** LANDFILL

**Estimated Size:** 10 Acres

### Site Owner(s) and Operator(s)

**Current Owner Name:** Browning Ferris Industries

**Current Owner(s) Address:** 5600 Niagara Falls Boulevard  
Niagara Falls, NY, 14304

**Current Owner Name:** MODERN WASTE

**Current Owner(s) Address:** 5600 NIAGARA FALLS BOULEVARD  
NIAGARA FALLS, NY, 14304

**Owner(s) during disposal:** MODERN WASTE

**Current On-Site Operator:** MODERN WASTE

**Stated Operator(s) Address:**

,ZZ

**Current On-Site Operator:** Modern Waste

**Stated Operator(s) Address:** Sand Pit Road  
Amsterdam, NY 12010

### Hazardous Waste Disposal Period

**From:** 1966 **To:** 1978

## Site Description

This site is a closed landfill which accepted municipal and industrial wastes from the Amsterdam area. It operated from the 1960s to 1978. A cap was constructed over the landfill and a leachate collection system was also built. The leachate collection system has since been redesigned and expanded. In addition, portions of the landfill cap have been rebuilt and the former leachate collection system pond has been abandoned and removed. Post-closure monitoring is continuing. Homeowner wells were sampled in 1994 by the NYSDOH. Analytical results did not reveal any notable contamination. This site was referred to the Division of Solid Waste (DSW) in March of 1990 for handling under the Part 360 program.

## Contaminants of Concern (Including Materials Disposed)

### Contaminant Name/Type

CHROMIUM (D007)

CYANIDE WASTES (D003)

ELECTROPLATING SLUDGE (F008)

## Site Environmental Assessment

Additional Part 360 work has been done in order to reduce a recurring leachate outbreak problem at this site. A monitoring program is in place.

## Site Health Assessment

The site is closed, capped, and leachate is controlled, therefore exposures to contaminants at the surface are not expected. Sampling of nearby homeowner wells did not detect any contamination. No routes of exposure to contaminants are apparent.

For more Information: [E-mail Us](#)

Refine This Search



Ambient Environmental, Inc.

Building Science and EHS Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

April 3, 2019

Mr. Walter Lippmann  
M.J. Engineering & Land Surveying, P.C.  
1533 Crescent Road  
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RE: Hazardous Materials Survey Report  
Limited Pre-Demolition  
Asbestos, Lead-Based Paint, & Polychlorinated Biphenyls (PCB)  
109 Quackenbush Street  
Fort Hunter, NY  
Ambient Project Number: 181210AC

Dear Mr. Lippmann:

Ambient Environmental, Inc. is pleased to submit the attached Hazardous Materials Survey Report for asbestos, lead-based paint, and polychlorinated biphenyls (PCB) at the above-referenced site. This report includes the procedures and methodologies followed, analytical laboratory results, and applicable conclusions and recommendations.

Ambient appreciates the opportunity to serve M.J. Engineering & Land Surveying, P.C. and we look forward to working with you in the future. In the meantime, if you have questions or comments regarding the information in this report or if we can be of further assistance please do not hesitate to contact us.

Sincerely,  
Ambient Environmental, Inc.

Scott Harriman  
Inspection Lead

Bradley Fuller  
Asbestos Inspector  
Asbestos License # 17-34558

Enclosure



**Ambient Environmental, Inc.**

Building Science and EHS Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

# **HAZARDOUS MATERIALS SURVEY**

## **Limited Pre-Demolition**

### ***Asbestos, Lead-Based Paint, & PCB Caulk***

*109 Quackenbush Street  
Fort Hunter, NY*

*Survey Date: March 19, 2019*

Prepared for:

**Mr. Walter Lippmann**  
**M.J. Engineering & Land Surveying, P.C.**  
1533 Crescent Road  
Clifton Park, New York 12065

Prepared by:

**Ambient Environmental, Inc.**  
828 Washington Ave.  
Albany, New York 12203

Ambient Project No. 181210AC

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**ATTACHMENTS**

- Attachment A Summary of Sample Results, Asbestos Containing Materials, Conditions, Quantities and Asbestos Laboratory Analysis Report with Chain of Custody Documentation
- Attachment B Lead-based Paint Testing Results
- Attachment C Sample and Material Location Drawings
- Attachment D Photographic Documentation
- Attachment E Company, Inspector and Laboratory Accreditations and Licenses

## 1.0 PURPOSE AND SCOPE OF SERVICES

The purpose of this project was to conduct a hazardous materials survey for asbestos, lead-based paint (LBP), and polychlorinated biphenyls (PCB) at 109 Quackenbush Street, Fort Hunter, NY (The Site). The areas inspected included the entire residential building, both interior and exterior, along with the attached garage. Ambient Environmental, Inc. (Ambient) provided the following services for M.J. Engineering & Land Surveying, P.C. (Client) in accordance with Ambient proposal number 2018-05-207 Rev. 2.

Conduct a representative Hazardous Materials Survey in the identified building, which includes:

- Survey the site building.
- Identify accessible suspect asbestos-containing materials (ACMs) that were not previously tested using limited destructive means.
- Quantify ACMs, including material condition and location.
- Collect and analyze bulk samples of suspect friable and non-friable materials to eliminate suspect materials as asbestos containing.
- Conduct a limited lead-based paint inspection of the building with an RMD X-Ray Fluorescence (XRF) lead paint analyzer.
- Collect and analyze bulk samples of potential PCB containing window/door caulk.

## 2.0 EXECUTIVE SUMMARY

The inspection was conducted by NYS licensed and AHERA trained asbestos inspectors and trained lead inspectors on March 19, 2019. The inspection involved visual examinations and sampling of suspect materials that may be impacted by planned demolition projects.

Inspection results revealed the following findings:

- **The demolition area does contain asbestos containing materials**
- **The demolition area does contain lead-based paint**
- **The demolition area had no caulking that required sampling for PCBs**
- **On the 1st & 2nd Floors there is an asbestos incidental disturbance of plaster walls and ceilings. This disturbance will require a contamination assessment and the development and submission of a NYS DOL Site Specific Variance to allow for the clean-up and abatement of this material by a NYS licensed and certified asbestos abatement contractor. The house should be cordoned off and not occupied by any uncertified asbestos personnel until the proper cleanup has been completed.**
- **Please Note: Some areas in the building were not accessible for sampling. Multiple rooms were filled with personal belongings. Until those belonging have been addressed, this report is only to be considered limited. Once the belongings have been addressed Ambient needs return to complete the survey.**

Please see attachments and specific report sections for sample locations, type of materials and analytical results.

### **3.0 ASBESTOS-CONTAINING MATERIALS SURVEY**

On March 19, 2019, Ambient performed an asbestos-containing material survey for planned demolition at the subject property. Ambient examined previous reports, if available, to determine if adequate sampling was performed in the work areas and collected additional samples that appeared to be deficient. New York State certified and AHERA trained asbestos inspectors conducted the asbestos survey of the area.

The building was visually inspected for the presence of any additional building materials in the path of demolition that are suspected to contain asbestos. Bulk samples of the newly identified suspect ACMs were collected and placed into individual containers for transport to a National Voluntary Laboratory Accreditation Program (NVLAP) and a New York State Department of Health Environmental Laboratory Approval Program (ELAP)-accredited laboratory for analysis. Materials visibly identified as non-asbestos (fibrous glass, foam rubber, wood, etc.) were not sampled. The asbestos survey consisted of three basic procedures: **1)** conducting a visual inspection of the structures; **2)** identifying homogeneous areas (HAs) of suspect surfacing, thermal system insulation, and miscellaneous materials; and **3)** sampling accessible, friable and non-friable suspect materials.

#### **3.1 Sampling Protocol**

##### *3.1.1 Homogeneous Areas*

Prior to collecting any samples, HAs were identified and listed to develop a sampling strategy. A homogeneous sampling area can be described as one or more areas of material that are similar in appearance and texture and that have the same installation date and function. The actual number of samples collected from each homogeneous sampling area may vary, based on the type of material and the professional judgment of the inspector.

##### *3.1.2 Hazard Assessment Factors*

From the list of suspect homogeneous materials, a physical assessment was performed for each material on the list. A physical assessment includes evaluating the condition, assessing the potential for disturbance, and determining the friability of each material. Friability is a term used to describe the ease in which a building material inherently lends itself to disturbance. By definition, “friable” materials are those that can be crumbled or reduced to powder by hand pressure when dry. Each material on the list was further classified into one of three categories, which have specific sampling requirements for each category.

Surfacing Materials: Refers to spray-applied or troweled surfaces such as plaster ceilings and walls, fireproofing, textured paints, textured plasters, and spray-applied acoustical surfaces.

Thermal System Insulation: Refers to insulation used to inhibit heat gain or loss on pipes, boilers, tanks, ducts, and various other building components.

Miscellaneous Materials: Refers to friable and non-friable products and materials that do not fit in any of the above two categories such as resilient floor covering, baseboards, mastics, adhesives, roofing material, caulking, glazing, and siding. This category also contains wallboard and ceiling tile.

All confirmed ACMs were then assessed by their condition as good (intact), fair (damaged) or poor (significantly damaged) per Title 40 Code of Federal Regulations Part 763. Material with localized significant damage was also assessed as poor when observed.

### 3.1.3 Sampling Strategy

The asbestos inspection was conducted according to New York State Department of Labor Industrial Code Rule 56 guidelines using a minimum number of samples collected from each HA, which also meets the sampling requirement found in 29 CFR 1926.1101.

Sample collection depends on the category that the HA falls into and the amount of material present, as follows:

| <b>GUIDELINES FOR DETERMINING THE NUMBER OF SAMPLES TO TAKE</b> |                |  |
|---|----------------|--|
| <b>HA CATEGORY</b>  | <b>HA SIZE</b> | <b>SAMPLES REQUIRED</b>  |
| Surfacing Materials   | <1,000 SF      | 3  |
|   | 1,000-5,000 SF | 5  |
|   | >5,000 SF      | 7 or more  |
| Thermal System Insulation                                       | No Stipulation | 3+ (Must also sample all repair patches)   |
| Miscellaneous Materials   | No Stipulation | Per AHERA, these materials must be sampled "in a manner sufficient to determine whether or not they contain asbestos" typically 2-3 samples based upon inspector judgment. |

If the analytical results indicated that all the samples collected per HA did not contain asbestos, then the HA (material) would be considered a non-ACM. However, if the analytical results of one or more of the samples collected per HA indicate that asbestos is present in quantities of greater than 1 percent asbestos by weight (as defined by EPA), all of the HA (material) would be treated as an ACM regardless of any other analytical results. Material, which can visually be determined to be non-asbestos (i.e., fibrous glass, foam rubber, etc.) by the accredited inspector are not required to be sampled.

Miscellaneous materials require adequately representative sampling, which is typically done by collecting from two to three samples per material. Inspectors typically rely on other survey observations such as the condition, friability, and quantity of material to determine what would be a sufficient number of samples to accurately evaluate the presence or absence of asbestos content.

Actual collection of a bulk asbestos sample involves physically removing a small piece of material and placing it in a marked, airtight container. Sample containers are marked with a unique identification number, which is also noted in the field notes.

### *3.1.4 Laboratory Analytical Results*

The samples were sent to AmeriSci New York in New York, New York for analysis. AmeriSci is fully accredited for bulk sample analysis under the Environmental Laboratory Approval Program (ELAP) administered by the New York State Department of Health, (ELAP# 11480). AmeriSci is also accredited by the National Voluntary Laboratory Accreditation Program (NVLAP No. 200546-0) for both air and bulk sampling.

- *Friable Samples* – Friable suspect asbestos containing material samples were analyzed utilizing Method EPA/600/R-93/116 with New York State ELAP 198.1 revision to facilitate compliance with both AHERA and the New York State Department of Health polarized light microscopy (PLM) analytical techniques. All fibers observed were identified to determine whether or not they contained asbestos.
- *Non-Friable Samples* – Non-friable organically bound (NOB) suspect asbestos containing material samples were analyzed utilizing Method EPA/600/R-93/116 with New York State ELAP 198.6 and 198.4 revisions to facilitate compliance with both AHERA and the New York State Department of Health polarized light microscopy (PLM) and transmission electron microscopy (TEM) analytical techniques. These non-friable organically bound samples must be weighed to record initial sample weights, then subjected to muffle furnace and acid bath sample preparation to eliminate the organic constituents. If the remaining inorganic sample residue is 1% or less of the original sample weight, the sample is considered a non-asbestos containing material. If the remaining inorganic sample residue is greater than 1% of the original sample weight then the sample must be analyzed using either PLM or TEM analytical techniques to determine that the sample is an asbestos containing material (positive) or TEM to prove that the sample is a non-asbestos containing material (negative). A non-friable organically bound sample must be proven a non-asbestos containing material utilizing the NYS ELAP 198.4 TEM test method to be in compliance with the New York state Department of Health.

The surfacing material samples were sent to Atlas Environmental Lab. Corp. (Atlas) in New York, New York for analysis. Atlas is fully accredited for bulk sample analysis under the Environmental Laboratory Approval Program (ELAP) administered by the New York State Department of Health, (ELAP# 11999). Atlas is also accredited by the National Voluntary Laboratory Accreditation Program (NVLAP No. 500092-0) for both air and bulk sampling.

- *Surfacing Material Samples* – Friable suspect asbestos containing material samples were analyzed utilizing Method EPA/600/R-93/116 with New York State ELAP 198.1 revision to facilitate compliance with both AHERA and the New York State Department of Health polarized light microscopy (PLM) analytical techniques. When vermiculite is identified in the samples, they must be analyzed by New York State ELAP Method 198.8. When no vermiculite is identified in the samples, analysis by 198.1 is completed and all fibers observed are identified to determine whether or not they contain asbestos.
- *Vermiculite Containing Surfacing Material Samples* – Surfacing material samples that contain vermiculite must be analyzed by NYS ELAP Method 198.8. This method incorporates a two-step approach for the identification and quantitation of chrysotile and amphibole asbestos in surfacing materials containing vermiculite. The sampled materials are gravimetrically reduced including the ashing and dilute acid treatment process to remove

organic materials, gypsum and cement from the sample. The residue is then analyzed by PLM for the presence of chrysotile in the ashed sample. When the result is greater than 1% chrysotile, analysis stops and the material is reported as an asbestos containing material. If no chrysotile is identified, or the concentration does not exceed 1%, analysis continues to determine amphibole content. Centrifugation is used to separate the heavier particles from the less dense components. The concentration of the amphiboles is then determined by PLM using point counting procedures. The results of the amphibole analysis are added to the results of the PLM chrysotile analysis to determine if the asbestos content is greater than 1% total asbestos content.

### **3.2 Asbestos Containing Material Results**

The results of the asbestos survey conducted on March 19, 2019 indicate that the following sampled materials were found to contain more than 1.0% asbestos:

- White Transite Siding
- White Rolled Floor
- Gray Rough Coat Plaster – Ceiling
- Gray Rough Coat Plaster - Wall

Attachment A contains a table listing samples collected and analyzed, sample locations, results, identified asbestos containing materials, homogeneous locations, quantities and the asbestos laboratory analysis report with chain of custody documentation, the sample and material location drawings, as well as the photo documentation.

*Please Note: Some materials collected and analyzed in this inspection do contain trace amounts of asbestos. These materials include:*

- Black Chimney Tar

*This information must be conveyed to any contractors working on these materials for compliance with the Occupational Safety and Health Administration 1926.1101. Work that will disturb these materials may require a negative exposure assessment and may include the use of respirators, employee fit tests, an employer respiratory protection program, and an employer medical monitoring program.*

The building survey included limited destructive sampling for “hidden” materials. Therefore, the results of this survey may not be inclusive of all asbestos containing material that may be present in the pathway of demolition. If, during the course of renovation, any suspect material is discovered that is not listed on the table in Attachment A it must be treated as asbestos containing material and handled appropriately or sampled by an inspector and analyzed according to NYS and EPA regulations.

One (1) copy of the results of the building/structure asbestos survey shall be immediately transmitted by the building/structure owner as follows:

- One (1) copy of the completed asbestos survey shall be sent by the owner or their agent to the local government entity charged with issuing a permit for such demolition, renovation, remodeling or repair work under applicable State or local laws.
- The completed asbestos survey for controlled demolition (as per Subpart 56-11.5) or pre-demolition asbestos projects shall also be submitted to the appropriate Asbestos Control Bureau district office.
- The completed asbestos survey shall be kept on the construction site with the asbestos notification and variance, if required, throughout the duration of the asbestos project and any associated demolition, renovation, remodeling or repair project.

#### **4.0 LEAD-BASED PAINT SURVEY**

On March 19, 2019, Ambient conducted a limited lead-based paint (LBP) investigation of building components which will be affected by proposed renovation work. The purpose of this investigation was to assess if building components contain actionable quantities of lead-based paint.

The U.S Environmental Protection Agency (EPA) and U.S. Department of Housing and Urban Development (HUD) has established a definition of lead-based paint as a paint or other surface coating that contains lead equal to or greater than 1.0 mg/cm<sup>2</sup> or 0.5% by weight (equivalent units are: 5,000 µg/g, 5,000 mg/kg, or 5,000 ppm by weight). Surface coatings include paint, shellac, varnish, or any other coating, including wallpaper, which covers painted surfaces. A limited inspection for lead-based paint using XRF instrumentation was conducted to determine if lead coated surfaces were affected. This inspection was not in full compliance with HUD guidelines

#### **4.1 Sampling Protocol**

##### *4.1.1 Methodology*

Testing was performed using X-Ray Fluorescence analysis (XRF) of painted construction materials. The RMD LPA-1, manufactured by Radiation Monitoring Devices Inc., was utilized during this survey.

The LPA-1 Lead Paint Analyzer is a complete lead paint analysis system that quickly, accurately, and non-destructively measures the concentration of LBP on surfaces. The LPA-1 relies on the measurement of the K-shell X-rays to determine the amount of lead present in the painted surface. K-shell X-rays can penetrate many layers of paint and allow a measurement of the lead content of paint to be made without being significantly affected by the thickness or number of layers of paint on the surface of the sample.

The LPA-1 has the ability to analyze and compute corrections for the differences in the energy spectrums relating to different substrates. This analysis of the energy spectrum means that the lead paint reading displayed on the instrument already accounts for any substrate effects and correction is not required by the operator. The LPA-1's field of view is limited to a depth of 3/8", deep enough to handle virtually all painted surfaces, but not prone to detect lead objects located behind the surface.

There are two measurement modes of operation in the LPA-1 analyzer namely the "Standard Mode" and the "Quick Mode". In the "Standard" mode, the operator selects a fixed measurement time that remains constant irrespective of the lead signal. In the "Quick" mode, the analyzer automatically adjusts the measurement time to be the least time that is needed to make a definitive measurement with a 95% confidence level (2-sigma). The LPA-1 analyzer will finish a measurement once the 2-sigma confidence level is achieved and the data is statistically meaningful. This time period for conclusive measurements is typically between 1 to 5 seconds but can extend to a measurement of 60 seconds depending on the action level for abatement. The LPA-1 was utilized in the "Quick" mode for the testing performed.

Upon arrival at the job site and once every four hours or after the day's paint testing work was completed, a "validation test" was performed to assure that the instrument was operating properly. When the "Quick" mode is used for paint testing, the "Time Corrected" mode is used for the "validation test." The "validation test" includes taking a series of three test measurements on the NIST Paint Film Standard (SRM No. 2579) as required by the instrument's PCS. The individual readings and an average of the three readings were recorded and compared to the standards. In all cases, the instrument was functioning within the standard deviation as defined by the manufacturer and the PCS. All validation readings are recorded on the field sample collection logs in the order in which they were taken at the site. If for any reason the XRF does not pass the quality control procedures, it is replaced with an XRF that passes the above criteria for calibration.

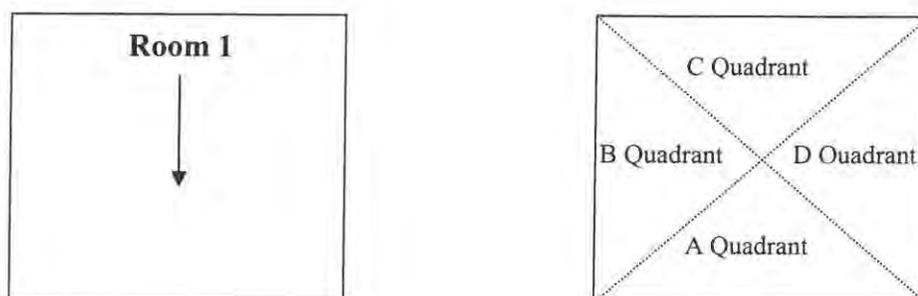
The parameters used to interpret XRF results are outlined in the HUD Guidelines and the Performance Characteristics Sheet (PCS). According to the PCS, each XRF result that is greater than or equal to 1.0 mg/cm<sup>2</sup> is classified as positive for LBP. It is considered negative for LBP if the result is less than 1.0 mg/cm<sup>2</sup>.

**When measurable amounts of lead are reported in the XRF result, the paint is classified by OSHA as a lead containing material.**

#### *4.1.2 Strategy*

Location identifiers (reading numbers) were assigned to each room component. Each location sampled has a unique number. The associated sample results will be listed by room number, room location, room name, location in the space and description of material sampled. By convention a sample location is assigned a letter designator for each of the four walls. This divides the space into four equal quadrants, each quadrant consisting of a wall, portion of the floor and a portion of the ceiling. Please see Diagram 1. These letter designators are A, B, C and D. On the diagrams provided, the letter designators are marked for each of the quadrants. In this fashion the sampled space, location in the space and the description of the material sampled can be identified on the attached drawings and associated results table.

**Diagram 1**



#### **4.2 Lead-Based Paint Results**

The results of the lead-based paint survey conducted at the subject property indicate that the following materials were found to be characterized as lead-based paint:

- White Paint on Wood Siding
- Yellow Paint on Wood Door Casing

Attachment B contains the lead-based paint results.

#### **4.3 Recommendations**

Any contractor disturbing a lead-based paint is directed to comply with all applicable laws and regulations governing the disturbance of lead-based or lead containing materials including but not limited to *Occupational Safety and Health Administration (OSHA)* standards including *Construction Lead Standard 29 CFR 1926.62*. Air monitoring for employee exposures should be performed in accordance with the National Institute for Occupational Safety and Health (NIOSH) 7300 Method or equivalent. As an alternative to air monitoring, the contractor may provide objective data per 29 CFR 1926.62 Section (d)(3)(iv). The contractor shall employ work practices and controls to prevent the occurrence of lead contamination at the Site.

#### **5.0 POLYCHLORINATED BIPHENYL (PCB) SURVEY**

On March 19, 2019, Ambient walked through the demolition area to inspect for suspect PCB containing caulk that could be impacted by the upcoming demolition. There was no caulk that required sampling.

Attachment C contains the sample and material location drawings.

Attachment D contains photographic documentation.

Attachment E contains the company, inspector and laboratory accreditations and licenses.

## 6.0 ASSUMPTIONS, LIMITATIONS, AND OTHER CONCERNS

The results, findings, conclusions, and recommendations expressed in this report are based only on conditions that were noted during the inspection of the subject property.

- Ambient's selection of sample locations and frequency of sampling was based on observations and the assumption that like materials in the same area are homogeneous in content.
- Refer to Section 1.0 Purpose and Scope of Services of this report to see clarification of survey locations that were in our scope of work.
- On the 1<sup>st</sup> & 2<sup>nd</sup> Floors there is an asbestos incidental disturbance of plaster walls and ceilings. This disturbance will require a contamination assessment and the development and submission of a NYS DOL Site Specific Variance to allow for the clean-up and abatement of this material by a NYS licensed and certified asbestos abatement contractor. The house should be cordoned off and not occupied by any uncertified asbestos personnel until the proper cleanup has been completed.
- The inside of duct work, piping, boilers, and other building mechanical systems were not inspected as these systems are inaccessible and complete destruction or disassembly is required to gain access. *These items may contain asbestos.*
- Floor levelers, seam sealers, adhesives, concrete sealers and other materials below flooring layers may exist. The limited destructive nature of sampling may not have discovered these materials as only small areas of large expanses of flooring are accessed.
- Caulk may be present within the interior door/window casements and was not tested at the time of the inspection. Disassembly of the casements would be required to access any materials that may be found.
- The lead-based paint inspection was limited to representative accessible painted surfaces that are expected to be impacted by the planned renovation or demolition as of the date of the inspection. Representative locations were selected based on available information including construction and renovation history, conditions observed during the paint inspection and inspector safety when accessing the surfaces. OSHA requires the use of lead safe work practices to protect employees who are disturbing any lead containing material including, but not limited to, components coated with lead-based paint or varnish.
- Ambient cut carpets in every room that was accessible. However, please note that it cannot be guaranteed that these areas do not contain potential suspect flooring material once the complete carpet is removed.
- **Please Note:** Some areas in the building were not accessible for sampling. Multiple rooms were filled with personal belongings. Until those belongings have been addressed, this report is only to be considered limited. Once the belongings have been addressed Ambient needs return to complete the survey.
- Raw vermiculite insulation was not found during this inspection; however, vermiculite insulation may exist in concealed spaces in the building. Currently, there is no approved analytical methodology to confirm vermiculite as non-asbestos; therefore, it automatically has to be considered to be contaminated with asbestos in New York State. If encountered during renovation it must be handled as an asbestos containing material. Please refer to this

link for more information <http://www2.epa.gov/asbestos/protect-your-family-asbestos-contaminated-vermiculite-insulation>

- Although there was no asbestos containing Thermal System Insulation (TSI) or pipe insulation found there may be TSI or pipe insulation found in unseen cavities or wet walls. A reasonable attempt was made to identify all TSI without performing full demolition.
- There was limited access to the attic. Any unidentified materials located in attic should be considered asbestos containing until tested.
- This report reflects the conditions found at the date and time of the inspections. Conditions of the area may change due to external events or forces. Re-inspection of the area may be required prior to the start of any work if an extended period of time has passed or if disturbances have occurred.
- All locations on drawings are approximate and all quantities are estimated. Any contractor or other user of this report is required to physically visit the site to verify all measurements and confirm the quantities of materials to be removed, to be bid for removal, or for any other purpose.

All construction personnel, as well as individuals who have access to locations where ACM exists, should be informed of its presence and the proper work practices in these areas. Conspicuous labeling of all ACM is suggested to ensure personnel is adequately informed. Personnel should be informed not to rest, lean or store material or equipment on or near these surfaces and not to cut, saw, drill, sand or disturb ACM. All removal, disturbance and repair of ACM should be performed in compliance with Title 12 NYCRR Part 56 by persons properly trained to handle ACM. Facility custodial and maintenance personnel should receive training commensurate with their work activities; as defined in 29 CFR 1910.1001.

The report is designed to aid the building owner, architect, construction manager, general contractors, and potential asbestos or lead abatement contractors in locating ACM. Under no circumstances is the report to be utilized as a bidding document or as a project specification document since it does not have all the components required to serve as an Asbestos Project Design document or an Abatement Workplan.

Our professional services have been performed, our findings obtained, and our conclusions and recommendations prepared in accordance with customary principles and practices in the fields of environmental science and engineering. This statement is in lieu of other statements either expressed or implied. This report does not warrant against future operations or conditions, nor does it warrant against operations or conditions present of a type or at a location not investigated.

Ambient inspected and sampled materials, which were observable and accessible to the survey team. It is possible, however, that additional suspect materials may exist within interstitial spaces (i.e. underground chases, plenums, wall cavities, beneath pavement/asphalts pathways, etc.), which were not accessible or not made accessible and as a result, not noted in this report.

If questions arise regarding asbestos in materials/locations that were not tested by Ambient, then additional survey services should be procured to test these locations. Ambient makes no representation or warranty concerning the standards and specifications provided in applicable regulations. Any materials that have not been tested and/or found during future investigation must be assumed positive for asbestos, lead-based paint and/or PCB (if applicable).

**ATTACHMENT A**  
**TABLE OF SAMPLE RESULTS ASBESTOS CONTAINING MATERIALS,  
CONDITIONS, QUANTITIES AND ASBESTOS LABORATORY ANALYSIS  
REPORT WITH CHAIN OF CUSTODY DOCUMENTATION**

**M.J. ENGINEERING & LAND SURVEYING, P.C.**  
**109 QUACKENBUSH STREET, FORT HUNTER, NY**  
**SUMMARY OF ASBESTOS SAMPLES AND ANALYSIS RESULTS**

| Homogeneous Area Number | Bulk Sample ID Number | Sampled Material                                | Sample Location                                      | Friability (N/F) | Condition (G, D, SD) | Quantity | Homogeneous Area                         | Asbestos Content (Type & %) |
|-------------------------|-----------------------|---|--|------------------|----------------------|----------|--|-----------------------------|
| 01                      | 01                    | Black Shingles                                  | Roof - North   | N                | G                    | N/A      | N/A                                      | NAD                         |
| 01                      | 02                    | Black Shingles                                  | Roof - South   | N                | G                    | N/A      | N/A                                      | NAD                         |
| 02                      | 01                    | Black Vapor Barrier under Black Shingles        | Roof - North   | N                | G                    | N/A      | N/A                                      | NAD                         |
| 02                      | 02                    | Black Vapor Barrier under Black Shingles        | Roof - South   | N                | G                    | N/A      | N/A                                      | NAD                         |
| 03                      | 01                    | Black Chimney Tar                               | Roof - Chimney                                       | N                | G                    | N/A      | N/A                                      | <1.0% Chrysotile            |
| 03                      | 02                    | Black Chimney Tar                               | Roof - Chimney                                       | N                | G                    | N/A      | N/A                                      | <1.0% Chrysotile            |
| 04                      | 01                    | White Transite Siding                           | Exterior - 2 <sup>nd</sup> Floor Front Dormer        | F                | G                    | 130 SF   | Front Dormer & South Upper Exterior Wall | 14.3% Chrysotile            |
| 04                      | 02                    | White Transite Siding                           | Exterior - 2 <sup>nd</sup> Floor South Side of House | F                | G                    |          |  | NA/PS                       |
| 05                      | 01                    | Black Vapor Barrier on Wall behind Vinyl Siding | Exterior - 1 <sup>st</sup> Floor North Side of House | N                | G                    | N/A      | N/A                                      | NAD                         |
| 05                      | 02                    | Black Vapor Barrier on Wall behind Vinyl Siding | Exterior - 1 <sup>st</sup> Floor South Side of House | N                | G                    | N/A      | N/A                                      | NAD                         |
| 06                      | 01                    | Gray Concrete Block Foundation                  | Exterior - 1 <sup>st</sup> Floor North Side of House | F                | G                    | N/A      | N/A                                      | NAD                         |
| 06                      | 02                    | Gray Concrete Block Foundation                  | Exterior - 1 <sup>st</sup> Floor South Side of House | F                | G                    | N/A      | N/A                                      | NAD                         |
| 07                      | 01                    | Gray Concrete Flooring                          | Basement - North                                     | F                | G                    | N/A      | N/A                                      | NAD                         |
| 07                      | 02                    | Gray Concrete Flooring                          | Basement - South                                     | F                | G                    | N/A      | N/A                                      | NAD                         |
| 08                      | 01                    | Gray Foundation Mortar                          | Basement - North                                     | F                | G                    | N/A      | N/A                                      | NAD                         |
| 08                      | 02                    | Gray Foundation Mortar                          | Basement - South                                     | F                | G                    | N/A      | N/A                                      | NAD                         |
| 09                      | 01                    | 9x9 Brown Swirl Pattern Vinyl Floor Tile        | 1 <sup>st</sup> Floor Storage Room - North           | N                | G                    | N/A      | N/A                                      | NAD                         |
| 09                      | 02                    | 9x9 Brown Swirl Pattern Vinyl Floor Tile        | 1 <sup>st</sup> Floor Storage Room - South           | N                | G                    | N/A      | N/A                                      | NAD                         |
| 10                      | 01                    | 12X12 White With Blue Speckle Vinyl Floor Tile  | 1 <sup>st</sup> Floor Bathroom - North               | N                | G                    | N/A      | N/A                                      | NAD                         |
| 10                      | 02                    | 12X12 White With Blue Speckle Vinyl Floor Tile  | 1 <sup>st</sup> Floor Bathroom - North               | N                | G                    | N/A      | N/A                                      | NAD                         |
| 11                      | 01                    | Brown Flower Pattern Wall Fabric                | 1 <sup>st</sup> Floor Foyer - North                  | N                | G                    | N/A      | N/A                                      | NAD                         |

**M.J. ENGINEERING & LAND SURVEYING, P.C.**  
**109 QUACKENBUSH STREET, FORT HUNTER, NY**  
**SUMMARY OF ASBESTOS SAMPLES AND ANALYSIS RESULTS**

| Homogeneous Area Number | Bulk Sample ID Number | Sampled Material                  | Sample Location                               | Friability (N/F) | Condition (G, D, SD) | Quantity  | Homogeneous Area                                   | Asbestos Content (Type & %) |
|-------------------------|-----------------------|-----------------------------------|---|------------------|----------------------|-----------|--|-----------------------------|
| 11                      | 02                    | Brown Flower Pattern Wall Fabric  | 1 <sup>st</sup> Floor Foyer – South           | N                | G                    | N/A       | N/A  | NAD                         |
| 12                      | 01                    | White Rolled Floor                | 1 <sup>st</sup> Floor Kitchen – North         | N                | G                    | 120 SF    | Kitchen Floor                                      | 2.2% Chrysotile             |
| 12                      | 02                    | White Rolled Floor                | 1 <sup>st</sup> Floor Kitchen - South         | N                | G                    |           |  | NA/PS                       |
| 13                      | 01                    | Gypsum Board Wall                 | 1 <sup>st</sup> Floor Kitchen - North         | F                | G                    | N/A       | N/A  | NAD                         |
| 13                      | 02                    | Gypsum Board Wall                 | 1 <sup>st</sup> Floor Kitchen - South         | F                | G                    | N/A       | N/A  | NAD                         |
| 14                      | 01                    | White Joint Compound              | 1 <sup>st</sup> Floor Kitchen - North         | N                | G                    | N/A       | N/A  | NAD                         |
| 14                      | 02                    | White Joint Compound              | 1 <sup>st</sup> Floor Kitchen - North         | N                | G                    | N/A       | N/A  | NAD                         |
| 15                      | 01                    | Red Brick                         | Attic Chimney                                 | F                | G                    | N/A       | N/A  | NAD                         |
| 15                      | 02                    | Red Brick                         | Attic Chimney                                 | F                | G                    | N/A       | N/A  | NAD                         |
| 16                      | 01                    | Black mortar for Red Brick        | Attic Chimney                                 | F                | G                    | N/A       | N/A  | NAD                         |
| 16                      | 02                    | Black mortar for Red Brick        | Attic Chimney                                 | F                | G                    | N/A       | N/A  | NAD                         |
| 17                      | 01                    | Black Shingle Debris              | Attic   | N                | G                    | N/A       | N/A  | NAD                         |
| 18                      | 01                    | White Skim Coat Plaster – Ceiling | 1 <sup>st</sup> Floor – Dining Room - Ceiling | F                | G                    | N/A       | N/A  | NAD                         |
| 18                      | 02                    | White Skim Coat Plaster – Ceiling | 1 <sup>st</sup> Floor – Living Room - Ceiling | F                | G                    | N/A       | N/A  | NAD                         |
| 18                      | 03                    | White Skim Coat Plaster – Ceiling | 1 <sup>st</sup> Floor – Kitchen - Ceiling     | F                | G                    | N/A       | N/A  | NAD                         |
| 18                      | 04                    | White Skim Coat Plaster – Ceiling | 2 <sup>nd</sup> Floor – Bedroom 1 - Ceiling   | F                | G                    | N/A       | N/A  | NAD                         |
| 18                      | 05                    | White Skim Coat Plaster – Ceiling | 2 <sup>nd</sup> Floor - Bedroom 2 - Ceiling   | F                | G                    | N/A       | N/A  | NAD                         |
| 19                      | 01                    | Gray Rough Coat Plaster – Ceiling | 1 <sup>st</sup> Floor – Dining Room - Ceiling | F                | SD                   | ~6,200 SF | Throughout 1 <sup>st</sup> & 2 <sup>nd</sup> Floor | 1.2% Chrysotile             |
| 19                      | 02                    | Gray Rough Coat Plaster – Ceiling | 1 <sup>st</sup> Floor – Living Room - Ceiling | F                | SD                   |           |  | NA/PS                       |
| 19                      | 03                    | Gray Rough Coat Plaster – Ceiling | 1 <sup>st</sup> Floor – Kitchen - Ceiling     | F                | SD                   |           |  | NA/PS                       |
| 19                      | 04                    | Gray Rough Coat Plaster – Ceiling | 2 <sup>nd</sup> Floor – Bedroom 1 - Ceiling   | F                | SD                   |           |  | NA/PS                       |
| 19                      | 05                    | Gray Rough Coat Plaster – Ceiling | 2 <sup>nd</sup> Floor - Bedroom 2 - Ceiling   | F                | SD                   |           |  | NA/PS                       |

**M.J. ENGINEERING & LAND SURVEYING, P.C.  
109 QUACKENBUSH STREET, FORT HUNTER, NY  
SUMMARY OF ASBESTOS SAMPLES AND ANALYSIS RESULTS**

| Homogeneous Area Number | Bulk Sample ID Number | Sampled Material               | Sample Location                            | Friability (N/F) | Condition (G, D, SD) | Quantity       | Homogeneous Area                                   | Asbestos Content (Type & %)    |
|-------------------------|-----------------------|--------------------------------|--|------------------|----------------------|----------------|--|--------------------------------|
| 20                      | 01                    | White Skim Coat Plaster - Wall | 1 <sup>st</sup> Floor – Dining Room - Wall | F                | G                    | N/A            | N/A  | NAD                            |
| 20                      | 02                    | White Skim Coat Plaster - Wall | Stairwell Wall                             | F                | G                    | N/A            | N/A  | NAD                            |
| 20                      | 03                    | White Skim Coat Plaster - Wall | 1 <sup>st</sup> Floor – Living Room - Wall | F                | G                    | N/A            | N/A  | NAD                            |
| 20                      | 04                    | White Skim Coat Plaster - Wall | 2 <sup>nd</sup> Floor – Bedroom 1 - Wall   | F                | G                    | N/A            | N/A  | NAD                            |
| 20                      | 05                    | White Skim Coat Plaster - Wall | 2 <sup>nd</sup> Floor - Bedroom 2 - Wall   | F                | G                    | N/A            | N/A  | NAD                            |
| 21                      | 01                    | Gray Rough Coat Plaster - Wall | 1 <sup>st</sup> Floor – Dining Room - Wall | F                | SD                   | Included Above | Throughout 1 <sup>st</sup> & 2 <sup>nd</sup> Floor | 1.5% Chrysotile <sup>(1)</sup> |
| 21                      | 02                    | Gray Rough Coat Plaster - Wall | Stairwell Wall                             | F                | SD                   |                |  | NA/PS <sup>(1)</sup>           |
| 21                      | 03                    | Gray Rough Coat Plaster - Wall | 1 <sup>st</sup> Floor – Living Room – Wall | F                | SD                   |                |  | NA/PS <sup>(1)</sup>           |
| 21                      | 04                    | Gray Rough Coat Plaster - Wall | 2 <sup>nd</sup> Floor – Bedroom 1 – Wall   | F                | SD                   |                |  | NA/PS <sup>(1)</sup>           |
| 21                      | 05                    | Gray Rough Coat Plaster - Wall | 2 <sup>nd</sup> Floor - Bedroom 2 - Wall   | F                | SD                   |                |  | NA/PS <sup>(1)</sup>           |

NAD = No asbestos detected

NA/PS = Not analyzed/positive stop

SF = Square Foot

LF = Linear Foot

\* Quantities are estimates only and should be field verified.

<sup>(1)</sup> On the 1<sup>st</sup> & 2<sup>nd</sup> Floors there is an asbestos incidental disturbance of plaster walls and ceilings. This disturbance will require a contamination assessment and the development and submission of a NYS DOL Site Specific Variance to allow for the clean-up and abatement of this material by a NYS licensed and certified asbestos abatement contractor. The house should be cordoned off and not occupied by any uncertified asbestos personnel until the proper cleanup has been completed.

*Note: Refer to Assumptions & Limitations Section of the Report.*



**AmeriSci New York**

117 EAST 30TH ST.  
NEW YORK, NY 10016  
TEL: (212) 679-8600 • FAX: (212) 679-3114

## PLM Bulk Asbestos Report

Ambient Environmental, Inc.  
Attn: Joella Viscusi  
828 Washington Avenue  
  
Albany, NY 12203

**Date Received** 03/22/19    **AmeriSci Job #** 219033537  
**Date Examined** 03/26/19    **P.O. #**  
**ELAP #** 11480    **Page** 1 of 6  
**RE:** 181210AC; M.J. Engineering & Land Surveying, P.C.;  
Demolition Inspection 1 Residential Structure; 109  
Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| Client No. / HGA | Lab No.   | Asbestos Present | Total % Asbestos   |
|------------------|---|------------------|--|
| 01-01<br>01      | 219033537-01<br><b>Location:</b> Roof, North - Black Shingles                           | <b>No</b>        | NAD <sup>1</sup><br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19<br><br><b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 25.7 %                               |
| 01-02<br>01      | 219033537-02<br><b>Location:</b> Roof, South - Black Shingles                           | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19<br><br><b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 26.9 %  |
| 02-01<br>02      | 219033537-03<br><b>Location:</b> Roof, North - Black Vapor Barrier Under Black Shingles | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19<br><br><b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 7.6 %   |
| 02-02<br>02      | 219033537-04<br><b>Location:</b> Roof, South - Black Vapor Barrier Under Black Shingles | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19<br><br><b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 7.4 %   |
| 03-01<br>03      | 219033537-05<br><b>Location:</b> Roof, Chimney - Black Chimney Tar                      | <b>Yes</b>       | Trace (<0.25 % pc) <sup>2</sup><br>(EPA 400 PC)<br>by Bo Sun<br>on 03/26/19<br><br><b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b> Chrysotile <0.25 % pc<br><b>Other Material:</b> Non-fibrous 12.3 % |

Client Name: Ambient Environmental, Inc.

## PLM Bulk Asbestos Report

181210AC; M.J. Engineering & Land Surveying, P.C.;  
Demolition Inspection 1 Residential Structure; 109  
Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| Client No. / HGA  | Lab No.  | Asbestos Present | Total % Asbestos  |
|---|--|------------------|---|
| 03-02<br>03   | 219033537-06<br><b>Location:</b> Roof, Chimney - Black Chimney Tar   | <b>Yes</b>       | Trace (<0.25 % pc) <sup>2</sup><br>(EPA 400 PC)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b> Chrysotile <0.25 % pc<br><b>Other Material:</b> Non-fibrous 13.9 %             |  |                  |   |
| 04-01<br>04   | 219033537-07<br><b>Location:</b> Exterior, 2nd Floor Front Former - White Transite Siding                                  | <b>Yes</b>       | 14.3 %<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19                   |
| <b>Analyst Description:</b> Brown/White, Homogeneous, Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b> Chrysotile 14.3 %<br><b>Other Material:</b> Non-fibrous 85.7 % |  |                  |   |
| 04-02<br>04   | 219033537-08<br><b>Location:</b> Exterior, 2nd Floor South Side Of House - White Transite Siding                           |                  | NA/PS   |
| <b>Analyst Description:</b> Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b>   |  |                  |   |
| 05-01<br>05   | 219033537-09<br><b>Location:</b> Exterior, 1st Floor North Side Of House - Black Vapor Barrier On Wall Behind Vinyl Siding | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19                      |
| <b>Analyst Description:</b> Black/Brown, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 13.7 %                             |  |                  |   |
| 05-02<br>05   | 219033537-10<br><b>Location:</b> Exterior, 1st Floor South Side Of House - Black Vapor Barrier On Wall Behind Vinyl Siding | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19                      |
| <b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 13.5 %                                   |  |                  |   |
| 06-01<br>06   | 219033537-11<br><b>Location:</b> Exterior, 1st Floor North Side Of House - Gray Concrete Block Foundation                  | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19                      |
| <b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 100 %                      |  |                  |   |

Client Name: Ambient Environmental, Inc.

**PLM Bulk Asbestos Report**

181210AC; M.J. Engineering & Land Surveying, P.C.;  
Demolition Inspection 1 Residential Structure; 109  
Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| Client No. / HGA  | Lab No.   | Asbestos Present | Total % Asbestos                                       |
|---|---|------------------|--|
| 06-02<br>06   | 219033537-12<br><b>Location:</b> Exterior, 1st Floor South Side Of House - Gray Concrete Block Foundation   | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Grey, Homogeneous, Non-Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 100 % |   |                  |  |
| 07-01<br>07   | 219033537-13<br><b>Location:</b> Basement, North - Gray Concrete Flooring                                   | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Grey, Homogeneous, Non-Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 100 % |   |                  |  |
| 07-02<br>07   | 219033537-14<br><b>Location:</b> Basement, South - Gray Concrete Flooring                                   | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Grey, Homogeneous, Non-Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 100 % |   |                  |  |
| 08-01<br>08   | 219033537-15<br><b>Location:</b> Basement, North - Gray Foundation Mortar                                   | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Grey, Homogeneous, Non-Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 100 % |   |                  |  |
| 08-02<br>08   | 219033537-16<br><b>Location:</b> Basement, South - Gray Foundation Mortar                                   | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Grey, Homogeneous, Non-Fibrous, Cementitious, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 100 % |   |                  |  |
| 09-01<br>09   | 219033537-17<br><b>Location:</b> 1st Floor Storage Room, North - 9 X 9 Brown Swirl Pattern Vinyl Floor Tile | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Brown/White, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 2.9 %        |   |                  |  |

Client Name: Ambient Environmental, Inc.

**PLM Bulk Asbestos Report**

181210AC; M.J. Engineering & Land Surveying, P.C.;  
Demolition Inspection 1 Residential Structure; 109  
Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| Client No. / HGA  | Lab No.   | Asbestos Present | Total % Asbestos   |
|---|---|------------------|--|
| 09-02<br>09   | 219033537-18<br><b>Location:</b> 1st Floor Storage Room, South - 9 X 9 Brown Swirl Pattern Vinyl Floor Tile   | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19   |
| <b>Analyst Description:</b> Brown/White, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 7.8 %          |   |                  |  |
| 10-01<br>10   | 219033537-19<br><b>Location:</b> 1st Floor Bathroom, North - 12 X 12 White With Blue Speckle Vinyl Floor Tile | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19   |
| <b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 11.9 %               |   |                  |  |
| 10-02<br>10   | 219033537-20<br><b>Location:</b> 1st Floor Bathroom, North - 12 X 12 White With Blue Speckle Vinyl Floor Tile | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19   |
| <b>Analyst Description:</b> Brown/White, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 12.8 %         |   |                  |  |
| 11-01<br>11   | 219033537-21<br><b>Location:</b> 1st Floor Foyer, North - Brown Flower Pattern Wall Fabric                    | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19   |
| <b>Analyst Description:</b> Brown, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 23.4 %               |   |                  |  |
| 11-02<br>11   | 219033537-22<br><b>Location:</b> 1st Floor Foyer, South - Brown Flower Pattern Wall Fabric                    | <b>No</b>        | NAD<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19   |
| <b>Analyst Description:</b> Brown, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b><br><b>Other Material:</b> Non-fibrous 20.4 %               |   |                  |  |
| 12-01<br>12   | 219033537-23<br><b>Location:</b> 1st Floor Kitchen, North - White Rolled Floor                                | <b>Yes</b>       | 2.2 %<br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material<br><b>Asbestos Types:</b> Chrysotile 2.2 %<br><b>Other Material:</b> Non-fibrous 7 % |   |                  |  |

Client Name: Ambient Environmental, Inc.

## PLM Bulk Asbestos Report

181210AC; M.J. Engineering & Land Surveying, P.C.;  
Demolition Inspection 1 Residential Structure; 109  
Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| Client No. / HGA   | Lab No.  | Asbestos Present | Total % Asbestos  |
|--|--|------------------|---|
| 12-02<br>12  | 219033537-24<br><b>Location:</b> 1st Floor Kitchen, South - White Rolled Floor   |                  | NA/PS   |
| <b>Analyst Description:</b> Bulk Material                                      |  |                  |   |
| <b>Asbestos Types:</b>   |  |                  |   |
| <b>Other Material:</b>   |  |                  |   |
| 13-01<br>13  | 219033537-25<br><b>Location:</b> 1st Floor Kitchen, North - Gypsum Board Wall    | <b>No</b>        | <b>NAD</b><br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Brown/White, Heterogeneous, Fibrous, Bulk Material |  |                  |   |
| <b>Asbestos Types:</b>   |  |                  |   |
| <b>Other Material:</b> Cellulose 20 %, Non-fibrous 80 %                        |  |                  |   |
| 13-02<br>13  | 219033537-26<br><b>Location:</b> 1st Floor Kitchen, South - Gypsum Board Wall    | <b>No</b>        | <b>NAD</b><br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Brown/White, Heterogeneous, Fibrous, Bulk Material |  |                  |   |
| <b>Asbestos Types:</b>   |  |                  |   |
| <b>Other Material:</b> Cellulose 30 %, Non-fibrous 70 %                        |  |                  |   |
| 14-01<br>14  | 219033537-27<br><b>Location:</b> 1st Floor Kitchen, North - White Joint Compound | <b>No</b>        | <b>NAD</b><br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material     |  |                  |   |
| <b>Asbestos Types:</b>   |  |                  |   |
| <b>Other Material:</b> Cellulose 100 %   |  |                  |   |
| 14-02<br>14  | 219033537-28<br><b>Location:</b> 1st Floor Kitchen, North - White Joint Compound | <b>No</b>        | <b>NAD</b><br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material     |  |                  |   |
| <b>Asbestos Types:</b>   |  |                  |   |
| <b>Other Material:</b> Cellulose Trace, Non-fibrous 100 %                      |  |                  |   |
| 15-01<br>15  | 219033537-29<br><b>Location:</b> Attic Chimney - Red Brick                       | <b>No</b>        | <b>NAD</b><br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Red, Homogeneous, Non-Fibrous, Bulk Material       |  |                  |   |
| <b>Asbestos Types:</b>   |  |                  |   |
| <b>Other Material:</b> Non-fibrous 100 %                                       |  |                  |   |

Client Name: Ambient Environmental, Inc.

## PLM Bulk Asbestos Report

181210AC; M.J. Engineering & Land Surveying, P.C.;  
Demolition Inspection 1 Residential Structure; 109  
Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| Client No. / HGA   | Lab No.   | Asbestos Present | Total % Asbestos  |
|--|---|------------------|---|
| 15-02<br>15  | 219033537-30<br><b>Location:</b> Attic Chimney - Red Brick                  | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19              |
| <b>Analyst Description:</b> Red, Homogeneous, Non-Fibrous, Bulk Material                       |   |                  |   |
| <b>Asbestos Types:</b>   |   |                  |   |
| <b>Other Material:</b> Non-fibrous 100 %   |   |                  |   |
| 16-01<br>16  | 219033537-31<br><b>Location:</b> Attic Chimney - Black Mortar For Red Brick | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19              |
| <b>Analyst Description:</b> Black/Brown, Homogeneous, Non-Fibrous, Cementitious, Bulk Material |   |                  |   |
| <b>Asbestos Types:</b>   |   |                  |   |
| <b>Other Material:</b> Non-fibrous 100 %   |   |                  |   |
| 16-02<br>16  | 219033537-32<br><b>Location:</b> Attic Chimney - Black Mortar For Red Brick | <b>No</b>        | NAD<br>(by NYS ELAP 198.1)<br>by Bo Sun<br>on 03/26/19              |
| <b>Analyst Description:</b> Black/Brown, Homogeneous, Non-Fibrous, Cementitious, Bulk Material |   |                  |   |
| <b>Asbestos Types:</b>   |   |                  |   |
| <b>Other Material:</b> Non-fibrous 100 %   |   |                  |   |
| 17-01<br>17  | 219033537-33<br><b>Location:</b> Attic - Black Shingle Debris               | <b>No</b>        | NAD <sup>3</sup><br>(by NYS ELAP 198.6)<br>by Bo Sun<br>on 03/26/19 |
| <b>Analyst Description:</b> Black, Heterogeneous, Non-Fibrous, Bulk Material                   |   |                  |   |
| <b>Asbestos Types:</b>   |   |                  |   |
| <b>Other Material:</b> Non-fibrous 4.1 %   |   |                  |   |

**Reporting Notes:**

- (1) This job was - Analyzed using Motic BA310 Pol Scope S/N 1190000538
- (2) Sample prepared for analysis by ELAP 198.6 method
- (3) Analysis Results For Soil, Dust, Or Debris May Be Highly Variable Because Of The Heterogeneous Nature Of These Samples

Analyzed by: Bo Sun 

\*NAD/NSD =no asbestos detected; NA =not analyzed; NA/PS=not analyzed/positive stop, (SOF-V) = Sprayed On Fireproofing containing Vermiculite; (SM-V) = Surfacing Material containing Vermiculite; PLM Bulk Asbestos Analysis by Appd E to Subpt E, 40 CFR 763 (NVLAP 200546-0), ELAP PLM Method 198.1 for NY friable samples, which includes the identification and quantitation of vermiculite or 198.6 for NOB samples or EPA 400 pt ct by Appd E to Subpt E, 40 CFR 763 (NY ELAP Lab 11480); Note:PLM is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. NAD or Trace results by PLM are inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non asbestos-containing in NY State (also see EPA Advisory for floor tile, FR 59,146,38970,8/1/94) National Institute of Standards and Technology Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the lab.This PLM report relates ONLY to the items tested. AIHA-LAP, LLC Lab ID 102843, RI Cert AAL-094, CT Cert PH-0186, Mass Cert AA000054.

Reviewed By: 

END OF REPORT

**Table I**  
**Summary of Bulk Asbestos Analysis Results**

181210AC; M.J. Engineering & Land Surveying, P.C.; Demolition Inspection 1 Residential Structure; 109 Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| AmeriSci Sample #   | Client Sample# | HG Area | Sample Weight (gram) | Heat Sensitive Organic % | Acid Soluble Inorganic % | Insoluble Non-Asbestos Inorganic % | ** Asbestos % by PLM/DS | ** Asbestos % by TEM |
|---|----------------|---------|----------------------|--------------------------|--------------------------|------------------------------------|-------------------------|----------------------|
| 01  | 01-01          | 01      | 0.440                | 30.5                     | 43.9                     | 25.7                               | NAD                     | NAD                  |
| Location: Roof, North - Black Shingles  |                |         |                      |                          |                          |                                    |                         |                      |
| 02  | 01-02          | 01      | 0.409                | 11.0                     | 62.1                     | 26.9                               | NAD                     | NAD                  |
| Location: Roof, South - Black Shingles  |                |         |                      |                          |                          |                                    |                         |                      |
| 03  | 02-01          | 02      | 0.172                | 72.7                     | 19.8                     | 7.6                                | NAD                     | NAD                  |
| Location: Roof, North - Black Vapor Barrier Under Black Shingles                                    |                |         |                      |                          |                          |                                    |                         |                      |
| 04  | 02-02          | 02      | 0.230                | 71.7                     | 20.9                     | 7.4                                | NAD                     | NAD                  |
| Location: Roof, South - Black Vapor Barrier Under Black Shingles                                    |                |         |                      |                          |                          |                                    |                         |                      |
| 05  | 03-01          | 03      | 0.163                | 86.5                     | 1.2                      | 12.1                               | Chrysotile <0.25        | Chrysotile <1.0      |
| Location: Roof, Chimney - Black Chimney Tar   |                |         |                      |                          |                          |                                    |                         |                      |
| 06  | 03-02          | 03      | 0.166                | 83.7                     | 2.4                      | 13.7                               | Chrysotile <0.25        | Chrysotile <1.0      |
| Location: Roof, Chimney - Black Chimney Tar   |                |         |                      |                          |                          |                                    |                         |                      |
| 07  | 04-01          | 04      | ----                 | ----                     | ----                     | ----                               | Chrysotile 14.3         | NA                   |
| Location: Exterior, 2nd Floor Front Former - White Transite Siding                                  |                |         |                      |                          |                          |                                    |                         |                      |
| 08  | 04-02          | 04      | ----                 | ----                     | ----                     | ----                               | NA/PS                   | NA                   |
| Location: Exterior, 2nd Floor South Side Of House - White Transite Siding                           |                |         |                      |                          |                          |                                    |                         |                      |
| 09  | 05-01          | 05      | 0.197                | 85.8                     | 0.5                      | 13.7                               | NAD                     | NAD                  |
| Location: Exterior, 1st Floor North Side Of House - Black Vapor Barrier On Wall Behind Vinyl Siding |                |         |                      |                          |                          |                                    |                         |                      |
| 10  | 05-02          | 05      | 0.192                | 82.3                     | 4.2                      | 13.5                               | NAD                     | NAD                  |
| Location: Exterior, 1st Floor South Side Of House - Black Vapor Barrier On Wall Behind Vinyl Siding |                |         |                      |                          |                          |                                    |                         |                      |
| 11  | 06-01          | 06      | ----                 | ----                     | ----                     | ----                               | NAD                     | NA                   |
| Location: Exterior, 1st Floor North Side Of House - Gray Concrete Block Foundation                  |                |         |                      |                          |                          |                                    |                         |                      |
| 12  | 06-02          | 06      | ----                 | ----                     | ----                     | ----                               | NAD                     | NA                   |
| Location: Exterior, 1st Floor South Side Of House - Gray Concrete Block Foundation                  |                |         |                      |                          |                          |                                    |                         |                      |
| 13  | 07-01          | 07      | ----                 | ----                     | ----                     | ----                               | NAD                     | NA                   |
| Location: Basement, North - Gray Concrete Flooring  |                |         |                      |                          |                          |                                    |                         |                      |
| 14  | 07-02          | 07      | ----                 | ----                     | ----                     | ----                               | NAD                     | NA                   |
| Location: Basement, South - Gray Concrete Flooring  |                |         |                      |                          |                          |                                    |                         |                      |
| 15  | 08-01          | 08      | ----                 | ----                     | ----                     | ----                               | NAD                     | NA                   |
| Location: Basement, North - Gray Foundation Mortar  |                |         |                      |                          |                          |                                    |                         |                      |
| 16  | 08-02          | 08      | ----                 | ----                     | ----                     | ----                               | NAD                     | NA                   |
| Location: Basement, South - Gray Foundation Mortar  |                |         |                      |                          |                          |                                    |                         |                      |

**Table I**  
**Summary of Bulk Asbestos Analysis Results**

181210AC; M.J. Engineering & Land Surveying, P.C.; Demolition Inspection 1 Residential Structure; 109 Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| AmeriSci Sample #  | Client Sample# | HG Area | Sample Weight (gram) | Heat Sensitive Organic % | Acid Soluble Inorganic % | Insoluble Non-Asbestos Inorganic % | ** Asbestos % by PLM/DS | ** Asbestos % by TEM |
|--|----------------|---------|----------------------|--------------------------|--------------------------|------------------------------------|-------------------------|----------------------|
| 17   | 09-01          | 09      | 0.383                | 77.5                     | 19.6                     | 2.9                                | NAD                     | NAD                  |
| Location: 1st Floor Storage Room, North - 9 X 9 Brown Swirl Pattern Vinyl Floor Tile   |                |         |                      |                          |                          |                                    |                         |                      |
| 18   | 09-02          | 09      | 0.503                | 74.0                     | 18.3                     | 7.8                                | NAD                     | NAD                  |
| Location: 1st Floor Storage Room, South - 9 X 9 Brown Swirl Pattern Vinyl Floor Tile   |                |         |                      |                          |                          |                                    |                         |                      |
| 19   | 10-01          | 10      | 0.312                | 51.6                     | 36.5                     | 11.9                               | NAD                     | NAD                  |
| Location: 1st Floor Bathroom, North - 12 X 12 White With Blue Speckle Vinyl Floor Tile |                |         |                      |                          |                          |                                    |                         |                      |
| 20   | 10-02          | 10      | 0.344                | 56.1                     | 31.1                     | 12.8                               | NAD                     | NAD                  |
| Location: 1st Floor Bathroom, North - 12 X 12 White With Blue Speckle Vinyl Floor Tile |                |         |                      |                          |                          |                                    |                         |                      |
| 21   | 11-01          | 11      | 0.427                | 70.5                     | 6.1                      | 23.4                               | NAD                     | NAD                  |
| Location: 1st Floor Foyer, North - Brown Flower Pattern Wall Fabric                    |                |         |                      |                          |                          |                                    |                         |                      |
| 22   | 11-02          | 11      | 0.357                | 73.4                     | 6.2                      | 20.4                               | NAD                     | NAD                  |
| Location: 1st Floor Foyer, South - Brown Flower Pattern Wall Fabric                    |                |         |                      |                          |                          |                                    |                         |                      |
| 23   | 12-01          | 12      | 0.196                | 60.2                     | 30.6                     | 7.0                                | Chrysotile 2.2          | NA                   |
| Location: 1st Floor Kitchen, North - White Rolled Floor                                |                |         |                      |                          |                          |                                    |                         |                      |
| 24   | 12-02          | 12      | 0.236                | 28.4                     | 33.5                     | 38.1                               | NA/PS                   | NA                   |
| Location: 1st Floor Kitchen, South - White Rolled Floor                                |                |         |                      |                          |                          |                                    |                         |                      |
| 25   | 13-01          | 13      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: 1st Floor Kitchen, North - Gypsum Board Wall                                 |                |         |                      |                          |                          |                                    |                         |                      |
| 26   | 13-02          | 13      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: 1st Floor Kitchen, South - Gypsum Board Wall                                 |                |         |                      |                          |                          |                                    |                         |                      |
| 27   | 14-01          | 14      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: 1st Floor Kitchen, North - White Joint Compound                              |                |         |                      |                          |                          |                                    |                         |                      |
| 28   | 14-02          | 14      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: 1st Floor Kitchen, North - White Joint Compound                              |                |         |                      |                          |                          |                                    |                         |                      |
| 29   | 15-01          | 15      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: Attic Chimney - Red Brick  |                |         |                      |                          |                          |                                    |                         |                      |
| 30   | 15-02          | 15      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: Attic Chimney - Red Brick  |                |         |                      |                          |                          |                                    |                         |                      |
| 31   | 16-01          | 16      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: Attic Chimney - Black Mortar For Red Brick                                   |                |         |                      |                          |                          |                                    |                         |                      |
| 32   | 16-02          | 16      | ---                  | ---                      | ---                      | ---                                | NAD                     | NA                   |
| Location: Attic Chimney - Black Mortar For Red Brick                                   |                |         |                      |                          |                          |                                    |                         |                      |

See Reporting notes on last page

**Table I**  
**Summary of Bulk Asbestos Analysis Results**

181210AC; M.J. Engineering & Land Surveying, P.C.; Demolition Inspection 1 Residential Structure; 109 Quackenbush Street, Fort Hunter, NY; Interior And Exterior

| AmeriSci Sample # | Client Sample# | HG Area | Sample Weight (gram) | Heat Sensitive Organic % | Acid Soluble Inorganic % | Insoluble Non-Asbestos Inorganic % | ** Asbestos % by PLM/DS | ** Asbestos % by TEM |
|-------------------|----------------|---------|----------------------|--------------------------|--------------------------|------------------------------------|-------------------------|----------------------|
| 33                | 17-01          | 17      | 0.369                | 94.6                     | 1.4                      | 4.1                                | NAD                     | NAD                  |

Location: Attic - Black Shingle Debris

Analyzed by: John P. Koubiadis; Date Analyzed 3/27/2019

\*\*Quantitative Analysis (Semi/Full); Bulk Asbestos Analysis - PLM by Appd E to Subpt E, 40 CFR 763 or ELAP 198.1 for New York friable samples or ELAP 198.6 for New York NOB samples; TEM (Semi/Full) by EPA 600/R-93/116 (or ELAP 198.4; for New York samples; NAD = no asbestos detected during a quantitative analysis; NA = not analyzed; Trace = <1%; (SOF-V) = Sprayed On Fireproofing containing Vermiculite; (SM-V) = Surfacing Material containing Vermiculite; Quantitation for beginning weights of <0.1 grams should be considered as qualitative only; Qualitative Analysis: Asbestos analysis results of "Present" or "NVA = No Visible Asbestos" represents results for Qualitative PLM or TEM Analysis only (no accreditation coverage available from any regulatory agency for qualitative analyses); NVLAP (PLM) 200546-0, NYSDOH ELAP Lab 11480, AIHA-LAP, LLC (PLM) Lab ID 102843.

Warning Note: PLM limitation, only TEM will resolve fibers <0.25 micrometers in diameter. TEM bulk analysis is representative of the fine grained matrix material and may not be representative of non-uniformly dispersed debris for which PLM evaluation is recommended (i.e. soils and other heterogeneous materials).

Reviewed By: 

**BULK SAMPLE DATA AND CHAIN OF CUSTODY FORM**

**PROJECT INFORMATION**

|   |   |   |  |
|---|---|---|--|
| 1. Client: <b>M.J Engineering &amp; Land Surveying, P.C</b> | 2. Project Name: <b>Demolition Inspection 1 Residential Structure</b> | 2a. Project Street Address: <b>109 Quackenbush Street</b> | 2c. Client Contact: <b>Walter Lippmann</b>   |
| 3. Project Number: <b>181210AC</b>                          | 4. Inspector: <b>Bradley Fuller and Scott Harriman</b>                | 2b. Project Address City/State: <b>Fort Hunter, NY</b>    | 5. Collection Date: <b>3/19/2019</b>   |
| 6. Sample TAT: <b>5 Day</b>                                 | 7. Building Name: <b>109 Quackenbush Street</b>                       | 8. Sampling Areas: <b>Interior and Exterior</b>           | 9. Comments: (Field)<br><input checked="" type="checkbox"/> Analyze to First Positive By Homogeneous Material<br><input checked="" type="checkbox"/> For Negative NOB PLM's, continue to TEM |

**BULK SAMPLE LOCATION**

**TYPE OF MATERIALS**

| 10. Homogeneous Area Number | 11. Bulk Sample ID Number | 12. Sampled Material                            | 13. Type of Material |     |      | 14. Sample Location                                  | 15. Friability (N/F) | 16. Condition (G, D, SD) | 17. Quantity (LF, SF, EA) | 18. Asbestos Content (Type & %) |
|-----------------------------|---------------------------|---|----------------------|-----|------|--|----------------------|--------------------------|---------------------------|---------------------------------|
|                             |                           |   | Surf                 | TSI | MISC |  |                      |                          |                           |                                 |
| 01                          | 01                        | Black Shingles                                  |                      |     | X    | Roof - North   | N                    | G                        |                           |                                 |
| 01                          | 02                        | Black Shingles                                  |                      |     | X    | Roof - South   | N                    | G                        |                           |                                 |
| 02                          | 01                        | Black Vapor Barrier under Black Singles         |                      |     | X    | Roof - North   | N                    | G                        |                           |                                 |
| 02                          | 02                        | Black Vapor Barrier under Black Singles         |                      |     | X    | Roof - South   | N                    | G                        |                           |                                 |
| 03                          | 01                        | Black Chimney Tar                               |                      |     | X    | Roof - Chimney                                       | N                    | G                        |                           |                                 |
| 03                          | 02                        | Black Chimney Tar                               |                      |     | X    | Roof - Chimney                                       | N                    | G                        |                           |                                 |
| 04                          | 01                        | White Transite Siding                           |                      |     | X    | Exterior - 2 <sup>nd</sup> Floor Front Dormer        | F                    | G                        |                           |                                 |
| 04                          | 02                        | White Transite Siding                           |                      |     | X    | Exterior - 2 <sup>nd</sup> Floor South Side of House | F                    | G                        |                           |                                 |
| 05                          | 01                        | Black Vapor Barrier on Wall behind Vinyl Siding |                      |     | X    | Exterior - 1 <sup>st</sup> Floor North Side of House | N                    | G                        |                           |                                 |
| 05                          | 02                        | Black Vapor Barrier on Wall behind Vinyl Siding |                      |     | X    | Exterior - 1 <sup>st</sup> Floor South Side of House | N                    | G                        |                           |                                 |
| 06                          | 01                        | Gray Concrete Block Foundation                  |                      |     | X    | Exterior - 1 <sup>st</sup> Floor North Side of House | F                    | G                        |                           |                                 |
| 06                          | 02                        | Gray Concrete Block Foundation                  |                      |     | X    | Exterior - 1 <sup>st</sup> Floor South Side of House | F                    | G                        |                           |                                 |
| 07                          | 01                        | Gray Concrete Flooring                          |                      |     | X    | Basement - North                                     | F                    | G                        |                           |                                 |

**CHAIN OF CUSTODY**

**LAB INFORMATION**

|  |  |   |                                     |                          |                        |                               |                          |                        |
|--|--|---|-------------------------------------|--------------------------|------------------------|-------------------------------|--------------------------|------------------------|
| 19. Relinquished By: <i>Bradley Fuller</i> | 20. Date: <b>3/20/19</b>                       | 21. Time: <b>4 PM</b>   | 22. Received By: <i>[Signature]</i> | 23. Date: <b>3/23/19</b> | 24. Time: <b>12:10</b> | 25. Lab Name                  | 26. Date: <b>3-26-19</b> | 27. Time: <b>17:30</b> |
| II   |  |   |                                     |                          |                        | a. Analyzed By: <b>Bo Sun</b> |                          |                        |
| III  |  |   |                                     |                          |                        | b. QC by:                     |                          |                        |
|  |  |   |                                     |                          |                        | c. Lab Batch #:               |                          |                        |
| 28. Project Manager: <b>Scott</b>          | 29. Results To: <b>Results@ambient-env.com</b> | 30. Drawings: <input type="checkbox"/> Sample Locations <input type="checkbox"/> Material Locations | 31. Comments:                       |                          |                        |                               |                          |                        |



#219033537

PAGE 2 OF 3

**BULK SAMPLE DATA AND CHAIN OF CUSTODY FORM**

**PROJECT INFORMATION**

|   |  |   |  |   |  |  |  |
|---|--|---|--|---|--|--|--|
| 1. Client: <b>M.J Engineering &amp; Land Surveying, P.C</b> |  | 2. Project Name: <b>Demolition Inspection 1 Residential Structure</b> |  | 2a. Project Street Address: <b>109 Quackenbush Street</b> |  | 2c. Client Contact: <b>Walter Lippmann</b>   |  |
| 3. Project Number: <b>181210AC</b>                          |  | 4. Inspector: <b>Bradley Fuller and Scott Harriman</b>                |  | 2b. Project Address City/State: <b>Fort Hunter, NY</b>    |  | 5. Collection Date: <b>3/19/2019</b>   |  |
| 6. Sample TAT: <b>5 Day</b>                                 |  | 7. Building Name: <b>109 Quackenbush Street</b>                       |  | 8. Sampling Areas: <b>Interior and Exterior</b>           |  | 9. Comments: (Field)<br><input checked="" type="checkbox"/> Analyze to First Positive By Homogeneous Material<br><input checked="" type="checkbox"/> For Negative NOB PLM's, continue to TEM |  |

**BULK SAMPLE LOCATION**

**TYPE OF MATERIALS**

| 10. Homogeneous Area Number | 11. Bulk Sample ID Number | 12. Sampled Material                           | 13. Type of Material |     |      | 14. Sample Location<br>Sample Coordinates | 15. Friability (N/F) | 16. Condition (G, D, SD) | 17. Quantity (LF, SF, EA) | 18. Asbestos Content (Type & %) |
|-----------------------------|---------------------------|--|----------------------|-----|------|---|----------------------|--------------------------|---------------------------|---------------------------------|
|                             |                           |  | Surf                 | TSI | MISC |   |                      |                          |                           |                                 |
| 07                          | 02                        | Gray Concrete Flooring                         |                      |     | X    | Basement - South                          | F                    | G                        |                           |                                 |
| 08                          | 01                        | Gray Foundation Mortar                         |                      |     | X    | Basement - North                          | F                    | G                        |                           |                                 |
| 08                          | 02                        | Gray Foundation Mortar                         |                      |     | X    | Basement - South                          | F                    | G                        |                           |                                 |
| 09                          | 01                        | 9x9 Brown Swirl Pattern Vinyl Floor Tile       |                      |     | X    | 1st Floor Storage Room - North            | N                    | G                        |                           |                                 |
| 09                          | 02                        | 9x9 Brown Swirl Pattern Vinyl Floor Tile       |                      |     | X    | 1st Floor Storage Room - South            | N                    | G                        |                           |                                 |
| 10                          | 01                        | 12X12 White With Blue Speckle Vinyl Floor Tile |                      |     | X    | 1st Floor Bathroom - North                | N                    | G                        |                           |                                 |
| 10                          | 02                        | 12X12 White With Blue Speckle Vinyl Floor Tile |                      |     | X    | 1st Floor Bathroom - North                | N                    | G                        |                           |                                 |
| 11                          | 01                        | Brown Flower Pattern Wall Fabric               |                      |     | X    | 1st Floor Foyer - North                   | N                    | G                        |                           |                                 |
| 11                          | 02                        | Brown Flower Pattern Wall Fabric               |                      |     | X    | 1st Floor Foyer - South                   | N                    | G                        |                           |                                 |
| 12                          | 01                        | White Rolled Floor                             |                      |     | X    | 1st Floor Kitchen - North                 | N                    | G                        |                           |                                 |
| 12                          | 02                        | White Rolled Floor                             |                      |     | X    | 1st Floor Kitchen - South                 | N                    | G                        |                           |                                 |
| 13                          | 01                        | Gypsum Board Wall                              |                      |     | X    | 1st Floor Kitchen - North                 | F                    | G                        |                           |                                 |
| 13                          | 02                        | Gypsum Board Wall                              |                      |     | X    | 1st Floor Kitchen - South                 | F                    | G                        |                           |                                 |

**CHAIN OF CUSTODY**

|   |                          |                       |                                     |                          |                       |
|---|--------------------------|-----------------------|-------------------------------------|--------------------------|-----------------------|
| 19. Relinquished By: <i>[Signature]</i> | 20. Date: <b>3/20/19</b> | 21. Time: <b>4 PM</b> | 22. Received By: <i>[Signature]</i> | 23. Date: <b>3/23/19</b> | 24. Time: <b>1:10</b> |
| II                                      |                          |                       |                                     |                          |                       |
| III                                     |                          |                       |                                     |                          |                       |

**LAB INFORMATION**

|                               |                |              |
|-------------------------------|----------------|--------------|
| 25. Lab Name                  | 26. Date       | 27. Time     |
| a. Analyzed By: <b>Bo Sun</b> | <b>3-26-19</b> | <b>17:30</b> |
| b. QC by:                     |                |              |
| c. Lab Batch #:               |                |              |

28. Project Manager: **Scott**

29. Results To: **Results@ambient-env.com**

30. Drawings:  Sample Locations  Material Locations

31. Comments:





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**Bulk Asbestos Report by PLM-TEM**

**Client:** Ambient Environmental, Inc; 828 Washington Ave., Albany, NY 12203  
**Project Name/No.:** Demolition Inspection 1 Residential Structure ; 181210AC  
**Project Address:** 109 Quackenbush Street, Fort Hunter, NY  
**Collected By:** Client  
**Work Area:** 109 Quackenbush Street - Interior

**AEL ID#** BK0319529  
**Date Received:** 3/22/2019  
**PLM Date Analyzed:** 3/23/2019  
**TEM Date Analyzed:**  
**Report Date:** 3/25/2019

| Client ID# | Lab ID#      | Description/ Location  | Analyst Description         | ORG%           | AII% | ASI% | PLM      |              |                  | TEM Asbestos% & Type |
|------------|--------------|--|-----------------------------|----------------|------|------|----------|--------------|------------------|----------------------|
|            |              |  |                             |                |      |      | Fibrous% | Non Fibrous% | Asbestos% & Type |                      |
| 18-01      | BK0319529-1  | White Skim Coat Plaster, Ceiling - 1st Floor, Dining Room, Ceiling | White, Homogeneous, Friable | Not Applicable |      |      | 0%       | 100%         | NAD              |                      |
| 18-02      | BK0319529-2  | White Skim Coat Plaster, Ceiling - 1st Floor, Living Room, Ceiling | White, Homogeneous, Friable | Not Applicable |      |      | 0%       | 100%         | NAD              |                      |
| 18-03      | BK0319529-3  | White Skim Coat Plaster, Ceiling - 1st Floor, Kitchen, Ceiling     | White, Homogeneous, Friable | Not Applicable |      |      | 0%       | 100%         | NAD              |                      |
| 18-04      | BK0319529-4  | White Skim Coat Plaster, Ceiling - 2nd Floor, Bedroom 1, Ceiling   | White, Homogeneous, Friable | Not Applicable |      |      | 0%       | 100%         | NAD              |                      |
| 18-05      | BK0319529-5  | White Skim Coat Plaster, Ceiling - 2nd Floor, Bedroom 2, Ceiling   | White, Homogeneous, Friable | Not Applicable |      |      | 0%       | 100%         | NAD              |                      |
| 19-01      | BK0319529-6  | Gray Rough Coat Plaster, Ceiling - 1st Floor, Dining Room, Ceiling | Grey, Homogeneous, Friable  | Not Applicable |      |      | 0%       | 98.8%        | 1.2%CHRY         |                      |
| 19-02      | BK0319529-7  | Gray Rough Coat Plaster, Ceiling - 1st Floor, Living Room, Ceiling | Grey, Homogeneous, Friable  | Not Applicable |      |      |          |              | NA/PS            |                      |
| 19-03      | BK0319529-8  | Gray Rough Coat Plaster, Ceiling - 1st Floor, Kitchen, Ceiling     | Grey, Homogeneous, Friable  | Not Applicable |      |      |          |              | NA/PS            |                      |
| 19-04      | BK0319529-9  | Gray Rough Coat Plaster, Ceiling - 2nd Floor, Bedroom 1, Ceiling   | Grey, Homogeneous, Friable  | Not Applicable |      |      |          |              | NA/PS            |                      |
| 19-05      | BK0319529-10 | Gray Rough Coat Plaster, Ceiling - 2nd Floor, Bedroom 2, Ceiling   | Grey, Homogeneous, Friable  | Not Applicable |      |      |          |              | NA/PS            |                      |



Atlas Environmental Lab, Corp.  
 255 West 36th Street, Suite# 1503  
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 Phone:(212) 563-0400 Fax:(212) 563-0401  
 www.atlasenvironmentallab.com

**Bulk Asbestos Report by PLM-TEM**

**Client:** Ambient Environmental, Inc; 828 Washington Ave., Albany, NY 12203  
**Project Name/No.:** Demolition Inspection 1 Residential Structure ; 181210AC  
**Project Address:** 109 Quackenbush Street, Fort Hunter, NY  
**Collected By:** Client  
**Work Area:** 109 Quackenbush Street - Interior

**AEL ID#** BK0319529  
**Date Received:** 3/22/2019  
**PLM Date Analyzed:** 3/23/2019  
**TEM Date Analyzed:** 3/25/2019  
**Report Date:** 3/25/2019

| Client ID# | Lab ID#      | Description/ Location  | Analyst Description         | ORG%           | AI% | ASI% | PLM      |              |                  | TEM<br>Asbestos% & Type |
|------------|--------------|--|-----------------------------|----------------|-----|------|----------|--------------|------------------|-------------------------|
|            |              |  |                             |                |     |      | Fibrous% | Non Fibrous% | Asbestos% & Type |                         |
| 20-01      | BK0319529-11 | White Skim Coat Plaster, Wall - 1st Floor, Dining Room, Wall | White, Homogeneous, Friable | Not Applicable |     |      | 0%       | 100%         | NAD              |                         |
| 20-02      | BK0319529-12 | White Skim Coat Plaster, Wall - Stairwell Wall               | White, Homogeneous, Friable | Not Applicable |     |      | 0%       | 100%         | NAD              |                         |
| 20-03      | BK0319529-13 | White Skim Coat Plaster, Wall - 1st Floor, Living Room, Wall | White, Homogeneous, Friable | Not Applicable |     |      | 0%       | 100%         | NAD              |                         |
| 20-04      | BK0319529-14 | White Skim Coat Plaster, Wall - 2nd Floor, Bedroom 1, Wall   | White, Homogeneous, Friable | Not Applicable |     |      | 0%       | 100%         | NAD              |                         |
| 20-05      | BK0319529-15 | White Skim Coat Plaster, Wall - 2nd Floor, Bedroom 2, Wall   | White, Homogeneous, Friable | Not Applicable |     |      | 0%       | 100%         | NAD              |                         |
| 21-01      | BK0319529-16 | Gray Rough Coat Plaster, Wall - 1st Floor, Dining Room, Wall | Grey, Homogeneous, Friable  | Not Applicable |     |      | 0%       | 98.5%        | 1.5%CHRY         |                         |
| 21-02      | BK0319529-17 | Gray Rough Coat Plaster, Wall - Stairwell Wall               | Grey, Homogeneous, Friable  | Not Applicable |     |      |          |              | NA/PS            |                         |
| 21-03      | BK0319529-18 | Gray Rough Coat Plaster, Wall - 1st Floor, Living Room, Wall | Grey, Homogeneous, Friable  | Not Applicable |     |      |          |              | NA/PS            |                         |
| 21-04      | BK0319529-19 | Gray Rough Coat Plaster, Wall - 2nd Floor, Bedroom 1, Wall   | Grey, Homogeneous, Friable  | Not Applicable |     |      |          |              | NA/PS            |                         |



Atlas Environmental Lab, Corp.  
 255 West 36th Street, Suite# 1503  
 New York, NY 10018  
 Phone:(212) 563-0400 Fax:(212) 563-0401  
 www.atlasenvironmentallab.com

**Bulk Asbestos Report by PLM-TEM**

**Client:** Ambient Environmental, Inc; 828 Washington Ave., Albany, NY 12203  
**Project Name/No.:** Demolition Inspection 1 Residential Structure ; 181210AC  
**Project Address:** 109 Quackenbush Street, Fort Hunter, NY  
**Collected By:** Client  
**Work Area:** 109 Quackenbush Street - Interior

**AEL ID#** BK0319529  
**Date Received:** 3/22/2019  
**PLM Date Analyzed:** 3/23/2019  
**TEM Date Analyzed:**  
**Report Date:** 3/25/2019

| Client ID# | Lab ID#      | Description/ Location                                      | Analyst Description        | ORG% | AII%           | ASI% | PLM      |              | TEM   |
|------------|--------------|--|----------------------------|------|----------------|------|----------|--------------|-------|
|            |              |  |                            |      |                |      | Fibrous% | Non Fibrous% |       |
| 21-05      | BK0319529-20 | Gray Rough Coat Plaster, Wall - 2nd Floor, Bedroom 2, Wall | Grey, Homogeneous, Friable |      | Not Applicable |      |          |              | NA/PS |

Quantitative Analysis (Semi/Full); Bulk Asbestos Analysis-PLM by EPA 600/M4-82-020 per 40 CFR or ELAP 198.1 (friable) and 198.6 (NOB) samples for New York.  
 NAD=no asbestos detected, NA/PS=Not Analyzed/Positive Stop. Trace=<1%, FBGL=Fiberglass, CELL=Cellulose, CHR=Chrysotile, Amo=Amosite, CRO=Crocidolite, ANTH=Anthophyllite, TRE=Tremolite, ACT=Actinolite, NA=not applicable.  
 PLM is not consistently reliable in detecting Asbestos in floor coverings and similar non friable organically bound materials. NAD or Trace results by PLM are inconclusive.  
 TEM is currently the only method that can be used to determine if this material can be considered or treated as non asbestos containing in NY State.  
 All samples were prepared and analyzed in accordance with the EPA "TEM Method for Identifying and Quantifying Asbestos in Non-Fibrous Organically Bound Bulk Samples" ELAP 198.4".  
 ORG%=Ashed Organic%, AII= Acid Insoluble Inorganic%, ASI= Acid Soluble Inorganic%  
 This "Summary of Analytical Results" shall not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, ELAP or any agency of the U.S Government. The results relate only to the items tested. This report may not be reproduced, except in full, without the written approval of AEL. Atlas Environmental lab did not collect the analyzed samples and thus accepts no liability with regard to their collection and/or maintenance. AEL relies on client's data. The liability of Atlas Environmental Lab corp with respect to the services charged, shall in no event exceed the amount of the invoice.  
 NYSDOH ELAP#11999, NVLAP Lab Code: 500092-0  
 PLM Analyst: MF TEM Analyst: Approved by:



**Ambient Environmental, Inc.**  
 Comprehensive Building Science Solutions  
 NYS Certified WBE,  
 SEA EDWOSH & DBE

8X0319529

**BULK SAMPLE DATA AND  
 CHAIN OF CUSTODY FORM**

**PROJECT INFORMATION**

|  |   |   |  |
|--|---|---|--|
| 1. Client: <b>M.J Engineering &amp; Land Surveying, P.C</b>  | 2. Project Name: <b>Demolition Inspection 1 Residential Structure</b> | 2a. Project Street Address: <b>109 Quackenbush Street</b> | 2c. Client Contact: <b>Walter Lippmann</b> |
| 3. Project Number: <b>181210AC</b>   | 4. Inspector: <b>Bradley Fuller and Scott Harriman</b>                | 2b. Project Address City/State: <b>Fort Hunter, NY</b>    | 5. Collection Date: <b>3/19/2019</b>       |
| 6. Sample TAT: <b>5 Day</b>  | 7. Building Name: <b>109 Quackenbush Street</b>                       | 8. Sampling Areas: <b>Interior</b>                        |  |
| 9. Comments: (Field)<br><input checked="" type="checkbox"/> Analyze to First Positive By Homogeneous Material<br><input checked="" type="checkbox"/> For Negative NOB PLM's, continue to TEM |   |   |  |

**BULK SAMPLE LOCATION**

| 10. Homogeneous Area Number | 11. Bulk Sample ID Number | 12. Sampled Material              | 13. Type of Material |     |      | 14. Sample Location                           | 15. Friability (N/F) | 16. Condition (G, D, SD) | 17. Quantity (LF, SF, EA) | 18. Asbestos Content (Type & %) |
|-----------------------------|---------------------------|-----------------------------------|----------------------|-----|------|---|----------------------|--------------------------|---------------------------|---------------------------------|
|                             |                           |                                   | Surf                 | TSI | MISC |   |                      |                          |                           |                                 |
| 18                          | 01                        | White Skim Coat Plaster - Ceiling | X                    |     |      | 1 <sup>st</sup> Floor - Dining Room - Ceiling | F                    | G                        |                           |                                 |
| 18                          | 02                        | White Skim Coat Plaster - Ceiling | X                    |     |      | 1 <sup>st</sup> Floor - Living Room - Ceiling | F                    | G                        |                           |                                 |
| 18                          | 03                        | White Skim Coat Plaster - Ceiling | X                    |     |      | 1 <sup>st</sup> Floor - Kitchen - Ceiling     | F                    | G                        |                           |                                 |
| 18                          | 04                        | White Skim Coat Plaster - Ceiling | X                    |     |      | 2 <sup>nd</sup> Floor - Bedroom 1 - Ceiling   | F                    | G                        |                           |                                 |
| 18                          | 05                        | White Skim Coat Plaster - Ceiling | X                    |     |      | 2 <sup>nd</sup> Floor - Bedroom 2 - Ceiling   | F                    | G                        |                           |                                 |
| 19                          | 01                        | Gray Rough Coat Plaster - Ceiling | X                    |     |      | 1 <sup>st</sup> Floor - Dining Room - Ceiling | F                    | G                        |                           |                                 |
| 19                          | 02                        | Gray Rough Coat Plaster - Ceiling | X                    |     |      | 1 <sup>st</sup> Floor - Living Room - Ceiling | F                    | G                        |                           |                                 |
| 19                          | 03                        | Gray Rough Coat Plaster - Ceiling | X                    |     |      | 1 <sup>st</sup> Floor - Kitchen - Ceiling     | F                    | G                        |                           |                                 |
| 19                          | 04                        | Gray Rough Coat Plaster - Ceiling | X                    |     |      | 2 <sup>nd</sup> Floor - Bedroom 1 - Ceiling   | F                    | G                        |                           |                                 |
| 19                          | 05                        | Gray Rough Coat Plaster - Ceiling | X                    |     |      | 2 <sup>nd</sup> Floor - Bedroom 2 - Ceiling   | F                    | G                        |                           |                                 |
| 20                          | 01                        | White Skim Coat Plaster - Wall    | X                    |     |      | 1 <sup>st</sup> Floor - Dining Room - Wall    | F                    | G                        |                           |                                 |
| 20                          | 02                        | White Skim Coat Plaster - Wall    | X                    |     |      | Stairwell Wall                                | F                    | G                        |                           |                                 |
| 20                          | 03                        | White Skim Coat Plaster - Wall    | x                    |     |      | 1 <sup>st</sup> Floor - Living Room - Wall    | F                    | G                        |                           |                                 |

**TYPE OF MATERIALS**

**CHAIN OF CUSTODY**

|   |                          |                       |                                     |                          |                          |
|---|--------------------------|-----------------------|-------------------------------------|--------------------------|--------------------------|
| 19. Relinquished By: <i>[Signature]</i> | 20. Date: <b>3/20/19</b> | 21. Time: <b>4 PM</b> | 22. Received By: <i>[Signature]</i> | 23. Date: <b>3/22/19</b> | 24. Time: <b>9:45 AM</b> |
| II                                      |                          |                       |                                     |                          |                          |
| III                                     |                          |                       |                                     |                          |                          |

**LAB INFORMATION**

|                                |                          |                           |
|--------------------------------|--------------------------|---------------------------|
| 25. Lab Name: <b>ATLAS</b>     | 26. Date: <b>3/23/19</b> | 27. Time: <b>07:00 AM</b> |
| a. Analyzed By: <b>AA Fada</b> |                          |                           |
| b. QC by:                      |                          |                           |
| c. Lab Batch #:                |                          |                           |

28. Project Manager: **Scott**

29. Results To: **Results@ambient-env.com**

30. Drawings:  Sample Locations  
 Material Locations

31. Comments:



**Ambient Environmental, Inc.**  
 Comprehensive Building Science Solutions  
 NYS Certified WBE,  
 SEA EMPLOYER & DBE

08319529

**BULK SAMPLE DATA AND CHAIN OF CUSTODY FORM**

**PROJECT INFORMATION**

|   |  |   |  |   |  |  |  |
|---|--|---|--|---|--|--|--|
| 1. Client: <b>M.J Engineering &amp; Land Surveying, P.C</b> |  | 2. Project Name: <b>Demolition Inspection 1 Residential Structure</b> |  | 2a. Project Street Address: <b>109 Quackenbush Street</b> |  | 2c. Client Contact: <b>Walter Lippmann</b>   |  |
| 3. Project Number: <b>181210AC</b>                          |  | 4. Inspector: <b>Bradley Fuller and Scott Harriman</b>                |  | 2b. Project Address City/State: <b>Fort Hunter, NY</b>    |  | 5. Collection Date: <b>3/19/2019</b>   |  |
| 6. Sample TAT: <b>5 Day</b>                                 |  | 7. Building Name: <b>109 Quackenbush Street</b>                       |  | 8. Sampling Areas: <b>Interior</b>                        |  | 9. Comments: (Field)<br><input checked="" type="checkbox"/> Analyze to First Positive By Homogeneous Material<br><input checked="" type="checkbox"/> For Negative NOB PLM's, continue to TEM |  |

**BULK SAMPLE LOCATION**

**TYPE OF MATERIALS**

| 10. Homogeneous Area Number | 11. Bulk Sample ID Number | 12. Sampled Material           |     |      | 13. Type of Material |     |                                | 14. Sample Location<br>Sample Coordinates | 15. Friability (N/F) | 16. Condition (G, D, SD) | 17. Quantity (LF, SF, EA) | 18. Asbestos Content (Type & %) |
|-----------------------------|---------------------------|--------------------------------|-----|------|----------------------|-----|--------------------------------|---|----------------------|--------------------------|---------------------------|---------------------------------|
|                             |                           | Surf                           | TSI | MISC | Surf                 | TSI | MISC                           |   |                      |                          |                           |                                 |
| 20                          | 04                        | White Skim Coat Plaster - Wall | X   |      |                      |     | 2nd Floor - Bedroom 1 - Wall   | F   | G                    |                          |                           |                                 |
| 20                          | 05                        | White Skim Coat Plaster - Wall | X   |      |                      |     | 2nd Floor - Bedroom 2 - Wall   | F   | G                    |                          |                           |                                 |
| 21                          | 01                        | Gray Rough Coat Plaster - Wall | X   |      |                      |     | 1st Floor - Dining Room - Wall | F   | G                    |                          |                           |                                 |
| 21                          | 02                        | Gray Rough Coat Plaster - Wall | X   |      |                      |     | Stairwell Wall                 | F   | G                    |                          |                           |                                 |
| 21                          | 03                        | Gray Rough Coat Plaster - Wall | X   |      |                      |     | 1st Floor - Living Room - Wall | F   | G                    |                          |                           |                                 |
| 21                          | 04                        | Gray Rough Coat Plaster - Wall | X   |      |                      |     | 2nd Floor - Bedroom 1 - Wall   | F   | G                    |                          |                           |                                 |
| 21                          | 05                        | Gray Rough Coat Plaster - Wall | X   |      |                      |     | 2nd Floor - Bedroom 2 - Wall   | F   | G                    |                          |                           |                                 |

14  
15  
16  
17  
18  
19  
20

**CHAIN OF CUSTODY**

|                      |          |          |                    |          |          |
|----------------------|----------|----------|--------------------|----------|----------|
| 19. Relinquished By: | 20. Date | 21. Time | 22. Received By:   | 23. Date | 24. Time |
| <i>[Signature]</i>   | 3/20/19  | 4 PM     | <i>[Signature]</i> | 3/22/19  | 4:15 PM  |
| II                   |          |          |                    |          |          |
| III                  |          |          |                    |          |          |

**LAB INFORMATION**

|                 |          |          |
|-----------------|----------|----------|
| 25. Lab Name    | 26. Date | 27. Time |
| ATLAS           | 3/23/19  | 07:00 AM |
| a. Analyzed By: |          |          |
| M. J. Lippmann  |          |          |
| b. QC by:       |          |          |
|                 |          |          |
| c. Lab Batch #: |          |          |

28. Project Manager: **Scott**

29. Results To: **Results@ambient-env.com**

30. Drawings:  Sample Locations  
 Material Locations

31. Comments:

**ATTACHMENT B**  
**LEAD-BASED PAINT TESTING RESULTS**

# LEAD PAINT INSPECTION REPORT

REPORT NUMBER: S#03316 - 03/19/19 11:32

INSPECTION FOR: M.J. Engineering & Land Surveying  
1533 Crescent Road  
Clifton Park, NY 12065

PERFORMED AT: 109 Quackenbush Street  
Fort Hunter, NY

INSPECTION DATE: 03/19/19

INSTRUMENT TYPE: R M D  
MODEL LPA-1  
XRF TYPE ANALYZER  
Serial Number: 03316

ACTION LEVEL: 1.0 mg/cm<sup>2</sup>

OPERATOR LICENSE: \_\_\_\_\_

Ambient Project #181210AC

SIGNED: \_\_\_\_\_

Date: \_\_\_\_\_

**SEQUENTIAL REPORT OF LEAD PAINT INSPECTION FOR: M.J. Engineering & Land Surveying**

Inspection Date: 03/19/19 109 Quackenbush Street  
 Report Date: 4/10/2019 Fort Hunter, NY  
 Abatement Level: 1.0  
 Report No. S#03316 - 03/19/19 11:32  
 Total Readings: 33  
 Job Started: 03/19/19 11:32  
 Job Finished: 03/19/19 13:29

| Read No. | Rm No. | Room Name   | Wall Structure Location Member |         |   | Paint          |           |         | Lead                  |      |    |
|----------|--------|-------------|--------------------------------|---------|---|----------------|-----------|---------|-----------------------|------|----|
|          |        |             |                                |         |   | Cond           | Substrate | Color   | (mg/cm <sup>2</sup> ) | Mode |    |
| 1        | 001    | Number Only | A                              | Wall    | U | Ctr            | P         | Plaster | White                 | -0.3 | QM |
| 2        | 001    | Number Only | B                              | Wall    | U | Ctr            | P         | Plaster | White                 | -0.4 | QM |
| 3        | 001    | Number Only | C                              | Wall    | U | Ctr            | P         | Plaster | White                 | -0.4 | QM |
| 4        | 001    | Number Only | D                              | Wall    | U | Ctr            | P         | Plaster | White                 | -0.4 | QM |
| 5        | 002    | Number Only | A                              | Wall    | U | Ctr            | P         | Plaster | Yellow                | -0.2 | QM |
| 6        | 002    | Number Only | B                              | Wall    | U | Ctr            | P         | Plaster | Yellow                | -0.5 | QM |
| 7        | 002    | Number Only | C                              | Wall    | U | Ctr            | P         | Plaster | Yellow                | -0.3 | QM |
| 8        | 002    | Number Only | D                              | Wall    | U | Ctr            | P         | Plaster | Yellow                | -0.2 | QM |
| 9        | 002    | Number Only | A                              | Ceiling |   | Ctr            | P         | Plaster | White                 | -0.4 | QM |
| 10       | 002    | Number Only | D                              | Ceiling |   | Ctr            | P         | Plaster | White                 | -0.4 | QM |
| 11       | 003    | Number Only | A                              | Wall    | L | Ctr            | I         | Plaster | Gray                  | -0.4 | QM |
| 12       | 003    | Number Only | B                              | Wall    | L | Ctr            | I         | Plaster | Gray                  | -0.4 | QM |
| 13       | 003    | Number Only | C                              | Wall    | L | Ctr            | I         | Plaster | Gray                  | -0.3 | QM |
| 14       | 003    | Number Only | D                              | Wall    | L | Ctr            | I         | Plaster | Gray                  | -0.3 | QM |
| 15       | 003    | Number Only | A                              | Ceiling |   | Ctr            | I         | Plaster | Gray                  | -0.3 | QM |
| 16       | 003    | Number Only | D                              | Ceiling |   | Ctr            | I         | Plaster | Gray                  | -0.4 | QM |
| 17       | 004    |             | A                              | Wall    | L | Ctr            | I         | Plaster | Tan                   | -0.4 | QM |
| 18       | 004    |             | B                              | Wall    | L | Ctr            | I         | Plaster | Tan                   | -0.5 | QM |
| 19       | 004    |             | C                              | Wall    | L | Ctr            | I         | Plaster | Tan                   | -0.3 | QM |
| 20       | 004    |             | D                              | Wall    | L | Ctr            | I         | Plaster | Tan                   | -0.3 | QM |
| 21       | 004    |             | A                              | Ceiling |   | Ctr            | I         | Plaster | White                 | -0.4 | QM |
| 22       | 004    |             | D                              | Ceiling |   | Ctr            | I         | Plaster | White                 | -0.5 | QM |
| 23       | 004    |             | B                              | Door    |   | Ctr Door       | I         | Wood    | Brown                 | >9.9 | QM |
| 24       | 001    | Number Only | B                              | Siding  |   | Lft            | I         | Wood    | White                 | >9.9 | QM |
| 25       | 001    | Number Only | B                              | Siding  |   | Ctr            | I         | Wood    | White                 | >9.9 | QM |
| 26       | 001    | Number Only | B                              | Siding  |   | Rgt            | I         | Wood    | White                 | >9.9 | QM |
| 27       | 001    | Number Only | D                              | Door    |   | Lft Rgt casing | I         | Wood    | Yellow                | >9.9 | QM |
| 28       |        | CALIBRATION |                                |         |   |                |           |         |                       | 0.8  | TC |
| 29       |        | CALIBRATION |                                |         |   |                |           |         |                       | 0.8  | TC |
| 30       |        | CALIBRATION |                                |         |   |                |           |         |                       | 0.9  | TC |
| 31       |        | CALIBRATION |                                |         |   |                |           |         |                       | -0.3 | TC |
| 32       |        | CALIBRATION |                                |         |   |                |           |         |                       | -0.3 | TC |
| 33       |        | CALIBRATION |                                |         |   |                |           |         |                       | -0.4 | TC |

---- End of Readings ----

**SUMMARY REPORT OF LEAD PAINT INSPECTION FOR: M.J. Engineering & Land Surveying**

Inspection Date: 03/19/19 109 Quackenbush Street  
 Report Date: 4/10/2019 Fort Hunter, NY  
 Abatement Level: 1.0  
 Report No. S#03316 - 03/19/19 11:32  
 Total Readings: 33 Actionable: 5  
 Job Started: 03/19/19 11:32  
 Job Finished: 03/19/19 13:29

| Reading No.                   | Wall | Structure | Location | Member     | Paint Cond | Substrate | Color  | Lead (mg/cm <sup>2</sup> ) | Mode |
|-------------------------------|------|-----------|----------|------------|------------|-----------|--------|----------------------------|------|
| Exterior Room 001 Number Only |      |           |          |            |            |           |        |                            |      |
| 024                           | B    | Siding    | Lft      |            | I          | Wood      | White  | >9.9                       | QM   |
| 025                           | B    | Siding    | Ctr      |            | I          | Wood      | White  | >9.9                       | QM   |
| 026                           | B    | Siding    | Rgt      |            | I          | Wood      | White  | >9.9                       | QM   |
| 027                           | D    | Door      | Lft      | Rgt casing | I          | Wood      | Yellow | >9.9                       | QM   |
| Interior Room 004             |      |           |          |            |            |           |        |                            |      |
| 023                           | B    | Door      | Ctr      | Door       | I          | Wood      | Brown  | >9.9                       | QM   |
| ----- End of Readings -----   |      |           |          |            |            |           |        |                            |      |

**DETAILED REPORT OF LEAD PAINT INSPECTION FOR: M.J. Engineering & Land Surveying**

Inspection Date: 03/19/19  
 Report Date: 4/10/2019  
 Abatement Level: 1.0  
 Report No. S#03316 - 03/19/19 11:32  
 Total Readings: 33  
 Job Started: 03/19/19 11:32  
 Job Finished: 03/19/19 13:29

109 Quackenbush Street  
 Fort Hunter, NY

| Reading No.                          | Wall | Structure | Location | Member     | Paint Cond | Substrate | Color  | Lead (mg/cm <sup>2</sup> ) | Mode |
|--------------------------------------|------|-----------|----------|------------|------------|-----------|--------|----------------------------|------|
| <b>Exterior Room 001 Number Only</b> |      |           |          |            |            |           |        |                            |      |
| 024                                  | B    | Siding    | Lft      |            | I          | Wood      | White  | >9.9                       | QM   |
| 025                                  | B    | Siding    | Ctr      |            | I          | Wood      | White  | >9.9                       | QM   |
| 026                                  | B    | Siding    | Rgt      |            | I          | Wood      | White  | >9.9                       | QM   |
| 027                                  | D    | Door      | Lft      | Rgt casing | I          | Wood      | Yellow | >9.9                       | QM   |
| <b>Interior Room 001 Number Only</b> |      |           |          |            |            |           |        |                            |      |
| 001                                  | A    | Wall      | U Ctr    |            | P          | Plaster   | White  | -0.3                       | QM   |
| 002                                  | B    | Wall      | U Ctr    |            | P          | Plaster   | White  | -0.4                       | QM   |
| 003                                  | C    | Wall      | U Ctr    |            | P          | Plaster   | White  | -0.4                       | QM   |
| 004                                  | D    | Wall      | U Ctr    |            | P          | Plaster   | White  | -0.4                       | QM   |
| <b>Interior Room 002 Number Only</b> |      |           |          |            |            |           |        |                            |      |
| 005                                  | A    | Wall      | U Ctr    |            | P          | Plaster   | Yellow | -0.2                       | QM   |
| 009                                  | A    | Ceiling   | Ctr      |            | P          | Plaster   | White  | -0.4                       | QM   |
| 006                                  | B    | Wall      | U Ctr    |            | P          | Plaster   | Yellow | -0.5                       | QM   |
| 007                                  | C    | Wall      | U Ctr    |            | P          | Plaster   | Yellow | -0.3                       | QM   |
| 008                                  | D    | Wall      | U Ctr    |            | P          | Plaster   | Yellow | -0.2                       | QM   |
| 010                                  | D    | Ceiling   | Ctr      |            | P          | Plaster   | White  | -0.4                       | QM   |
| <b>Interior Room 003 Number Only</b> |      |           |          |            |            |           |        |                            |      |
| 011                                  | A    | Wall      | L Ctr    |            | I          | Plaster   | Gray   | -0.4                       | QM   |
| 015                                  | A    | Ceiling   | Ctr      |            | I          | Plaster   | Gray   | -0.3                       | QM   |
| 012                                  | B    | Wall      | L Ctr    |            | I          | Plaster   | Gray   | -0.4                       | QM   |
| 013                                  | C    | Wall      | L Ctr    |            | I          | Plaster   | Gray   | -0.3                       | QM   |
| 014                                  | D    | Wall      | L Ctr    |            | I          | Plaster   | Gray   | -0.3                       | QM   |
| 016                                  | D    | Ceiling   | Ctr      |            | I          | Plaster   | Gray   | -0.4                       | QM   |
| <b>Interior Room 004</b>             |      |           |          |            |            |           |        |                            |      |
| 017                                  | A    | Wall      | L Ctr    |            | I          | Plaster   | Tan    | -0.4                       | QM   |
| 021                                  | A    | Ceiling   | Ctr      |            | I          | Plaster   | White  | -0.4                       | QM   |
| 018                                  | B    | Wall      | L Ctr    |            | I          | Plaster   | Tan    | -0.5                       | QM   |
| 023                                  | B    | Door      | Ctr      | Door       | I          | Wood      | Brown  | >9.9                       | QM   |
| 019                                  | C    | Wall      | L Ctr    |            | I          | Plaster   | Tan    | -0.3                       | QM   |
| 020                                  | D    | Wall      | L Ctr    |            | I          | Plaster   | Tan    | -0.3                       | QM   |
| 022                                  | D    | Ceiling   | Ctr      |            | I          | Plaster   | White  | -0.5                       | QM   |
| <b>Calibration Readings</b>          |      |           |          |            |            |           |        |                            |      |
| 028                                  |      |           |          |            |            |           |        | 0.8                        | TC   |
| 029                                  |      |           |          |            |            |           |        | 0.8                        | TC   |
| 030                                  |      |           |          |            |            |           |        | 0.9                        | TC   |
| 031                                  |      |           |          |            |            |           |        | -0.3                       | TC   |

DETAILED REPORT OF LEAD PAINT INSPECTION FOR: M.J. Engineering & Land Surveying

| Reading No. | Wall | Structure | Location | Member | Paint Cond | Substrate | Color | Lead (mg/cm <sup>2</sup> ) | Mode |
|-------------|------|-----------|----------|--------|------------|-----------|-------|----------------------------|------|
| 032         |      |           |          |        |            |           |       | -0.3                       | TC   |
| 033         |      |           |          |        |            |           |       | -0.4                       | TC   |

---- End of Readings ----

**DISTRIBUTION REPORT OF LEAD PAINT INSPECTION FOR: M.J. Engineering & Land Surveying**

Inspection Date: 03/19/19 109 Quackenbush Street  
 Report Date: 4/10/2019 Fort Hunter, NY  
 Abatement Level: 1.0  
 Report No. S#03316 - 03/19/19 11:32  
 Total Reading Sets: 27  
 Job Started: 03/19/19 11:32  
 Job Finished: 03/19/19 13:29

| Structure                 | Total     | ----- Structure Distribution ----- |                        |                      |
|---------------------------|-----------|------------------------------------|------------------------|----------------------|
|                           |           | Positive                           | Negative               | Inconclusive         |
| Ceiling                   | 6         | 0 <0%>                             | 6 <100%>               | 0 <0%>               |
| Door Door                 | 1         | 1 <100%>                           | 0 <0%>                 | 0 <0%>               |
| Door Rgt casing           | 1         | 1 <100%>                           | 0 <0%>                 | 0 <0%>               |
| Siding                    | 3         | 3 <100%>                           | 0 <0%>                 | 0 <0%>               |
| Wall                      | 16        | 0 <0%>                             | 16 <100%>              | 0 <0%>               |
| <b>Inspection Totals:</b> | <b>27</b> | <b>5 &lt; 19%&gt;</b>              | <b>22 &lt; 81%&gt;</b> | <b>0 &lt; 0%&gt;</b> |

**Positive Lead Based Paint Results**

109 Quackenbush Street  
Fort Hunter, NY

| XRF Reading Number | Room Location | XRF Room Number | Room Name   | Wall | Structure | Location | Member     | Paint | Substrate | Color  | mGrams | Mode | XRF Serial Number | XRF Job Number | XRF Test Threshold |
|--------------------|---------------|-----------------|-------------|------|-----------|----------|------------|-------|-----------|--------|--------|------|-------------------|----------------|--------------------|
| 23                 | Interior      | 4               | Number Only | B    | Door      | Ctr      | Door       | I     | Wood      | Brown  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 24                 | Exterior      | 1               | Number Only | B    | Siding    | Lft      |            | I     | Wood      | White  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 25                 | Exterior      | 1               | Number Only | B    | Siding    | Ctr      |            | I     | Wood      | White  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 26                 | Exterior      | 1               | Number Only | B    | Siding    | Rgt      |            | I     | Wood      | White  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 27                 | Exterior      | 1               | Number Only | D    | Door      | Lft      | Rgt casing | I     | Wood      | Yellow | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |

**Lead Paint Test Results**

109 Quackenbush Street  
Fort Hunter, NY

| XRF Reading Number | Room Location | XRF Room Number | Room Name   | Wall | Structure | Location | Member     | Paint | Substrate | Color  | mGrams | Mode | XRF Serial Number | XRF Job Number | XRF Test Threshold |
|--------------------|---------------|-----------------|-------------|------|-----------|----------|------------|-------|-----------|--------|--------|------|-------------------|----------------|--------------------|
| 1                  | Interior      | 1               | Number Only | A    | Wall      | U Ctr    |            | P     | Plaster   | White  | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 2                  | Interior      | 1               | Number Only | B    | Wall      | U Ctr    |            | P     | Plaster   | White  | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 3                  | Interior      | 1               | Number Only | C    | Wall      | U Ctr    |            | P     | Plaster   | White  | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 4                  | Interior      | 1               | Number Only | D    | Wall      | U Ctr    |            | P     | Plaster   | White  | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 5                  | Interior      | 2               | Number Only | A    | Wall      | U Ctr    |            | P     | Plaster   | Yellow | -0.2   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 6                  | Interior      | 2               | Number Only | B    | Wall      | U Ctr    |            | P     | Plaster   | Yellow | -0.5   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 7                  | Interior      | 2               | Number Only | C    | Wall      | U Ctr    |            | P     | Plaster   | Yellow | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 8                  | Interior      | 2               | Number Only | D    | Wall      | U Ctr    |            | P     | Plaster   | Yellow | -0.2   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 9                  | Interior      | 2               | Number Only | A    | Ceiling   | Ctr      |            | P     | Plaster   | White  | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 10                 | Interior      | 2               | Number Only | D    | Ceiling   | Ctr      |            | P     | Plaster   | White  | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 11                 | Interior      | 3               | Number Only | A    | Wall      | L Ctr    |            | I     | Plaster   | Gray   | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 12                 | Interior      | 3               | Number Only | B    | Wall      | L Ctr    |            | I     | Plaster   | Gray   | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 13                 | Interior      | 3               | Number Only | C    | Wall      | L Ctr    |            | I     | Plaster   | Gray   | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 14                 | Interior      | 3               | Number Only | D    | Wall      | L Ctr    |            | I     | Plaster   | Gray   | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 15                 | Interior      | 3               | Number Only | A    | Ceiling   | Ctr      |            | I     | Plaster   | Gray   | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 16                 | Interior      | 3               | Number Only | D    | Ceiling   | Ctr      |            | I     | Plaster   | Gray   | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 17                 | Interior      | 4               | Number Only | A    | Wall      | L Ctr    |            | I     | Plaster   | Gray   | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 18                 | Interior      | 4               | Number Only | B    | Wall      | L Ctr    |            | I     | Plaster   | Tan    | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 19                 | Interior      | 4               | Number Only | C    | Wall      | L Ctr    |            | I     | Plaster   | Tan    | -0.5   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 20                 | Interior      | 4               | Number Only | D    | Wall      | L Ctr    |            | I     | Plaster   | Tan    | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 21                 | Interior      | 4               | Number Only | A    | Ceiling   | Ctr      |            | I     | Plaster   | Tan    | -0.3   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 22                 | Interior      | 4               | Number Only | D    | Ceiling   | Ctr      |            | I     | Plaster   | White  | -0.4   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 23                 | Interior      | 4               | Number Only | B    | Door      | Ctr      |            | I     | Plaster   | White  | -0.5   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 24                 | Exterior      | 1               | Number Only | B    | Siding    | Lft      | Door       | I     | Wood      | Brown  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 25                 | Exterior      | 1               | Number Only | B    | Siding    | Ctr      |            | I     | Wood      | White  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 26                 | Exterior      | 1               | Number Only | B    | Siding    | Rgt      |            | I     | Wood      | White  | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 27                 | Exterior      | 1               | Number Only | D    | Door      | Lft      | Rgt casing | I     | Wood      | Yellow | >9.9   | QM   | 3316              | 03/19/19_11:32 | 1                  |
| 28                 |               | 999             | Calibration |      |           |          |            |       |           |        |        |      |                   |                |                    |
| 29                 |               | 999             | Calibration |      |           |          |            |       |           |        | 0.8    | TC   | 3316              | 03/19/19_11:32 | 1                  |
| 30                 |               | 999             | Calibration |      |           |          |            |       |           |        | 0.8    | TC   | 3316              | 03/19/19_11:32 | 1                  |
| 31                 |               | 999             | Calibration |      |           |          |            |       |           |        | 0.9    | TC   | 3316              | 03/19/19_11:32 | 1                  |
| 32                 |               | 999             | Calibration |      |           |          |            |       |           |        | -0.3   | TC   | 3316              | 03/19/19_11:32 | 1                  |
| 33                 |               | 999             | Calibration |      |           |          |            |       |           |        | -0.3   | TC   | 3316              | 03/19/19_11:32 | 1                  |
|                    |               |                 |             |      |           |          |            |       |           |        | -0.4   | TC   | 3316              | 03/19/19_11:32 | 1                  |

**ATTACHMENT C**  
**SAMPLE AND MATERIAL LOCATION DRAWINGS**



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AC

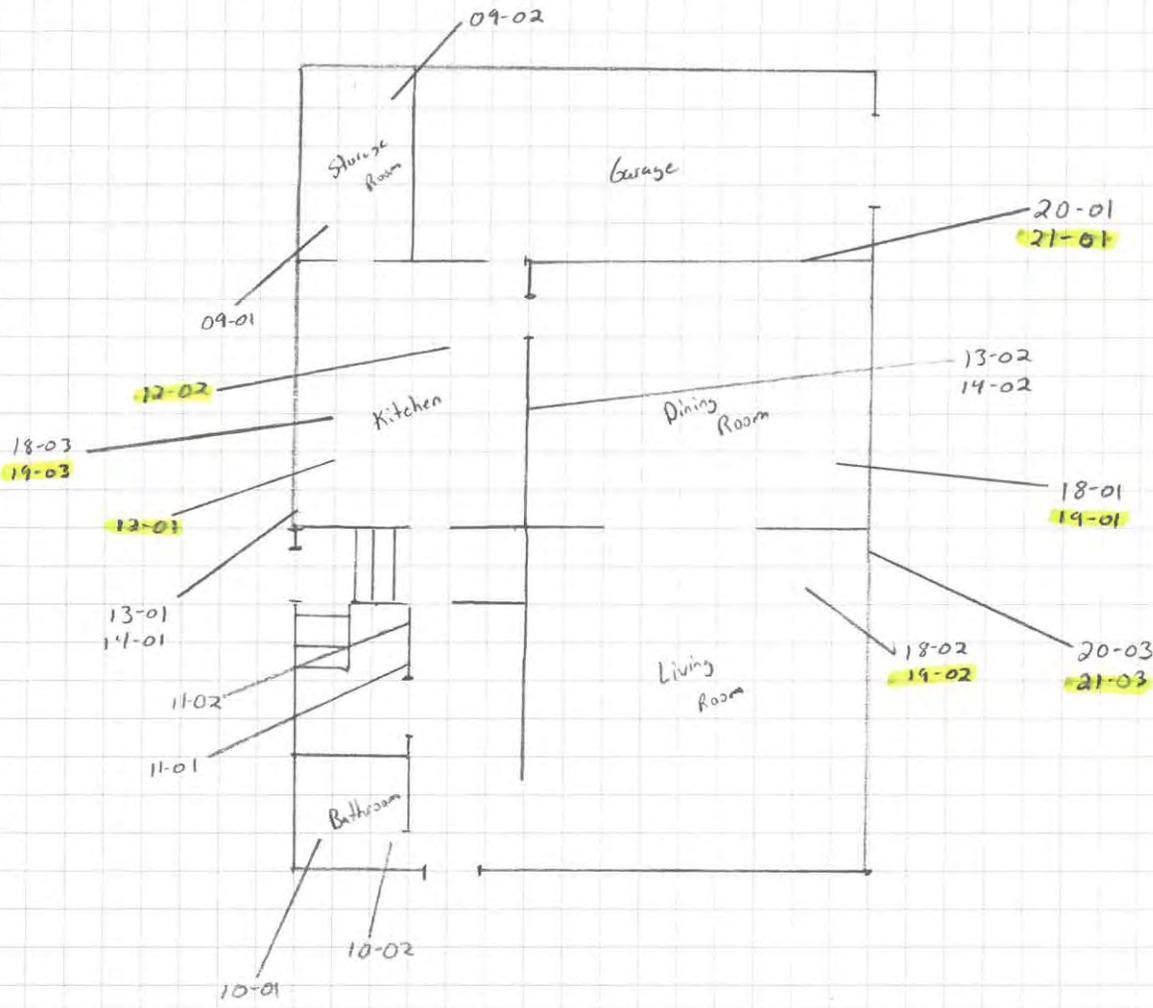
SHEET 9 OF 5

DATE 3/19/19

PROJECT Demolition Inspection 1 Residential Structure, 109 Quakerbush

PHASE Sample Location Map

1st Floor



XX-XX = Positive Asbestos Sample

Please refer to the Assumptions and Limitations Section of the report.



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 1812/DAC

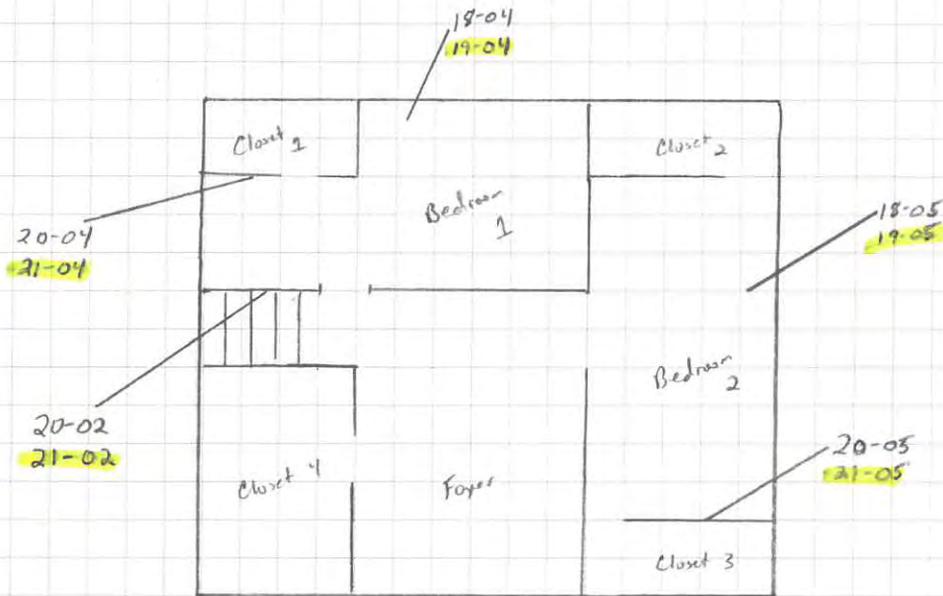
SHEET 2 OF 5

DATE 3/19/19

PROJECT Demolition Inspection of Residential Structure, 109 Quackenbush

PHASE Sample Location Map

2nd Floor



XX-XX = Positive Asbestos Sample

Please refer to the Assumptions and Limitations Section of the report.



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AC

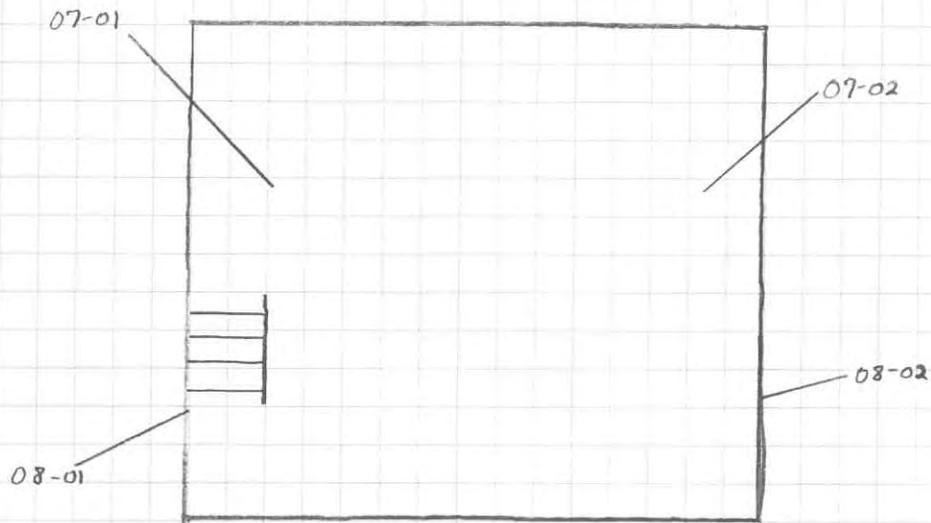
SHEET 3 OF 5

DATE 3/19/19

PROJECT Demolition Inspection of Residential Structure, 109 Quakerknob

PHASE Sample Location Map

Basement





Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AC

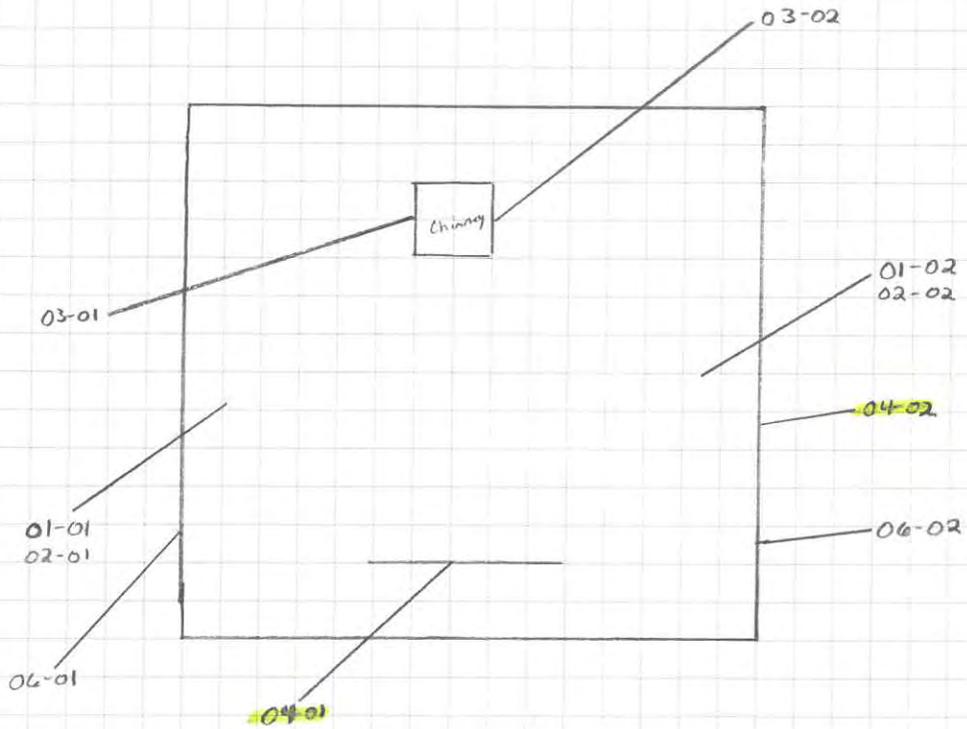
SHEET 4 OF 5

DATE 3/19/19

PROJECT Demolition Inspection 1 Residential Structure, 109 Quackenbush

PHASE Sample Location Map

Roof and Exterior



NI-IX = Positive Asbestos Sample

Please refer to the Assumptions and Limitations Section of the report.



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AC

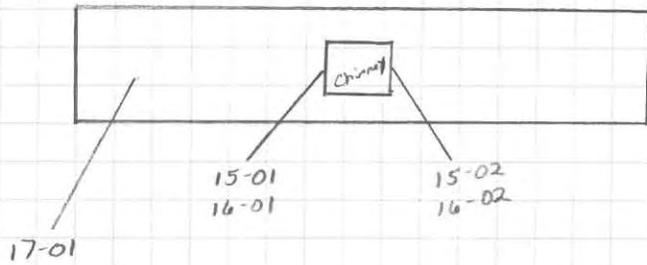
SHEET 5 OF 5

DATE 3/14/19

PROJECT Demolition Inspection 2 Residential Structure, 109 Quakerbush

PHASE Sample location Map

Attic



Please refer to the Assumptions and Limitations Section of the report.



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210 AC

SHEET 1 OF 3

DATE 3/19/19

PROJECT Demolition Inspection of Residential Structure, 109 Awenkerbush

PHASE Materials Map

1st Floor



 = White Rolled Floor

 = Gray Rough Plaster Ceiling

 = Gray Rough Plaster Wall

Please refer to the Assumptions and Limitations Section of the report.



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AC

SHEET 2 OF 3

DATE 3/19/19

PHASE Material Map

PROJECT Demolition Inspection of Residential Structure, 109 Quackenbush

2nd Floor



 = Gray Rough Plaster Ceiling

 = Gray Rough Plaster Wall



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AC

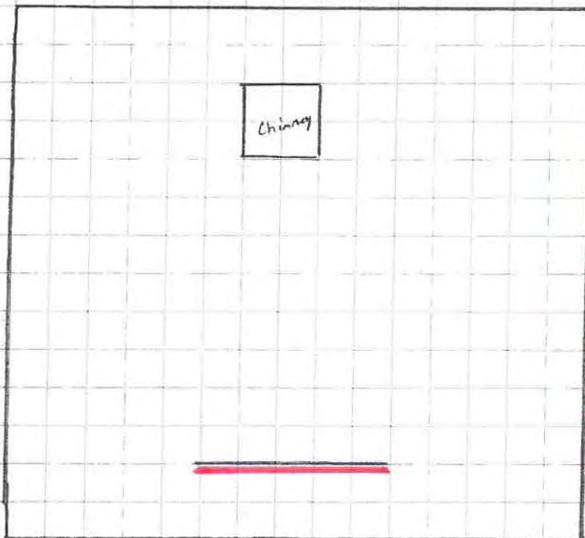
SHEET 3 OF 3

DATE 3/19/19

PHASE Materials Map

PROJECT Demolition Inspection 1 Residential Structure, 109 Quackenbush

Roof



 = White Transite Siding

**Please refer to the Assumptions and Limitations Section of the report.**



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-482-0704 | FX: 518-482-0750

PROJECT NUMBER 181210AL

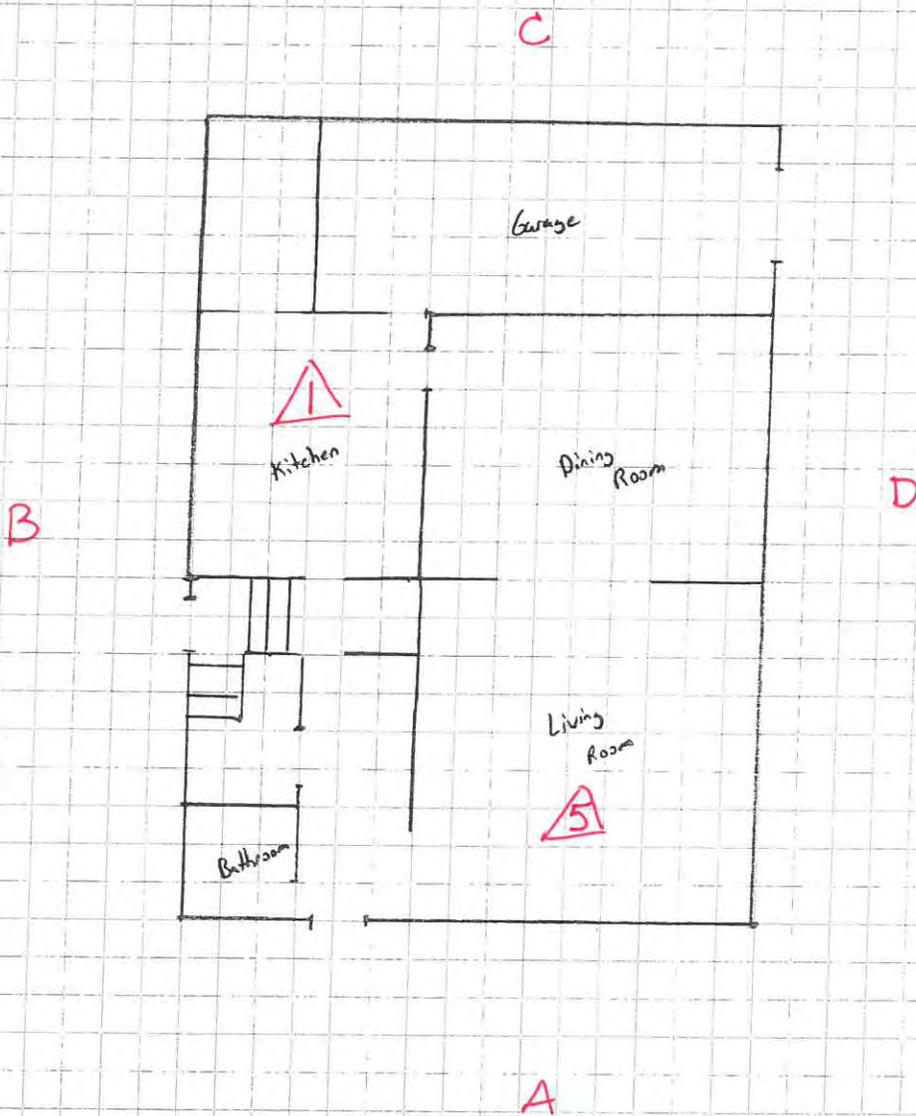
SHEET 1 OF 2

DATE 3/19/19

PROJECT Demolition Inspection of Residential Structure, 109 Avarkenbush

PHASE Lead Location

1st Floor



Please refer to the Assumptions and Limitations Section of the report.



Ambient Environmental, Inc.  
Comprehensive Building Sciences Solutions  
828 Washington Ave., Albany, NY 12203  
PH: 518-462-0704 | FX: 518-462-0750

NYS/NJS Certified WBE  
& SBA EDW OSB & DBE

PROJECT NUMBER 1812DAC

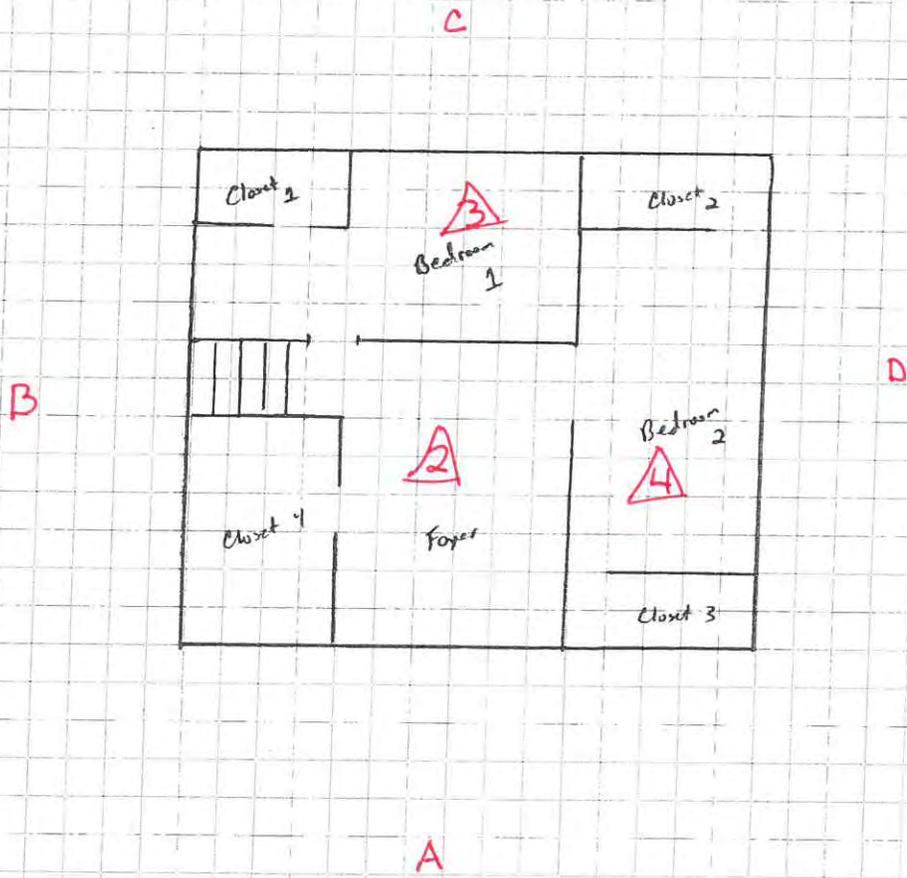
SHEET 2 OF 2

DATE 3/19/19

PROJECT Demolition Inspection of Residential Structure, 109 Quackenbush

PHASE Lead Location

2nd Floor



Please refer to the Assumptions and Limitations Section of the report.

**ATTACHMENT D**  
**PHOTOGRAPHIC DOCUMENTATION**



**Ambient Environmental, Inc.**

Building Science and EHS Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

## **PHOTO LOG**

**Ambient Project #181210AC**

**Demolition Inspection 1 residential Structure**

**109 Quackenbush Street, Fort Hunter, NY**

**M.J Engineering & Land Surveying**

**March 19, 2019**



Photograph 1 – 04-01 White Transite Siding (Exterior)



Photograph 2 – 12-01 White Rolled Floor



Photograph 3 – 19-01 Gray Rough Coat Plaster - Ceiling



**Ambient Environmental, Inc.**

Building Science and EHS Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

## **PHOTO LOG**

**Ambient Project #181210AC**

**Demolition Inspection 1 residential Structure**

**109 Quackenbush Street, Fort Hunter, NY**

**M.J Engineering & Land Surveying P.C.**

**March 19, 2019**



Photograph 4 – 21-01 Gray Rough Coat Plaster - Wall

**ATTACHMENT E**  
**COMPANY, INSPECTOR AND LABORATORY ACCREDITATION**  
**AND LICENSES**

**New York State – Department of Labor**

Division of Safety and Health  
License and Certificate Unit  
State Campus, Building 12  
Albany, NY 12240

**ASBESTOS HANDLING LICENSE**

Ambient Environmental, Inc.  
828 Washington Avenue  
Albany, NY 12203

FILE NUMBER: 06-0549  
LICENSE NUMBER: 29608  
LICENSE CLASS: RESTRICTED  
DATE OF ISSUE: 07/18/2018  
EXPIRATION DATE: 07/31/2019

Duly Authorized Representative – Joella Viscusi:

This license has been issued in accordance with applicable provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.



Eileen M. Franko, Director  
For the Commissioner of Labor

# United States Environmental Protection Agency

This is to certify that



Ambient Environmental, Inc.

has fulfilled the requirements of the Toxic Substances Control Act (TSCA) Section 402, and has received certification to conduct lead-based paint activities pursuant to 40 CFR Part 745.226

## In the Jurisdiction of:

All EPA Administered Lead-based Paint Activities Program States, Tribes and Territories

This certification is valid from the date of issuance and expires

May 12, 2020

LBP-16658-1

Certification #

May 04, 2017

Issued On

A handwritten signature in black ink, appearing to read "Michelle Price", is written over a horizontal line.

Michelle Price, Chief

Lead, Heavy Metals, and Inorganics Branch





## Ambient Environmental, Inc.

Comprehensive Building Science Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

**From:** Davis, Jamon (ESD) [mailto:Jamon.Davis@esd.ny.gov]  
**Sent:** Thursday, April 19, 2018 12:07 PM  
**To:** Michelle Bissonette <michelleb@ambient-env.com>  
**Subject:** Ambient Environmental, Inc.

To Whom It May Concern;

Please note that **Ambient Environmental, Inc.** applied for Certification on **12/4/2017**. Their current Certification is **still pending** until **the final decision is made**. Due to our re-certification policy, their certification remains active. If his/her certification is approved they will remain in our database as active and can continue to conduct business as usual. To check their active status please go to our website at <https://ny.newnycontracts.com>; click the **SEARCH THE DIRECTORY** button and input the name of their business. The firm's status will appear at the **bottom of the page**. If you see the business name at the bottom of the page, this means it is **active**. Please feel free to contact the **MWBE Help Desk at 212-803-2414**, if you should need further assistance.

Best regards,

*Jamon Davis*

JAMON DAVIS  
Certifications Specialist  
633 3<sup>rd</sup> Avenue New York, NY 11017  
[Website](#) [Email](#)

**IMPORTANT:** This e-mail message and any attachments contain information intended for the exclusive use of the individual(s) or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please immediately notify the sender by electronic mail or notify the System Administrator by telephone (518)292-5180 or e-mail ([administrator@esd.ny.gov](mailto:administrator@esd.ny.gov)) and delete the message. Thank you.

# Empire State Development

December 10, 2014

File ID: 50943

Ms. Joella Viscusi  
Ambient Environmental Inc.  
12 Colvin Avenue  
Albany, NY 12206

Dear Ms. Joella Viscusi:

The New York State Department of Economic Development, Division of Minority and Women's Business Development (DMWBD) has determined that your firm, Ambient Environmental Inc., continues to meet eligibility requirements for re-certification, pursuant to Executive Law, Article 15-A and SNYCRR Section 140 through 145 of the Regulations.

Therefore, we are pleased to inform you that your firm, has once again, been granted status as a **Women Business Enterprise (WBE)**. Your business will continue to be listed in the State's Directory of Certified Businesses with codes listed on the following page.

This Certification remains in effect for a period of generally three (3) years from the date of this letter or until such time as you are selected again, by this office for re-certification. Any changes in your company that affect ownership, managerial and/or operational control, must be reported to this Office within thirty (30) days of such changes; including changes to company name, business address, telephone numbers, principal products/services and bonding capacity.

The Certification status is not intended to imply that New York State guarantees your company's capability to perform on contracts, nor does it imply that your company is guaranteed any State business.

Thank you for your cooperation. On behalf of the State of New York, I wish you luck in your business endeavors, particularly those involving State agencies.

Sincerely,



Bette Yee  
Director of Certification Operations

# Empire State Development

New York State Department of Economic Development  
633 Third Avenue New York New York 10017 Tel 212 803 2414  
Web Site: [www.esd.ny.gov/MWBE/html](http://www.esd.ny.gov/MWBE/html)

December 10, 2014

File ID: 50943

Ms Joella Viscusi  
Ambient Environmental Inc.  
12 Colvin Avenue  
Albany, NY 12206

Ambient Environmental Inc. will be listed in the State's Directory of Certified Businesses with the following list of codes for products and services:

ESD-C-0029: ASBESTOS REMOVAL  
ESD-I-0246: ENVIRONMENTAL CONSULTANTS  
ESD-I-1072: ASBESTOS ABATEMENT & COMPLIANCE  
ESD-I-2070: ASBESTOS ABATEMENT PLANS & COMPLIANCE  
ESD-I-2072: LEAD PAINT ABATEMENT PLANS & COMPLIANCE  
ESD-I-2429: LEAD INSPECTION & RISK ASSESSMENT  
NAICS-562910: ASBESTOS ABATEMENT SERVICES  
NAICS-562910: ASBESTOS REMOVAL CONTRACTORS



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
ALBANY, N.Y. 12232  
www.nysdot.gov

JOAN McDONALD  
COMMISSIONER

ANDREW M. CUOMO  
GOVERNOR

MAR 27 2013  
Ms. Joella Viscusi, President  
Ambient Environmental, Inc.  
12 Colvin Avenue  
Albany, NY 12206

**Re: DBE CERTIFICATION NOTICE**

Dear Ms. Viscusi:

The New York State Department of Transportation (NYSDOT), a Certifying Partner in the New York State Unified Certification Program (NYSUCP), is pleased to inform you that your firm meets the eligibility criteria established by the U.S. Department of Transportation Disadvantaged Business Enterprises regulation, codified at 49 CFR, Part 26, and has been **CERTIFIED** as a Disadvantaged Business Enterprise (DBE) with the NYSUCP. Your firm is certified to provide the services listed below:

**Area of Service: Environmental & Sanitation Consulting Services**

**NAICS:**

541620 Environmental Consulting Services

**NYSDOT Codes:**

080B Air Quality  
080E Noise  
080H Hazardous Waste/Asbestos/Lead

Your firm is eligible to participate as a DBE on NYSDOT, Metropolitan Transportation Authority, Port Authority of New York and New Jersey and Niagara Frontier Transportation Authority federally assisted projects in the identified service areas.

Your firm's certification status with the NYSUCP will remain effective for as long as your firm continues to meet all DBE certification eligibility requirements and the ownership and control of the firm, upon which DBE certification was granted, has not changed. However, you are required to submit, annually, on the anniversary date of this notice, a sworn affidavit affirming that there have been no changes in your firm's economic disadvantaged status,

ownership or control. In the event that there are changes, please be advised that you are required to notify the NYSDOT, within 30 days, of any changes in your business' ownership, control and/or operations including address, telephone number, business services and capabilities. Failure to adhere to these requirements may result in the removal of DBE certification.

Your firm will be included in the NYSUCP Directory (<http://biznet.nysucp.net>) which will indicate the type of work that your firm has been certified to perform.

Please note that any of the Certifying Partners of the NYSUCP reserves the right to review your firm's certification eligibility prior to your firm's participation on a federally assisted project for their agency or at any time that it is determined that such reevaluation is warranted.

As a newly certified DBE highway and bridge construction contractor, you are eligible to receive a free one-year subscription to Bid Express (Bid-X). Bid-X is a Web-based subscription service that provides for the electronic submission of contract bids by contractors for NYSDOT contracts. To learn more about the features and benefits of Bid-X, please contact NYSDOT Office of Civil Rights at [OCR-SBN@dot.state.ny.us](mailto:OCR-SBN@dot.state.ny.us).

Furthermore, as a newly certified DBE you should be aware that the U.S. Small Business Administration (SBA) can guarantee bonds for contracts up to \$2 million, covering bid, performance and payment bonds for small and emerging contractors who cannot obtain surety bonds through regular commercial channels. To learn more about the Surety Bond Guarantee Program, please call 800-U-ASK-SBA (800-827-5722) or visit <http://www.sba.gov/index.html>.

We are pleased to have you as a participant in the NYSUCP and wish you much success.

Should you have any questions, please email [Lory.Smitka@dot.ny.gov](mailto:Lory.Smitka@dot.ny.gov), or call (518) 457-3180.

Sincerely,

*Lory Smitka*

Lory Smitka  
Compliance Specialist I  
DBE Certification  
Office of Audit



**Ambient Environmental, Inc.**

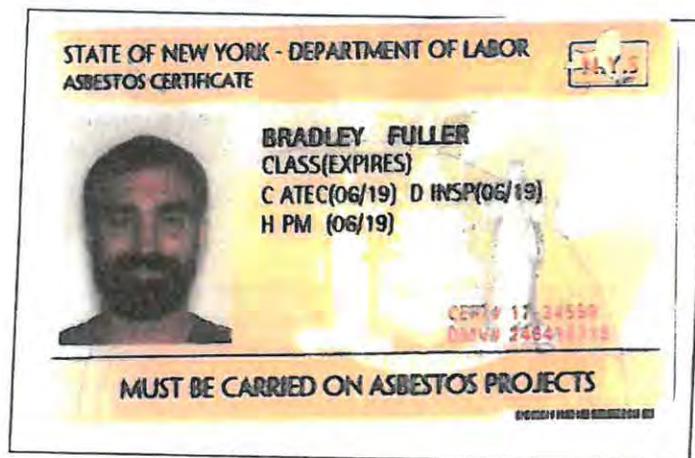
Building Science and EHS Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

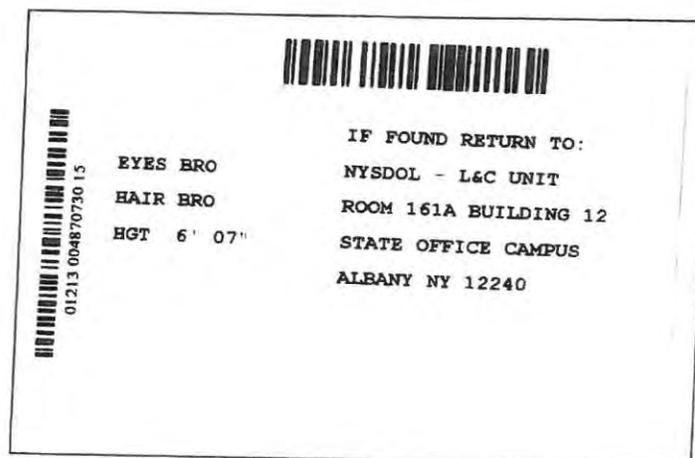
**AMBIENT ENVIRONMENTAL, INC.  
NEW YORK STATE DEPARTMENT OF LABOR  
ASBESTOS LICENSE**

*Bradley Fuller*

Front of License



Back of License



**Codes:**

- A- Asbestos Handler
- B- Restricted Handler
- C- Project Air Sampling Technician
- D- Inspector – R III
- E- Management Planner

- F- Operations and Maintenance
- G- Supervisor
- H- Project Monitor
- I- Project Designer
- J- Allied Trades



**Ambient Environmental, Inc.**

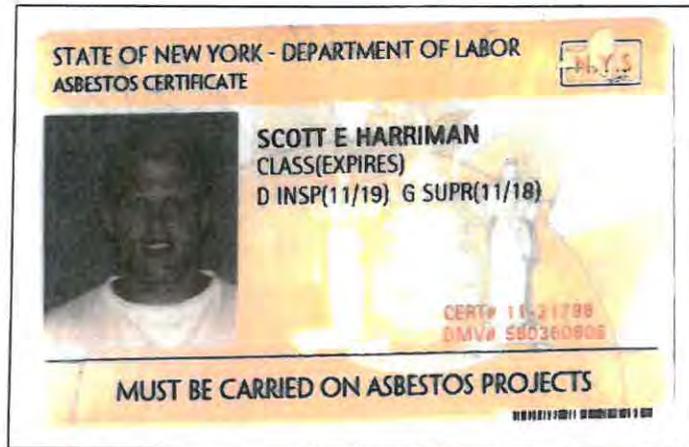
Building Science and EHS Solutions

NYS Certified WBE,  
SBA EDWOSB & DBE

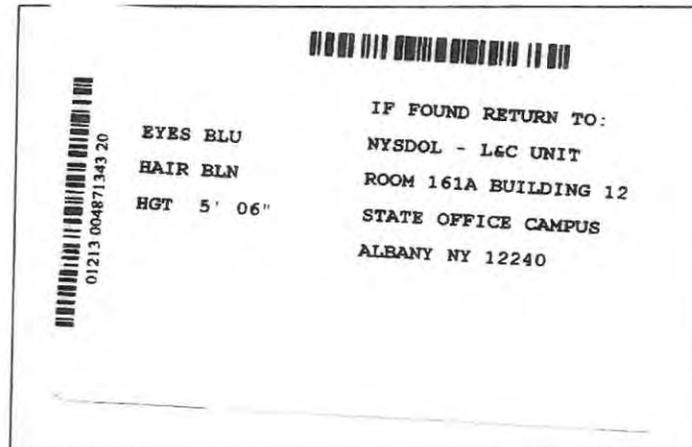
**AMBIENT ENVIRONMENTAL, INC.  
NEW YORK STATE DEPARTMENT OF LABOR  
ASBESTOS LICENSE**

*Scott Harriman*

Front of License



Back of License



**Codes:**

- A- Asbestos Handler
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- G- Supervisor
- H- Project Monitor
- I- Project Designer
- J- Allied Trades

**Flatley Read, INC**

12 Spring Street, Suite 102 ~ PO Box 104 ~ Schuylerville, NY 12871  
Phone: (518) 577-5681 ~ Fax: (518) 279-7643

**Certificate of Attendance and Successful Completion**

Lead Based Paint Risk Assessor - English  
Initial Certificate

SCOTT HARRIMAN  
13 SKYVIEW DR., COHOES, NY 12047  
Certificate Number: LRA-I-51766-19-0001

Course Dates: 02/07-08/2019  
Examination Date: 02/08/2019



Training Manager

02/11/2019  
Date

**Flatley Read, INC**

12 Spring Street, Suite 102 ~ PO Box 104 ~ Schuylerville, NY 12871  
Phone: (518) 577-5681 ~ Fax: (518) 279-7643

**Certificate of Attendance and Successful Completion**

Lead Based Paint Risk Assessor - English  
Initial Certificate

BRADLEY FULLER  
231 ELM ST., ALBANY, NY 12202

Certificate Number: LRA-I-51766-19-0002

Course Dates: 02/07-08/2019

Examination Date: 02/08/2019



Training Manager

02/11/2019

Date

NEW YORK STATE DEPARTMENT OF HEALTH  
WADSWORTH CENTER



Expires 12:01 AM April 01, 2020  
Issued April 01, 2019

**CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE**

*Issued in accordance with and pursuant to section 502 Public Health Law of New York State*

MR. PAUL J. MUCHA  
AMERICA SCIENCE TEAM NEW YORK, INC  
117 EAST 30TH ST  
NEW YORK, NY 10016

NY Lab Id No: 11480

*is hereby APPROVED as an Environmental Laboratory for the category  
ENVIRONMENTAL ANALYSES SOLID AND HAZARDOUS WASTE  
All approved subcategories and/or analytes are listed below:*

**Miscellaneous**

|                                      |   |
|--------------------------------------|---|
| Asbestos in Friable Material         | Item 198.1 of Manual<br>EPA 600/M4/82/020 |
| Asbestos in Non-Friable Material-PLM | Item 198.6 of Manual (NOB by PLM)         |
| Asbestos in Non-Friable Material-TEM | Item 198.4 of Manual                      |

Serial No.: 59674

Property of the New York State Department of Health. Certificates are valid only at the address shown, must be conspicuously posted, and are printed on secure paper. Continued accreditation depends on successful ongoing participation in the Program. Consumers are urged to call (518) 485-5570 to verify the laboratory's accreditation status.

NEW YORK STATE DEPARTMENT OF HEALTH  
WADSWORTH CENTER



Expires 12:01 AM April 01, 2020  
Issued April 01, 2019

**CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE**

*Issued in accordance with and pursuant to section 502 Public Health Law of New York State*

**MS. JACKIE DARVISH  
ATLAS ENVIRONMENTAL LABS CORP  
255 W 36TH STREET SUITE #1503  
NEW YORK, NY 10018**

**NY Lab Id No: 11999**

*is hereby APPROVED as an Environmental Laboratory for the category  
ENVIRONMENTAL ANALYSES SOLID AND HAZARDOUS WASTE  
All approved subcategories and/or analytes are listed below:*

**Miscellaneous**

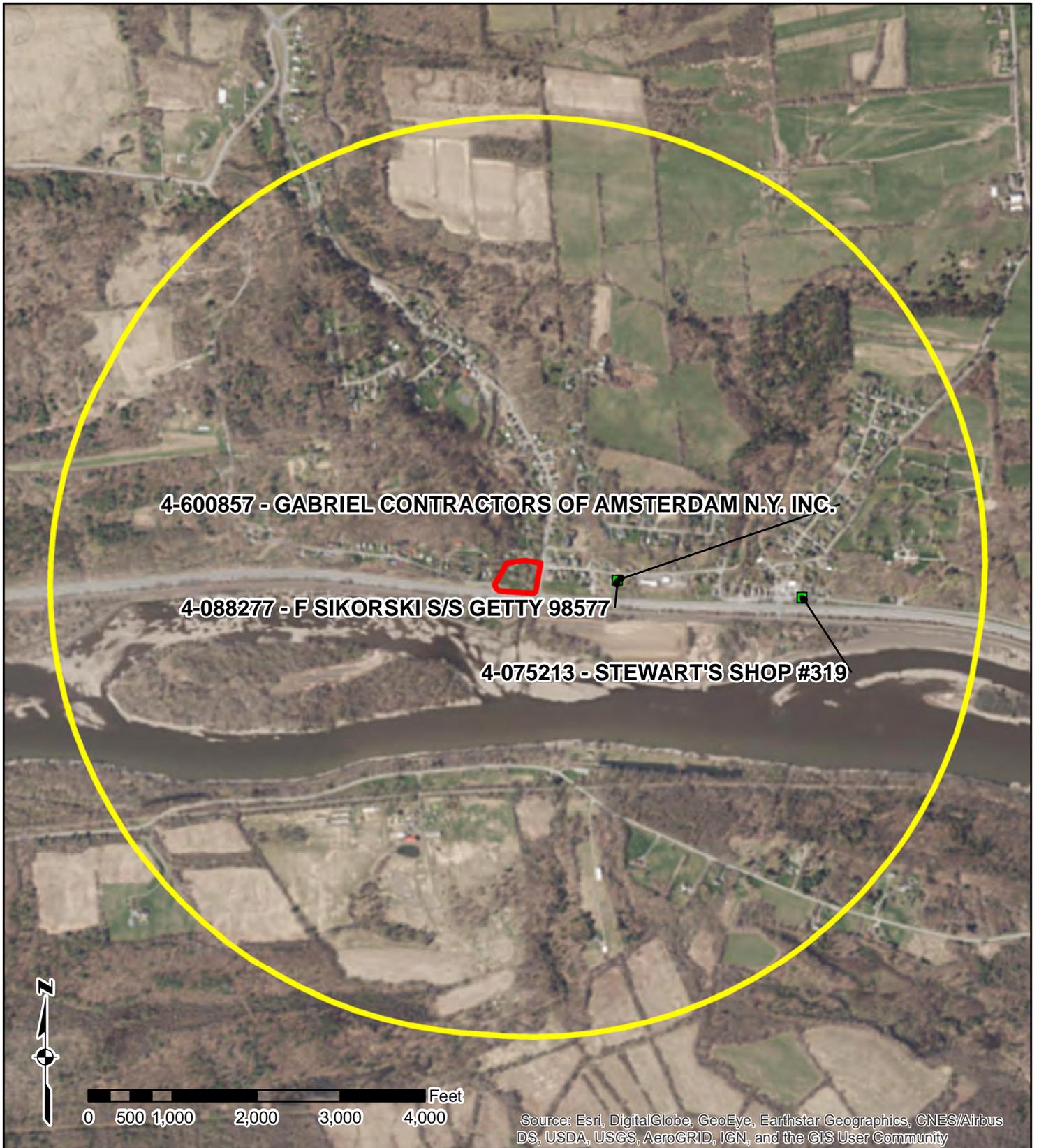
|  |   |
|--|---|
| Asbestos in Friable Material             | Item 198.1 of Manual<br>EPA 600/M4/82/020 |
| Asbestos in Non-Friable Material-PLM     | Item 198.6 of Manual (NOB by PLM)         |
| Asbestos in Non-Friable Material-TEM     | Item 198.4 of Manual                      |
| Asbestos-Vermiculite-Containing Material | Item 198.8 of Manual                      |
| Lead in Dust Wipes                       | EPA 7000B                                 |
| Lead in Paint                            | EPA 7000B                                 |

**Sample Preparation Methods**

EPA 3050B

**Serial No.: 59959**

Property of the New York State Department of Health. Certificates are valid only at the address shown, must be conspicuously posted, and are printed on secure paper. Continued accreditation depends on successful ongoing participation in the Program. Consumers are urged to call (518) 485-5570 to verify the laboratory's accreditation status.



**Legend**

-  Project Area
-  One Mile Project Area Buffer
-  Petroleum Bulk Storage

**Bulk Storage Facilities**

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York



## Detailed Facility Report

### Facility Summary

**NYSDOT BIN 1002550**  
**RTE 5 OVER KAYADEROSSERAS CRK, FORT**  
**JOHNSON, NY 12070**

FRS (Facility Registry Service) ID: 110007986171  
EPA Region: 02  
Latitude: 42.956782  
Longitude: -74.240235  
Locational Data Source: RCRAINFO  
Industry: No description found  
Indian Country: N

### Enforcement and Compliance Summary

|   |                                |
|---|--------------------------------|
| Statute   | RCRA                           |
| Insp (5 Years)                                      | --                             |
| Date of Last Inspection                             | --                             |
| <b>Current Compliance Status</b>                    | <b>No Violation Identified</b> |
| Qtrs with NC (of 12)                                | 0                              |
| Qtrs with Significant Violation                     | 0                              |
| Informal Enforcement Actions (5 years)              | --                             |
| Formal Enforcement Actions (5 years)                | --                             |
| Penalties from Formal Enforcement Actions (5 years) | --                             |
| EPA Cases (5 years)                                 | --                             |
| Penalties from EPA Cases (5 years)                  | --                             |

### Regulatory Information

Clean Air Act (CAA): No Information  
Clean Water Act (CWA): No Information  
Resource Conservation and Recovery Act (RCRA): Inactive (NY0000304311)  
Safe Drinking Water Act (SDWA): No Information

### Other Regulatory Reports

Air Emissions Inventory (EIS): No Information  
 Greenhouse Gas Emissions (eGGRT): No Information  
 Toxic Releases (TRI): No Information  
 Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Known Data Problems

## Facility/System Characteristics

### Facility/System Characteristics

| System   | Statute | Identifier   | Universe | Status       | Areas | Permit Expiration Date | Indian Country | Latitude  | Longitude  |
|----------|---------|--------------|----------|--------------|-------|------------------------|----------------|-----------|------------|
| FRS      |         | 110007986171 |          |              |       |                        | N              | 42.956782 | -74.240235 |
| RCRAInfo | RCRA    | NY0000304311 | Other    | Inactive ( ) |       |                        | N              | 42.956782 | -74.240235 |

### Facility Address

| System   | Statute | Identifier   | Facility Name       | Facility Address                                      |
|----------|---------|--------------|---------------------|---|
| FRS      |         | 110007986171 | NYS DOT BIN 1002550 | RTE 5 OVER KAYADEROSSERAS CRK, FORT JOHNSON, NY 12070 |
| RCRAInfo | RCRA    | NY0000304311 | NYS DOT BIN 1002550 | RTE 5 OVER KAYADEROSSERAS CRK, FORT JOHNSON, NY 12070 |

### Facility SIC (Standard Industrial Classification) Codes

| System                   | Identifier | SIC Code | SIC Description |
|--------------------------|------------|----------|-----------------|
| No data records returned |            |          |                 |

### Facility NAICS (North American Industry Classification System) Codes

| System                   | Identifier | NAICS Code | NAICS Description |
|--------------------------|------------|------------|-------------------|
| No data records returned |            |            |                   |

### Facility Tribe Information

| Reservation Name         | Tribe Name | EPA Tribal ID | Distance to Tribe (miles) |
|--------------------------|------------|---------------|---------------------------|
| No data records returned |            |               |                           |

## Enforcement and Compliance

### Compliance Monitoring History (5 years)

| Statute                  | Source ID | System | Activity Type | Compliance Monitoring Type | Lead Agency | Date | Finding (if applicable) |
|--------------------------|-----------|--------|---------------|----------------------------|-------------|------|-------------------------|
| No data records returned |           |        |               |                            |             |      |                         |

*Entries in italics are not counted in EPA compliance monitoring strategies or annual results.*

### Compliance Summary Data

| Statute | Source ID    | Current SNC (Significant Noncompliance)/HPV (High Priority Violation) | Current As Of | Qtrs with NC (Noncompliance) (of 12) | Data Last Refreshed |
|---------|--------------|---|---------------|--------------------------------------|---------------------|
| RCRA    | NY0000304311 | No  | 07/06/2019    | 0                                    | 07/05/2019          |

### Three-Year Compliance History by Quarter

| Statute | Program Pollutant/ Violation Type | QTR 1          | QTR 2          | QTR 3          | QTR 4          | QTR 5          | QTR 6          | QTR 7          | QTR 8          | QTR 9          | QTR 10         | QTR 11         | QTR 12+        |
|---------|-----------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| RCRA    | (Source ID: NY0000304311)         | 07/01-09/30/16 | 10/01-12/31/16 | 01/01-03/31/17 | 04/01-06/30/17 | 07/01-09/30/17 | 10/01-12/31/17 | 01/01-03/31/18 | 04/01-06/30/18 | 07/01-09/30/18 | 10/01-12/31/18 | 01/01-03/31/19 | 04/01-06/30/19 |

| Statute | Program/Pollutant/Violation Type | QTR 1                   | QTR 2                   | QTR 3                   | QTR 4                   | QTR 5                   | QTR 6                   | QTR 7                   | QTR 8                   | QTR 9                   | QTR 10                  | QTR 11                  | QTR 12+                 |
|---------|----------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
|         | Facility-Level Status            | No Violation Identified |

### Informal Enforcement Actions (5 Years)

| Statute                  | System | Source ID | Type of Action | Lead Agency | Date |
|--------------------------|--------|-----------|----------------|-------------|------|
| No data records returned |        |           |                |             |      |

### Formal Enforcement Actions (5 Years)

| Statute                  | System | Law/Section | Source ID | Action Type | Case No. | Lead Agency | Case Name | Issued/Filed Date | Settlements/Actions | Settlement/Action Date | Federal Penalty | State/Local Penalty | SEP Cost | Comp Action Cost |
|--------------------------|--------|-------------|-----------|-------------|----------|-------------|-----------|-------------------|---------------------|------------------------|-----------------|---------------------|----------|------------------|
| No data records returned |        |             |           |             |          |             |           |                   |                     |                        |                 |                     |          |                  |

# **APPENDIX F**

**USFWS, NYNHP, AND NYSDEC CORRESPONDENCE**



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
3817 Luker Road  
Cortland, New York 13045



July 18, 2019

Ms. Alicia Shultz  
Bureau of Environmental Review and Assessment  
Governor's Office of Storm Recovery  
NYS Homes & Community Renewal  
38-40 State Street, Hampton Plaza  
Albany, NY 12207

Dear Ms. Shirley:

This responds to your July 15, 2019, letter regarding the proposed Old Fort Johnson Conditions Assessment and Flood Mitigation Project located at 2 Mergner Road in the Village of Fort Johnson, Montgomery County, New York. We understand that U.S. Department of Housing and Urban Development's (HUD) funding may be involved with the proposed project.

As you are aware, federal agencies have responsibilities under Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to consult with the U.S. Fish and Wildlife Service (Service) regarding projects that may affect federally listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally proposed species and/or adversely modify proposed critical habitat. We understand that NYS Homes & Community Renewal (NYSHCR) has been designated HUD's non-federal representative for the purposes of completing informal consultation pursuant to Section 7(a)(2) of the ESA.

On behalf of HUD, the NYSHCR determined the proposed project may affect, but is not likely to adversely affect, the federally listed threatened northern long-eared bat (*Myotis septentrionalis*). Given the project location, amount of tree removal, and conservation measure to conduct all tree removal between November 1 and March 31, we concur with your determination.

No further coordination or consultation under the ESA is required with the Service at this time. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you check our website regularly to ensure that listed species presence/absence information for the proposed project is current.\*

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for coordinating with us. We appreciate the opportunity to review this project. Please contact Robyn Niver at 607-753-9334 if there are any questions. Future correspondence with us on this project should reference project file 19I0580.

Sincerely,

*Anne L. Secord*

*for* David A. Stilwell  
Field Supervisor

\*Additional information referred to above may be found on our website at:  
<http://www.fws.gov/northeast/nyfo/es/section7.htm>.

cc: NYSDEC, Schenectady, NY (Env. Permits)

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Fish and Wildlife

625 Broadway, 5th Floor, Albany, NY 12233-4750

P: (518) 402-8924 | F: (518) 402-8925

www.dec.ny.gov

January 18, 2017

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

RE: Repairs to Old Fort Johnson  
Town of Amsterdam, Montgomery County, NY

Dear Mr. King,

We received your jurisdictional inquiry request for the project involving repairs to Old Fort Johnson in the Town of Amsterdam, Montgomery County. It is our understanding that the fort and grounds will be assessed for flood hazards and water infiltration. Repairs and improvements relating to these hazards will be undertaken. It is expected that these repairs will include the replacement or improvement of the retaining wall around Kayadosseross Creek, improvements to the grading of the site to direct water away from the buildings, and improvements to the drainage systems around the buildings. Based on our understanding of the project and review of the maps provided in the pre-application report submitted in April 2016, and the NYS Resources map created by Amanda Bailey on 1/6/2017 (attached), we have the following comments on the project:

### **STATE-LISTED SPECIES**

All threatened or endangered species are subject to regulation under Article 11, Title 5 of the Environmental Conservation Law and a permit is required for a taking of that species pursuant to 6 NYCRR Part 182. Besides death of individuals, taking includes harassment, interference with essential behaviors, and adverse modification of habitat. **If the site is in close proximity to known occurrences of state-protected species, additional information on the proposal will be required by the appropriate regional office for a determination on the need for an incidental take permit.**

We have reviewed the available information in the New York Natural Heritage Program database on known occurrences of rare or state-listed bat species. This project area does not occur in the immediate vicinity of known occurrences of rare or state-listed bat species (see NYS Resources map, attached). The major concern for bat species in relation to this project would be the destruction of potential roosts and roosting habitat that may occur if tree clearing is required. Because this project does not take place within known occupied habitat, there are no restrictions on cutting.

The absence of data does not necessarily mean that any rare or state-listed bat species do not exist on or adjacent to the proposed site. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence of all rare or state-listed bat species. To avoid potential take, DEC *recommends* that any tree clearing be

conducted between November 1 and March 31, when bats are inactive in hibernation sites. DEC also recommends that all snag and cavity trees remain uncut, unless their removal is necessary for protection of human life and property. For more information, please refer to the DEC Northern long-eared bat protective measures guidance, available at: <http://www.dec.ny.gov/animals/106090.html>.

This document is only intended to address state-listed bat species. Other rare or state-listed species, natural communities or other significant habitats may exist within the project area and would require additional review. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

## **OTHER**

### **USFWS Cortland Field Office**

If a federal agency is involved in the project, or if federal funding is used, there are additional considerations for federally listed species. Section 7(a)(1) of the Endangered Species Act requires federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires federal agencies to consult on any action that may affect a listed species.

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

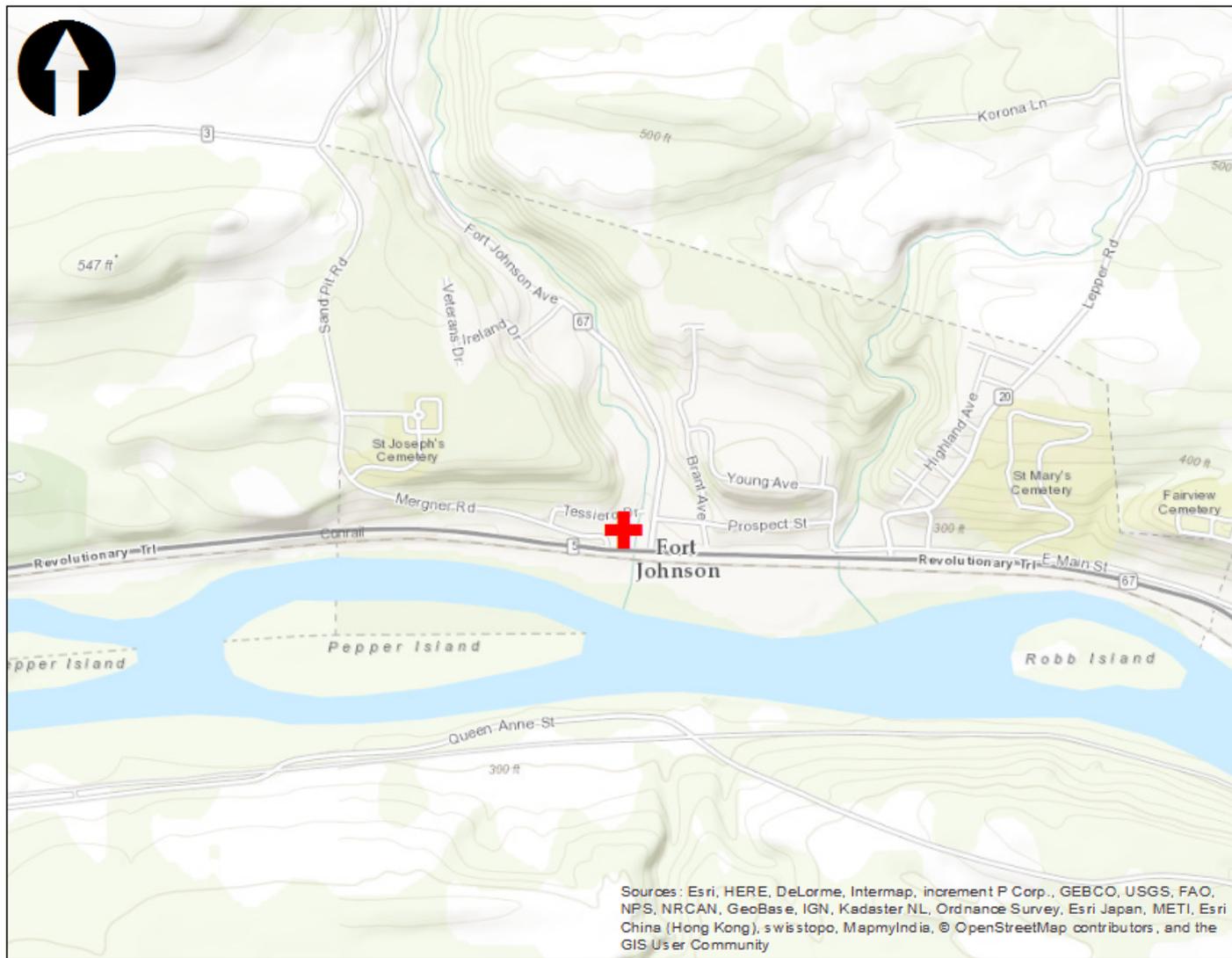
Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Amanda Bailey  
Division of Fish and Wildlife  
[Amanda.bailey@dec.ny.gov](mailto:Amanda.bailey@dec.ny.gov)  
518-402-8859

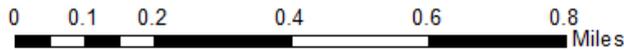
Cc: Alicia Shultz, Governor's Office of Storm Recovery  
Lori Shirley, Governor's Office of Storm Recovery  
Matt Accardi, Governor's Office of Storm Recovery  
May O'Malley, NYSDEC Division of Environmental Permits  
Paul Novak, NYSDEC Regional Wildlife Biologist, Region 4  
William Clarke, NYSDEC Regional Permit Administrator, Region 4



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



**Department of  
Environmental  
Conservation**

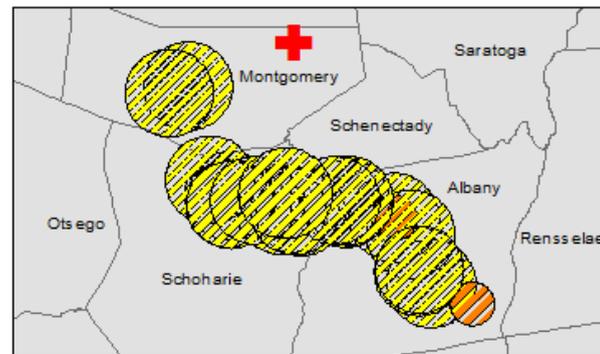


1 inch = 1,250 feet

# NYS Resources Map

Repairs to Old Fort Johnson  
Town of Amsterdam, Montgomery County

Prepared by AMB on 1/6/2017



## Proposed Project Area

Old Fort Johnson

## Bat Occurrences

Indiana Bat

Northern Long-eared Bat

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

# Environmental Resource Mapper

Base Map: Topographical [Using this map](#)

Search

Tools

**Layers and Legend**

- Unique Geological Features
- Waterbody Classifications for Rivers/Streams
- Waterbody Classifications for Lakes
- State Regulated Freshwater Wetlands
  - State Regulated Wetland
- Checkzone
  - Significant Natural Communities
    - Natural Communities Near This
- Location
  - Rare Plants or Animals

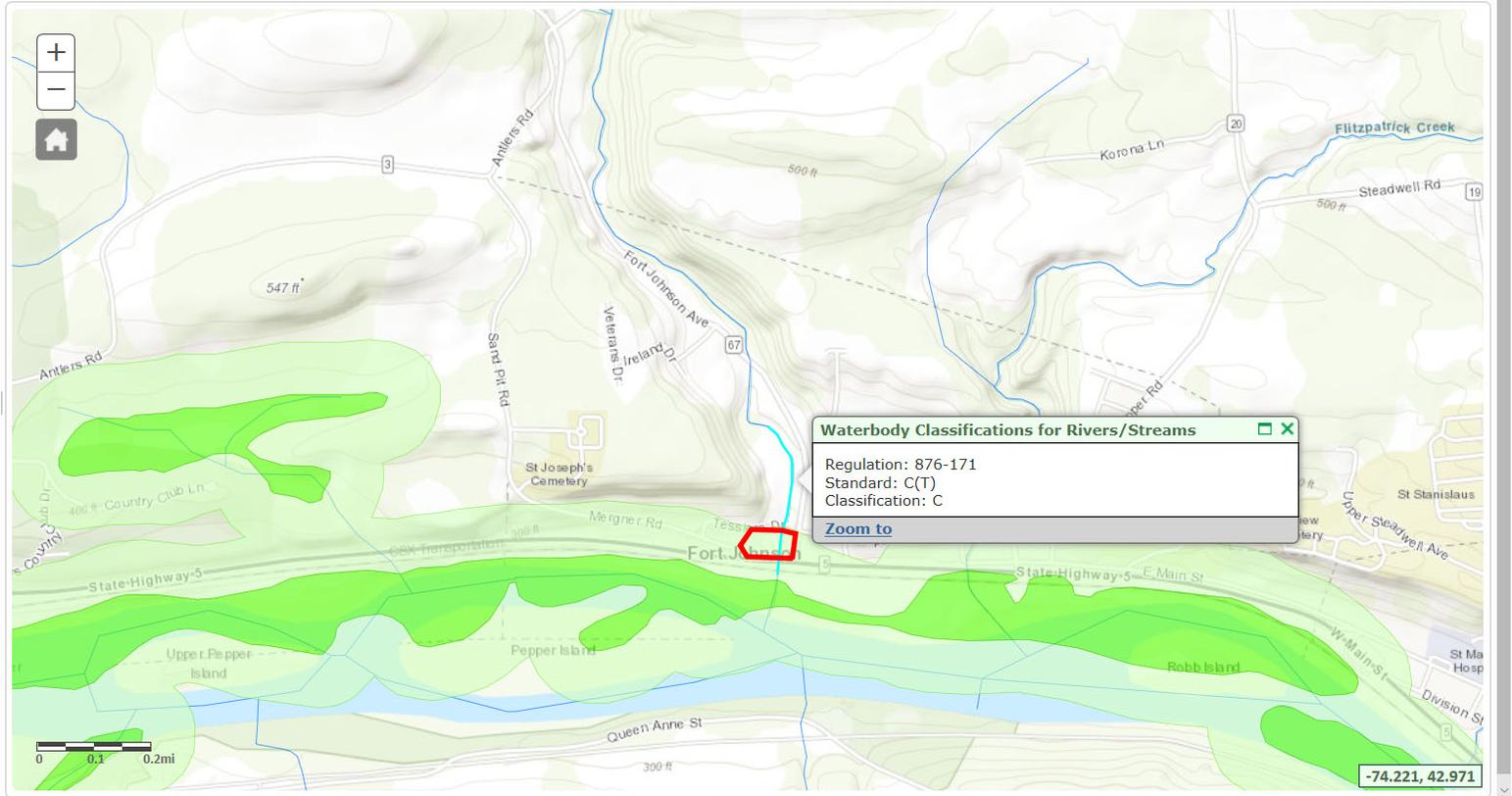
Other Wetland Layers

Reference Layers

Tell Me More...

Need A Permit?

Contacts



# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Environmental Permits

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

March 20, 2017

Ms. Lori Shirley  
Governor's Office of Storm Recovery  
99 Washington Avenue  
Suite 1224  
Albany, NY 12260

RE: Old Fort Johnson Conditions Assessment & Flood Mitigation  
Town of Amsterdam, Montgomery County

Dear Ms. Shirley:

We received your jurisdictional inquiry request for Old Fort Johnson Conditions Assessment & Flood Mitigation located at 2 Mergner Rd, Fort Johnson in the Town of Amsterdam, Montgomery County. It is our understanding that the project is to a conditions assessment, as it relates to flood hazards and water infiltration, of the buildings and grounds, assess the hydrological profile of the site, assess the sources and risks of potential flooding; assess the physical condition of the buildings on the site; assess the risks of flood and water damage to these buildings; and identify any underground archeological resources that might be affected by future floods or by the work that may be undertaken to address future floods risks. Second phase includes design and construction of mitigation measures deemed to be of high priority and feasibility. This may include the retaining wall along Kaydosseross Creek, or other measures that will help contain or redirect potential flood waters from the Creek; improvements to the drainage systems around the buildings; and/or improvements to the grading of the site to direct water away from the buildings. Based on our understanding of the project and review of the Pre-Application Report dated 4/18/16, we have the following comments on the project:

## WATER

### Protection of Waters:

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

| Name                      | Class       | Waters Index Number |
|---------------------------|-------------|---------------------|
| <u>Mohawk River</u>       | <u>C</u>    | <u>H-240</u>        |
| <u>Kaydosseross Creek</u> | <u>C(T)</u> | <u>H-240-76</u>     |

An Article 15, Protection of Waters Permit, pursuant to 6NYCRR Part 608 is required for any disturbance to the bed and banks of *stream(s)/pond(s)*.

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

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

### **STATE-LISTED SPECIES**

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

All threatened or endangered species are subject to regulation under Article 11, Title 5 of the Environmental Conservation Law and a permit is required for a taking of that species pursuant to 6 NYCRR Part 182. Besides death of individuals, taking includes harassment, interference with essential behaviors, and adverse modification of habitat.

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

### **CULTURAL RESOURCES**

Your project/site appears to be located within an area of potential historical or archeological significance. If approvals/permits are needed from this Department, we may require consultation with the Office of Parks, Recreation and Historic Preservation

(OPRHP) in order to better evaluate this project's impact to these resources.

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

## **OTHER**

### **U.S. Army Corps of Engineers**

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

Please note that this letter only addresses the requirements for the following permits from the Department:

#### Protection of Water

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

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

Sincerely,

A handwritten signature in black ink that reads "May O'Malley". The signature is written in a cursive, slightly slanted style.

May O'Malley  
Division of Environmental Permits  
[may.omalley@dec.ny.gov](mailto:may.omalley@dec.ny.gov)  
518-402-9154

Cc: Andy Marcuccio, NYSDEC Region 4 Environmental Permits



## Governor's Office of Storm Recovery

**ANDREW M. CUOMO**  
Governor

**LISA BOVA-HIATT**  
Executive Director

### By Electronic Mail

June 21, 2019

Robyn A. Niver  
Endangered Species Biologist  
U.S. Fish & Wildlife Service  
New York Field Office (Region 5)  
3817 Luker Rd.  
Cortland, NY 13045

Re: Section 7 Project Review - ESA/MBTA/BGEPA Consultation for the Old Fort Johnson Conditions Assessment & Flood Mitigation Project, 2 Mergner Rd, Old Fort Johnson, NY – **Second Consultation** – No Effect

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 design and mitigation improvements to the Old Fort Johnson Conditions Assessment & Flood Mitigation Project located at 2 Mergner Road, Old Fort Johnson, Montgomery County, New York. GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), as well as the Migratory Bird Treaty Act of 1918 (MBTA) (40 Stat. 755, as amended; 16 U.S.C. 703-712), and the Bald and Golden Eagle Protection Act of 1940 (BGEPA) (54 Stat. 240, as amended; 16 U.S.C. 668-668c).

### Project Description

The Dormitory Authority of the State of New York (DASNY) acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson located at 2 Mergner Rd, Old Fort Johnson, against the impacts of future flood events.

Located one mile west of the city of Amsterdam on the north bank of the Mohawk River near its confluence with Kayadosseross Creek (Figure 1). Constructed in 1749 as the house, office and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America, the site was fortified during the French and Indian Wars. Originally the house was the center of a complex of outbuildings. Only two of these survive

today – a privy and a barn, now used as a visitor center and staff housing. Fort Johnson is listed in the National Register of Historic Places and was designated a National Historic Landmark, in 1972.

The site is within the 100-year floodplain (Figure 2). During Hurricane Irene the Creek and River merged and covered the entire site; in the course of a few hours over eight feet of water poured across the grounds and through the buildings. In the 1749 historic house, the basement was completely filled with water and mud. On the raised first floor, five-and-a half feet of water covered the tops of the fireplace mantels and left mud and debris on the original wood paneling, windows, shutters and floors. The Visitor Center building had 2 feet of water on the first floor. The historic 18th century privy tipped over and floated into the footbridge, saving it from disappearing downstream. The Garage was also flooded with several feet of water, with over 30” in the public bathroom on the Creek side.

The proposed project includes the demolition of the concrete walls along the banks of the Kayadosseross Creek through the site; regrading the banks; regrading of the site and adding a berm on the western of Kayadosseross Creek with new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; and the construction of a new parking area. Approximately 0.65 acres will be disturbed.

The existing pedestrian bridge over Kayadosseross Creek will be removed, the existing access steps demolished, new bridge abutments/footings constructed, the bridge reinstalled, new embankment, handicap access, and stairs constructed on the west side, and access paved to the parking area on the east side.

**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 Resource List identified the Northern Long-eared Bat (NLEB) (*Myotis septentrionalis*) as a threatened species and is potentially associated with the project site (see attached **Resource Species List**). The Resource List indicated that no critical habitats are within the Project area. The IPaC review also indicated that there are several migratory birds of concern that could potentially be affected by the proposed project.

#### **ESA -Analysis and Determination of Effects:**

**Northern Long-eared bat (NLEB) (*Myotis septentrionalis*):** GOSR received a jurisdictional review for the Old Fort Johnson Conditions Assessment & Flood Mitigation Project from the New York State Department of Environmental Resources (NYDEC) which stated that the project area does not occur in the immediate vicinity of known occurrences of rare or state-listed bat species (See attached NYSDEC correspondence). The NLEB, listed as federally threatened, is a temperate, insectivorous bat whose life cycle can be coarsely divided into two primary phases - reproduction and hibernation. NLEB hibernate in caves or mines during winter and then emerge in early spring, with males dispersing and remaining solitary until mating season at the end of the summer, and pregnant females forming maternity colonies in which to rear young. No caves or mines occur near the project site. Summer habitat of the NLEB generally includes upland and riparian forest within heavily forested landscapes. The NLEB is sensitive to fragmentation and urbanization, and requires interior forest for both foraging and breeding. Roost trees are usually in intact forest, close to the core and away from large clearings, roads, or other sharp edges.

**Approximately 28 trees will to be removed. The location of the trees and the types of trees are shown in the attachment. Tree cutting will occur October and March, the inactive season of the NLEB.** All activities associated with the proposed project will not:

- 1) disturb hibernating NLEBs in a known hibernaculum;
- 2) alter the entrance or interior environment of a known hibernaculum;
- 3) remove any trees within 0.25 miles of a known hibernaculum at any time of year; or

4) cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree, during the pup season (June 1 through July 31).

**The project area does not occur in the immediate vicinity of known occurrences of NLEB (see NYS Resources map, attached). The major concern for bat species in relation to this project would be the destruction of potential roosts and roosting habitat that may occur from tree clearing. To avoid potential take, tree clearing will be conducted between **November 1 and March 31**, when bats are inactive in hibernation sites. None of the trees to be removed are snag or cavity trees. Therefore, GOSR has made the determination that the proposed project will have no effect on NLEB.**

**MBA:** GOSR has determined that the project would have no significant adverse impact on migratory birds or their habitat. It is anticipated that passerine birds would temporarily leave the area during construction due to noise and disturbance. Extensive areas of high quality woodland habitat are available. **If USFWS has documentation of the presence of the Bald Eagle in this area, GOSR requests that this documentation be provided to GOSR for review.**

### Compliance

According to the USFWS IPaC Resource List, there is one threatened species that is potentially associated with the project site, the threatened northern long-eared bat (NLEB). In addition, there are several migratory birds of concern that could potentially be affected by the proposed project. The IPaC Resource List for the proposed project indicated that there is no critical habitat in the project area. GOSR determines that this project will have no effect on **the NLEB**.

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

Sincerely,

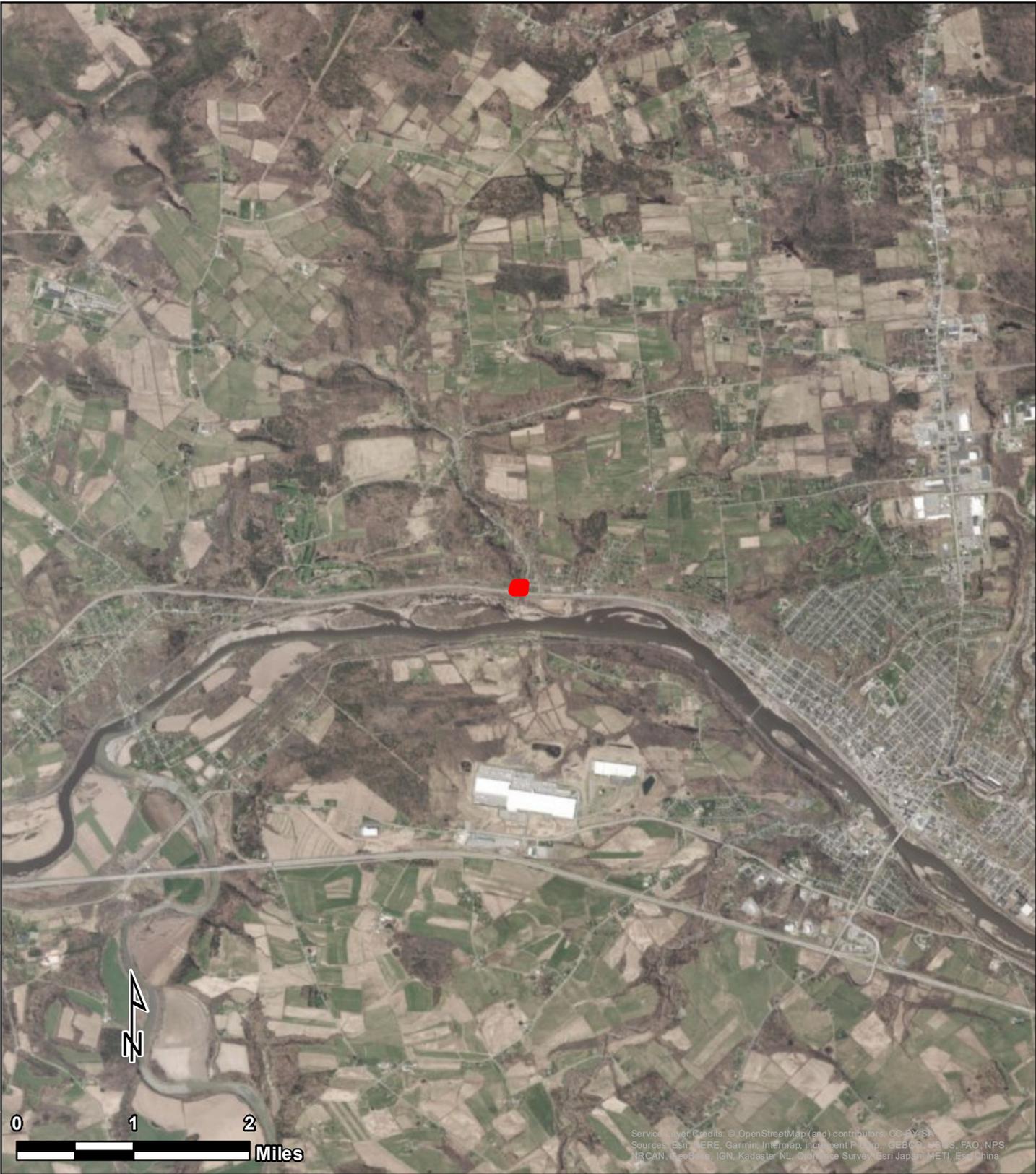


Alicia Shultz  
Senior Environmental Scientist  
New York State Homes and Community Renewal  
38-40 State Street, Hampton Plaza  
Albany NY 12207

Attachments:

Figure 1  
Figure 2  
Tree Removal Map  
Resource Species List  
NYSDEC Correspondence and Resource Map

Path: C:\Projects\Old Fort Johnson\_HUD\_EA\_103P3592X\GIS\Old Fort Johnson - Project\_Location.mxd



Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS,  
NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

## ***Project Location***

### **Legend**

 Project Location

Old Fort Johnson  
2 Mergner Road  
City of Fort Johnson  
Montgomery County, New York



Path: C:\Projects\Old Fort Johnson HUD EA\_103P3592X\GIS\Old Fort Johnson - Project Area.mxd

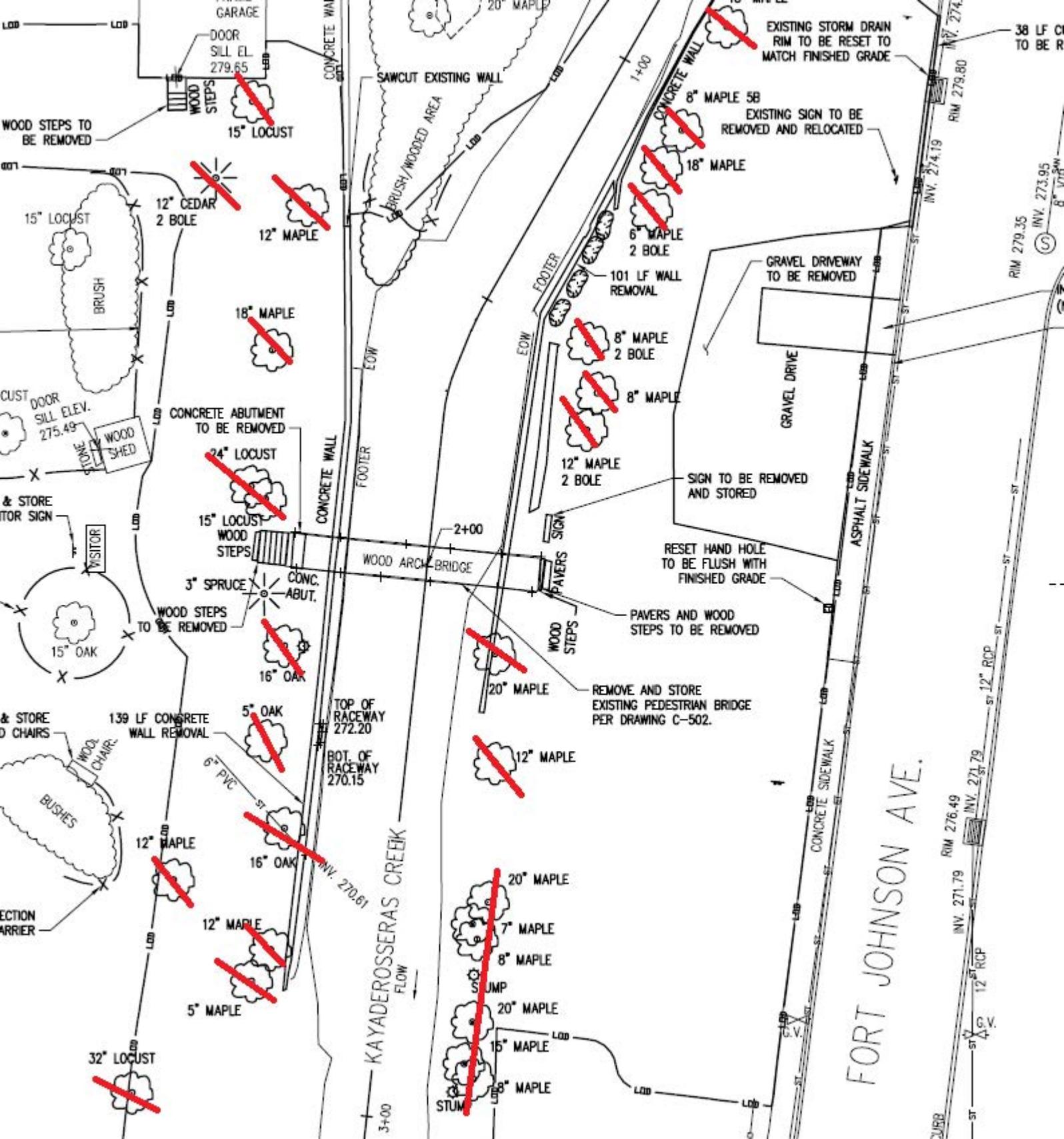
Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

## Project Area

Old Fort Johnson  
 2 Mergner Road  
 City of Fort Johnson  
 Montgomery County, New York

### Legend

 Project Area



# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Montgomery County, New York



## Local office

New York Ecological Services Field Office

☎ (607) 753-9334

📅 (607) 753-9699

3817 Luker Road  
Cortland, NY 13045-9385

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

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

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

## Mammals

NAME

STATUS

Northern Long-eared Bat *Myotis septentrionalis*  
No critical habitat has been designated for this species.  
<https://ecos.fws.gov/ecp/species/9045>

Threatened

## Critical habitats

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

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

**Bald Eagle** *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Dec 1 to Aug 31

**Black-billed Cuckoo** *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

**Bobolink** *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

**Prairie Warbler** *Dendroica discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

**Snowy Owl** *Bubo scandiacus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

**Wood Thrush** *Hylocichla mustelina*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

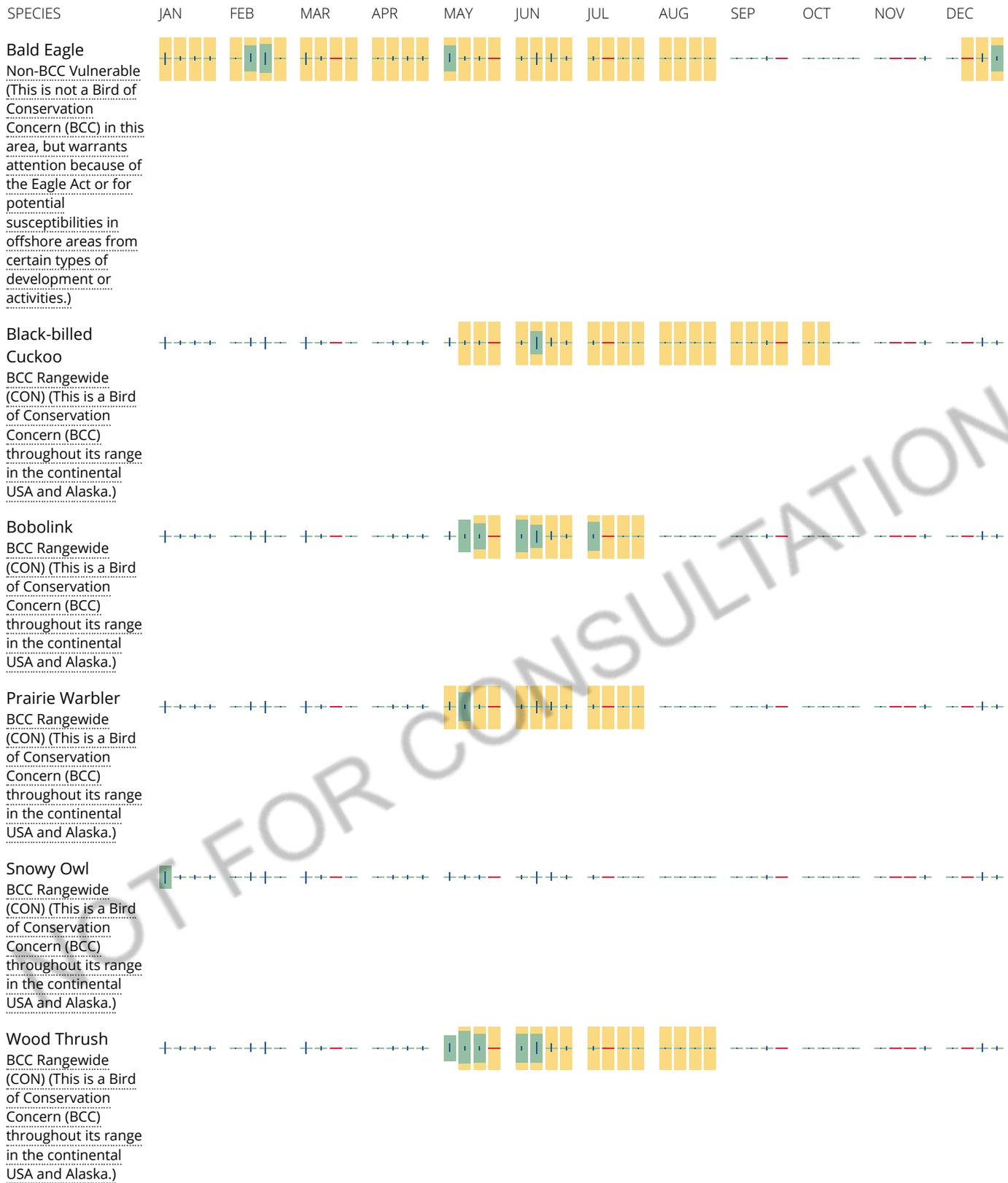
### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to

occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

## Details about birds that are potentially affected by offshore projects

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

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

## What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

## Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

# Facilities

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

# Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

## Wetlands in the National Wetlands Inventory

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

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R2UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

### Data limitations

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

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

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

### Data exclusions

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

### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Fish and Wildlife

625 Broadway, 5th Floor, Albany, NY 12233-4750

P: (518) 402-8924 | F: (518) 402-8925

www.dec.ny.gov

January 23, 2019

Ms. Alicia Shultz  
Governor's Office of Storm Recovery  
30-40 State St., Hampton Plaza  
Albany, NY 12207

RE: Old Fort Johnson Conditions Assessment & Flood Mitigation Project  
Town of Amsterdam, Montgomery County, NY

Dear Ms. Shultz,

We received your jurisdictional inquiry request for the hardening of the historical Old Fort Johnson against the impacts of future flood events. The project area is located at 2 Mergner Rd, Old Fort Johnson, NY. It is our understanding that the concrete walls along Kayadosseross Creek will be demolished, the site will be regraded, a berm will be constructed along with new sidewalks on the western bank of Kayadosseross Creek, and a new parking area will be constructed. Based on our understanding of the project and the NYS Resources map created by Amanda Bailey on 1/23/2019 (attached), we have the following comments on the project:

### **STATE-LISTED SPECIES**

All threatened or endangered species are subject to regulation under Article 11, Title 5 of the Environmental Conservation Law and a permit is required for a taking of that species pursuant to 6 NYCRR Part 182. Besides death of individuals, taking includes harassment, interference with essential behaviors, and adverse modification of habitat. **If the site is in close proximity to known occurrences of state-protected species, additional information on the proposal will be required by the appropriate regional office for a determination on the need for an incidental take permit.**

We have reviewed the available information in the New York Natural Heritage Program database on known occurrences of rare or state-listed bat species. This project area does not occur in the immediate vicinity of known occurrences of rare or state-listed bat species (see NYS Resources map, attached). The major concern for bat species in relation to this project would be the destruction of potential roosts and roosting habitat that may occur if tree clearing is required. Because this project does not take place within known occupied habitat, there are no restrictions on cutting.

The absence of data does not necessarily mean that any rare or state-listed bat species do not exist on or adjacent to the proposed site. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence of all rare or state-listed bat species. To avoid potential take, DEC *recommends* that any tree clearing be conducted between November 1 and March 31, when bats are inactive in hibernation sites. DEC also recommends that all snag and cavity trees remain uncut, unless their removal is necessary for protection of human life and property. For more information, please refer to the

DEC Northern long-eared bat protective measures guidance, available at:  
<http://www.dec.ny.gov/animals/106090.html>.

This document is only intended to address state-listed bat species. Other rare or state-listed species, natural communities or other significant habitats may exist within the project area and would require additional review. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

**OTHER**

**USFWS Cortland Field Office**

If a federal agency is involved in the project, or if federal funding is used, there are additional considerations for federally listed species. Section 7(a)(1) of the Endangered Species Act requires federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires federal agencies to consult on any action that may affect a listed species.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Amanda Bailey".

Amanda Bailey  
Division of Fish and Wildlife  
[Amanda.bailey@dec.ny.gov](mailto:Amanda.bailey@dec.ny.gov)  
518-402-8859

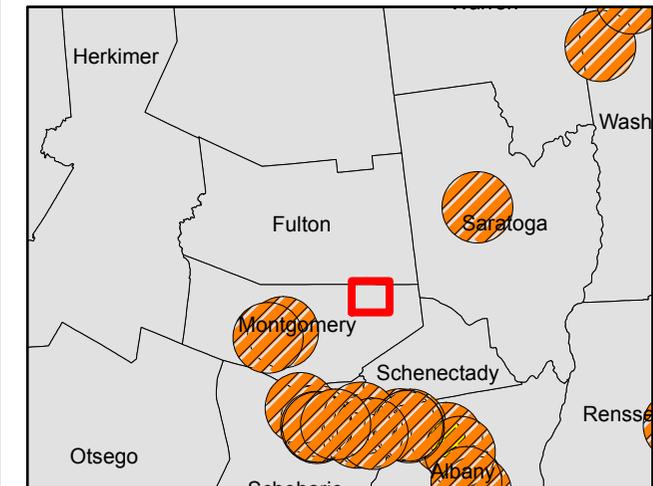
Cc: Lori Shirley, Governor's Office of Storm Recovery  
May O'Malley, NYSDEC Division of Environmental Permits

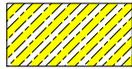


# NYS Resources Map

## Old Fort Johnson Conditions Assessment & Flood Mitigation Project Town of Amsterdam, Montgomery County

Prepared by AMB on 1/23/2019

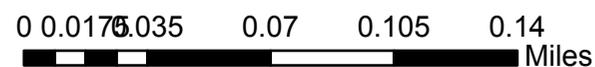


-  Approximate Project Area
-  Indiana Bat
-  Northern Long-eared Bat

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



Department of  
**Environmental  
Conservation**



1 inch = 287 feet



## Governor's Office of Storm Recovery

**ANDREW M. CUOMO**  
Governor

**LISA BOVA-HIATT**  
Executive Director

### By Electronic Mail

December 10, 2018

Robyn A. Niver  
Endangered Species Biologist  
U.S. Fish & Wildlife Service  
New York Field Office (Region 5)  
3817 Luker Rd.  
Cortland, NY 13045

Re: Section 7 Project Review - ESA/MBTA/BGEPA Consultation for the Old Fort Johnson Conditions Assessment & Flood Mitigation Project, 2 Mergner Rd, Old Fort Johnson, NY

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 design and mitigation improvements to the Old Fort Johnson Conditions Assessment & Flood Mitigation Project located at 2 Mergner Road, Old Fort Johnson, Montgomery County, New York. GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), as well as the Migratory Bird Treaty Act of 1918 (MBTA) (40 Stat. 755, as amended; 16 U.S.C. 703-712), and the Bald and Golden Eagle Protection Act of 1940 (BGEPA) (54 Stat. 240, as amended; 16 U.S.C. 668-668c).

### Project Description

The Dormitory Authority of the State of New York (DASNY) acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson located at 2 Mergner Rd, Old Fort Johnson, against the impacts of future flood events.

Located one mile west of the city of Amsterdam on the north bank of the Mohawk River near its confluence with Kayadosseross Creek (Figure 1). Constructed in 1749 as the house, office and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America, the site was fortified during the French and Indian Wars. Originally the house was the center of a complex of outbuildings. Only two of these survive

today – a privy and a barn, now used as a visitor center and staff housing. Fort Johnson is listed in the National Register of Historic Places and was designated a National Historic Landmark, in 1972.

The site is within the 100-year floodplain (Figure 2). During Hurricane Irene the Creek and River merged and covered the entire site; in the course of a few hours over eight feet of water poured across the grounds and through the buildings. In the 1749 historic house, the basement was completely filled with water and mud. On the raised first floor, five-and-a-half feet of water covered the tops of the fireplace mantels and left mud and debris on the original wood paneling, windows, shutters and floors. The Visitor Center building had 2 feet of water on the first floor. The historic 18th century privy tipped over and floated into the footbridge, saving it from disappearing downstream. The Garage was also flooded with several feet of water, with over 30” in the public bathroom on the Creek side.

The proposed project includes the demolition of the concrete walls along the banks of the Kayadosseross Creek through the site; regrading the banks; regrading of the site and adding a berm on the western of Kayadosseross Creek with new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; and the construction of a new parking area. Approximately 0.65 acres will be disturbed (Figures 3 and 4).

The existing pedestrian bridge over Kayadosseross Creek will be removed, the existing access steps demolished, new bridge abutments/footings constructed, the bridge reinstalled, new embankment, handicap access, and stairs constructed on the west side, and access paved to the parking area on the east side. **No tree removal.**

**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 Resource List identified the Northern Long-eared Bat (NLEB) (*Myotis septentrionalis*) as a threatened species and is potentially associated with the project site (see attached **Resource Species List**). The Resource List indicated that no critical habitats are within the Project area. The IPaC review also indicated that there are several migratory birds of concern that could potentially be affected by the proposed project.

#### **ESA -Analysis and Determination of Effects:**

**Northern Long-eared bat (NLEB) (*Myotis septentrionalis*):** GOSR received a jurisdictional review for the Old Fort Johnson Conditions Assessment & Flood Mitigation Project from the New York State Department of Environmental Resources (NYDEC) which stated that the project area does not occur in the immediate vicinity of known occurrences of rare or state-listed bat species (See attached NYSDEC correspondence). The NLEB, listed as federally threatened, is a temperate, insectivorous bat whose life cycle can be coarsely divided into two primary phases - reproduction and hibernation. NLEB hibernate in caves or mines during winter and then emerge in early spring, with males dispersing and remaining solitary until mating season at the end of the summer, and pregnant females forming maternity colonies in which to rear young. No caves or mines occur near the project site. Summer habitat of the NLEB generally includes upland and riparian forest within heavily forested landscapes. The NLEB is sensitive to fragmentation and urbanization, and requires interior forest for both foraging and breeding. Roost trees are usually in intact forest, close to the core and away from large clearings, roads, or other sharp edges.

**No trees are planned to be removed. However, there is the potential that during construction trees may need to be removed.** Due to the potential for active season tree removal, GOSR determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule (see attached NLEB 4(d) Rule Streamlined Consultation Form). All activities associated with the proposed project will not:

1) disturb hibernating NLEBs in a known hibernaculum;

- 2) alter the entrance or interior environment of a known hibernaculum;
- 3) remove any trees within 0.25 miles of a known hibernaculum at any time of year; or
- 4) cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree, during the pup season (June 1 through July 31).

If the USFWS does not respond within 30 days from submittal of this form, GOSR may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, "Programmatic Biological Opinion (BO) on the Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions." GOSR will update this determination annually for multi-year activities.

GOSR understands that the USFWS presumes that all activities are implemented as described herein. GOSR will promptly report any departures from the described activities to the New York Field Office. GOSR will provide the New York Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the New York Field Office upon finding a dead, injured, or sick NLEB.

**MBA:** GOSR has determined that the project would have no significant adverse impact on migratory birds or their habitat. It is anticipated that passerine birds would temporarily leave the area during construction due to noise and disturbance. Extensive areas of high quality woodland habitat are available. **If USFWS has documentation of the presence of the Bald Eagle in this area, GOSR requests that this documentation be provided to GOSR for review.**

### Compliance

According to the USFWS IPaC Resource List, there is one threatened species that is potentially associated with the project site, the threatened northern long-eared bat (NLEB). In addition, there are several migratory birds of concern that could potentially be affected by the proposed project. The IPaC Resource List for the proposed project indicated that there is no critical habitat in the project area. Due to the potential for active season tree removal, GOSR determines that this project **may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.**

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

Sincerely,

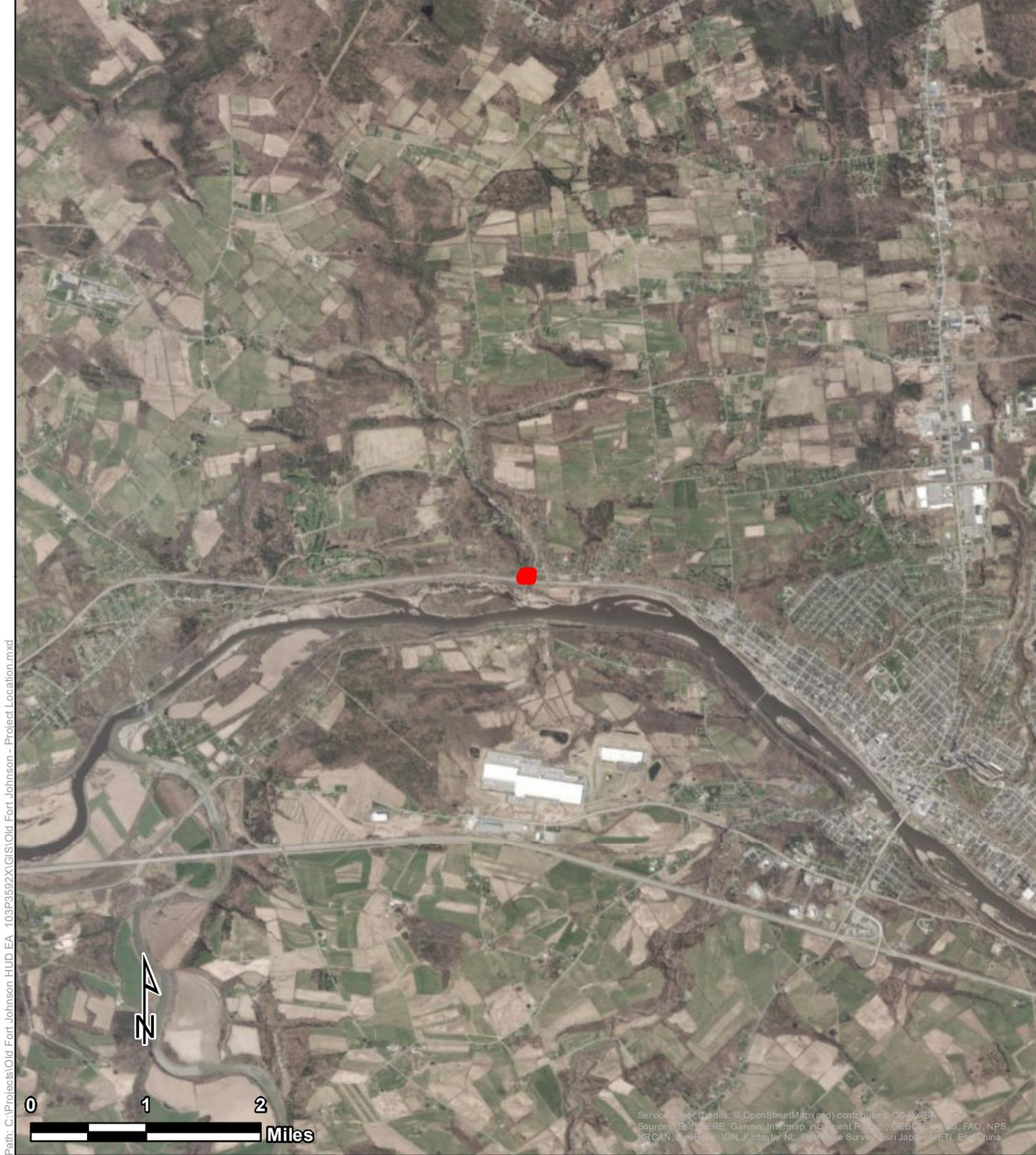


Alicia Shultz  
Senior Environmental Scientist  
New York State Homes and Community Renewal  
38-40 State Street, Hampton Plaza  
Albany NY 12207

Attachments:

Figure 1

Figure 2  
Resource Species List  
NYSDEC Correspondence  
NLEB 4(d) Rule Streamlined Consultation Form



## ***Project Location***

### **Legend**

 Project Location

Old Fort Johnson  
 2 Mergner Road  
 City of Fort Johnson  
 Montgomery County, New York



Path: C:\Projects\Old Fort Johnson HUD EA\_103P3592X\GIS\Old Fort Johnson - Project Area.mxd

Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

## Project Area

Old Fort Johnson  
 2 Mergner Road  
 City of Fort Johnson  
 Montgomery County, New York

### Legend

 Project Area



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

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

In Reply Refer To:

December 10, 2018

Consultation Code: 05E1NY00-2019-SLI-0580

Event Code: 05E1NY00-2019-E-01756

Project Name: Old Fort Johnson Conditions Assessment & Flood Mitigation Project

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

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

[eagle\\_guidance.html](#)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

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

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

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

---

## Project Summary

Consultation Code: 05E1NY00-2019-SLI-0580

Event Code: 05E1NY00-2019-E-01756

Project Name: Old Fort Johnson Conditions Assessment & Flood Mitigation Project

Project Type: \*\* OTHER \*\*

Project Description: The Dormitory Authority of the State of New York (DASNY) acting in close partnership with the Town of Amsterdam and the Montgomery County Historical Society, is proposing to harden Old Fort Johnson located at 2 Mergner Rd, Old Fort Johnson, against the impacts of future flood events. The proposed project includes the demolition of the concrete walls along the banks of the Kayadosseross Creek through the site; regrading the banks; regrading of the site and adding a berm on the western of Kayadosseross Creek with new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; and the construction of a new parking area. Approximately 0.65 acres will be disturbed. The existing pedestrian bridge over Kayadosseross Creek will be removed, the existing access steps demolished, new bridge abutments/footings constructed, the bridge reinstalled, new embankment, handicap access, and stairs constructed on the west, and access paved to the parking area on the east side.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.95716453230229N74.24042954433466W>



Counties: Montgomery, NY

---

## Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

| NAME   | STATUS     |
|--|------------|
| Northern Long-eared Bat <i>Myotis septentrionalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a> | Threatened |

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

---

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Fish and Wildlife

625 Broadway, 5th Floor, Albany, NY 12233-4750

P: (518) 402-8924 | F: (518) 402-8925

www.dec.ny.gov

January 18, 2017

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

RE: Repairs to Old Fort Johnson  
Town of Amsterdam, Montgomery County, NY

Dear Mr. King,

We received your jurisdictional inquiry request for the project involving repairs to Old Fort Johnson in the Town of Amsterdam, Montgomery County. It is our understanding that the fort and grounds will be assessed for flood hazards and water infiltration. Repairs and improvements relating to these hazards will be undertaken. It is expected that these repairs will include the replacement or improvement of the retaining wall around Kayadosseross Creek, improvements to the grading of the site to direct water away from the buildings, and improvements to the drainage systems around the buildings. Based on our understanding of the project and review of the maps provided in the pre-application report submitted in April 2016, and the NYS Resources map created by Amanda Bailey on 1/6/2017 (attached), we have the following comments on the project:

### **STATE-LISTED SPECIES**

All threatened or endangered species are subject to regulation under Article 11, Title 5 of the Environmental Conservation Law and a permit is required for a taking of that species pursuant to 6 NYCRR Part 182. Besides death of individuals, taking includes harassment, interference with essential behaviors, and adverse modification of habitat. **If the site is in close proximity to known occurrences of state-protected species, additional information on the proposal will be required by the appropriate regional office for a determination on the need for an incidental take permit.**

We have reviewed the available information in the New York Natural Heritage Program database on known occurrences of rare or state-listed bat species. This project area does not occur in the immediate vicinity of known occurrences of rare or state-listed bat species (see NYS Resources map, attached). The major concern for bat species in relation to this project would be the destruction of potential roosts and roosting habitat that may occur if tree clearing is required. Because this project does not take place within known occupied habitat, there are no restrictions on cutting.

The absence of data does not necessarily mean that any rare or state-listed bat species do not exist on or adjacent to the proposed site. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence of all rare or state-listed bat species. To avoid potential take, DEC *recommends* that any tree clearing be

conducted between November 1 and March 31, when bats are inactive in hibernation sites. DEC also recommends that all snag and cavity trees remain uncut, unless their removal is necessary for protection of human life and property. For more information, please refer to the DEC Northern long-eared bat protective measures guidance, available at: <http://www.dec.ny.gov/animals/106090.html>.

This document is only intended to address state-listed bat species. Other rare or state-listed species, natural communities or other significant habitats may exist within the project area and would require additional review. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

### **OTHER**

#### **USFWS Cortland Field Office**

If a federal agency is involved in the project, or if federal funding is used, there are additional considerations for federally listed species. Section 7(a)(1) of the Endangered Species Act requires federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires federal agencies to consult on any action that may affect a listed species.

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

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

Sincerely,



Amanda Bailey  
Division of Fish and Wildlife  
[Amanda.bailey@dec.ny.gov](mailto:Amanda.bailey@dec.ny.gov)  
518-402-8859

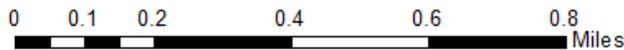
Cc: Alicia Shultz, Governor's Office of Storm Recovery  
Lori Shirley, Governor's Office of Storm Recovery  
Matt Accardi, Governor's Office of Storm Recovery  
May O'Malley, NYSDEC Division of Environmental Permits  
Paul Novak, NYSDEC Regional Wildlife Biologist, Region 4  
William Clarke, NYSDEC Regional Permit Administrator, Region 4



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



**Department of  
Environmental  
Conservation**

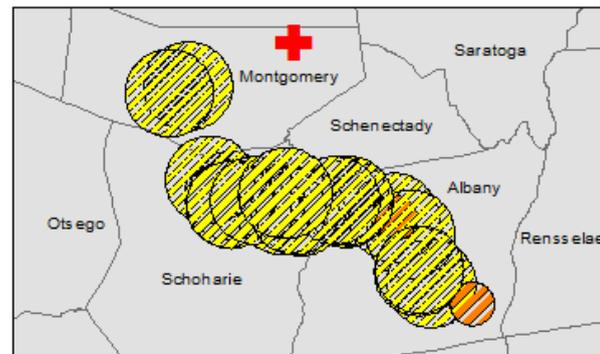


1 inch = 1,250 feet

# NYS Resources Map

Repairs to Old Fort Johnson  
Town of Amsterdam, Montgomery County

Prepared by AMB on 1/6/2017



## Proposed Project Area

Old Fort Johnson

## Bat Occurrences

Indiana Bat

Northern Long-eared Bat

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

**Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form**

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service’s (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency’s determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

**Information to Determine 4(d) Rule Compliance:**

|  | <b>YES</b>                          | <b>NO</b>                           |
|--|-------------------------------------|-------------------------------------|
| 1. Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Have you contacted the appropriate agency <sup>2</sup> to determine if your project is near known hibernacula or maternity roost trees?                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 3. Could the project disturb hibernating NLEBs in a known hibernaculum?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. Could the project alter the entrance or interior environment of a known hibernaculum?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO. (geospatial data provided by USFWS was used to determined distances to hibernacula and known location of maternity roosts.)

**Agency and Applicant<sup>3</sup> (Name, Email, Phone No.):**

Alicia Shultz  
 Senior Environmental Scientist  
 New York State Homes & Community Renewal  
 38-40 State St.,408N, Hampton Plaza, Albany, NY 12207  
 (518) 474-0647 | cell (917) 376-9003 Alicia.Shultz@nyshcr.org |

**Project Name:**

Old Fort Johnson Conditions Assessment & Flood Mitigation Project

**Project Location** 2 Mergner Rd, Old Fort Johnson, NY

<sup>1</sup> <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

<sup>2</sup> See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

<sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

Old Fort Johnson

**Basic Project Description** (provide narrative below or attach additional information):

The proposed project includes the demolition of the concrete walls along the banks of the Kayadosseross Creek through the site; regrading the banks; regrading of the site and adding a berm on the western of Kayadosseross Creek with new sidewalks; regrading of the area around the catch basin in the southwestern corner of the site; and the construction of a new parking area. Approximately 0.65 acres will be disturbed. The existing pedestrian bridge over Kayadosseross Creek will be removed, the existing access steps demolished, new bridge abutments/footings constructed, the bridge reinstalled, new embankment, handicap access, and stairs constructed on the west side, and access paved to the parking area on the east side. No trees are currently planned to be removed. However, during construction there is potential that trees may need to be removed.

| <b>General Project Information</b>   | <b>YES</b>               | <b>NO</b>                           |
|--|--------------------------|-------------------------------------|
| Does the project occur within 0.25 miles of a known hibernaculum?                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Does the project occur within 150 feet of a known maternity roost tree?                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Estimated total acres of forest conversion   |                          |                                     |
| If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31   |                          |                                     |
| If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>       |                          |                                     |
| Does the project include timber harvest? (if yes, report acreage below)                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Estimated total acres of timber harvest  |                          |                                     |
| If known, estimated acres of timber harvest from April 1 to October 31                   |                          |                                     |
| If known, estimated acres of timber harvest from June 1 to July 31                       |                          |                                     |
| Does the project include prescribed fire? (if yes, report acreage below)                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Estimated total acres of prescribed fire   |                          |                                     |
| If known, estimated acres of prescribed fire from April 1 to October 31                  |                          |                                     |
| If known, estimated acres of prescribed fire from June 1 to July 31                      |                          |                                     |
| Does the project install new wind turbines? (if yes, report capacity in MW below)        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Estimated wind capacity (MW)   |                          |                                     |

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field

<sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.

Old Fort Johnson

Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

A handwritten signature in cursive script that reads "Alicia Schultz".

Signature: \_\_\_\_\_

Date Submitted: December 10, 2018.

# **APPENDIX G**

**SHPO CORRESPONDENCE**



## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

December 7, 2018

Alicia Shultz  
New York State Homes & Community Renewal  
38 State Street  
Albany, NY 12207

Re: DASNY/ GOSR/ NYSHCR/ HUD CDBG-DR/ Flood Mitigation:  
2 Mergner Rd, Fort Johnson/ Montgomery County.  
18PR7627

Dear Ms. Shultz:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/ Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based on this review, the SHPO has the following comments:

Above-ground Historic: New stairs # 1 and #2 should have pressure-treated wood railings that are similar to the existing railings on the bridge, photos provided.

Archaeology: see Submission #1 letter written by Dan Bagrow.

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

Sincerely,

Larry K Moss,  
Historic Preservation Technical Specialist



## Parks, Recreation and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

### ARCHAEOLOGY COMMENTS

#### Phase I Archaeological Survey Recommendation for Buried Utilities 18PR07367 - GOSR-Repairs to Stormwater Collection System- South Street, Windham

Based on available information, your project is located in an archaeologically sensitive area. Therefore, the Office of Parks, Recreation and Historic Preservation (OPRHP) recommends that a Phase I archaeological survey is warranted and offers the following survey recommendations for the linear portions of the undertaking.

Phase IB archaeological survey is **not** recommended for those portions of the project route that are located between the edge of pavement and the far edge of an existing excavated ditch or existing utility lines, with the exceptions of alluvial settings and portions of the project route that are within the bounds of known archaeological sites. In the latter settings, Phase IB testing may be recommended for those portions of the route that fall between the edge of pavement and the far edge of an excavated ditch. Consultation with the OPRHP is recommended, to determine if Phase IB testing is warranted. Information on alluvial soils may be obtained from USDA Soil Surveys, or USDA website.

Phase IB archaeological survey **is** recommended for all portions of the project route that do not fall between the edge of pavement and the far edge of an existing excavated ditch or existing utility lines.

The above testing protocol is acceptable to our office with the understanding that the consulting archaeologist will be supplied with a set of accurate project construction plans before proceeding with Phase IB archaeological testing. These maps should be color coded for ease of review.

*Documentation* - The Phase I archaeological survey report must include a concise project area description that clearly outlines the location, extent and reason for not testing portions of the project route. This information must also be included on the project map.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before archaeological fieldwork is conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Christina B. Rieth and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private lands.

If you have any questions concerning archaeology, please contact Daniel Bagrow at 518-268-2160 or [dan.bagrow@parks.ny.gov](mailto:dan.bagrow@parks.ny.gov)



# Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ERIK KULLESEID  
Acting Commissioner

May 30, 2019

Ms. Alicia Shultz  
Planner  
HCR  
38 State Street  
Albany, NY 12207

Re: GOSR  
GOSR and DASNY-Old Fort Johnson Flood Mitigation  
2 Mergner Rd, Fort Johnson, NY 12070  
18PR07627

Dear Ms. Shultz:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York State Environmental Conservation Law Article 8).

The proposed project consists of flood mitigation work on the grounds of Old Fort Johnson (the Project). Fort Johnson is a historically significant eighteen century stone building that was listed in the National Register of Historic Places in 1972 (SHPO Unique Site Number (USN) 05745.000001). The property was also designated a National Historic Landmark, due to its association with historically significant individuals and events relating to the French and Indian War and the Revolutionary War.

We have reviewed the report entitled "Phase I Archaeological Survey, Old Fort Johnson Flood Mitigation Project, Village of Fort Johnson, Montgomery County, New York" (May 20, 2019) (the Report). It is SHPO's opinion that the background research in the Report is incomplete. The inadequacy of the background research hinders SHPO's ability to evaluate the effectiveness of the archaeological subsurface testing strategy. The Report is also contradictory regarding identified archaeological resources.

There have been several prior archaeological investigations on the property (listed below), none of which are mentioned or cited in the Report. Results of prior archaeological work on the property should have been consulted and considered in the development of the Phase IB testing strategy for the Project.

---

**Division for Historic Preservation**

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov

- Appendix G in Fort Johnson, Amsterdam, New York, A Historic Structure Report, 1974-1975 (Mendel, Mesick, and Cohen 1978) is entitled “Exploratory Archaeological Excavations at Fort Johnson, June 1976.” SHPO’s review of Figure 75 in Appendix G indicates that the 1976 archaeological excavations took place on the Fort Johnson property, but did not take place within the current Project’s Area of Potential Effects (APE).
- The New York State Museum produced a report in 1991 entitled “PIN 2188.08, Route 67, Route 5 to CR 38, Town of Amsterdam, Montgomery County, New York.” The report details the results of an archaeological survey along Route 67. SHPO’s review of the report indicates that shovel tests were excavated on the west side of Route 67, within the current Project’s APE. The report also describes an archaeological site that was identified within the current project’s APE: the Mrs. HB Shepard site (USN 05745.000052). The site consisted of foundation remnants for a structure(s) that appear to have been constructed in the late nineteenth century.
- Edward Curtin produced a report in 1999 entitled “Phase 1A, Phase 1B and Phase 2 Archaeological Survey, Proposed Sewer Collection System, Village of Fort Johnson, Montgomery County, New York.” The report details archaeological excavations carried out on the Fort Johnson property, but SHPO’s review of the report indicates that the excavations did not take place within the current Project’s APE.

### **The Privy**

The Report makes a brief mention of surviving eighteenth century outbuildings on the property, “The two outbuildings that remain, the former privy and barn, are now used as a visitor center and office for staff” (Report p. 25). While it is not called out in the caption, the privy is shown in Report Photograph 4, and it appears to be labeled “Wood Shed” on Report Figure 2. Figure 75 in the 1978 Historic Structures Report shows the privy at a different location, along the western edge of the Kayaderosseras Creek that flows north to south through the property. Report Figure 7, an aerial image of Fort Johnson ca. 1950, also appears to show the privy at the location on the edge of the Creek. Figures 23 and 24 in the 1978 Historic Structures Report also show the privy on the edge of the Creek.

If the privy’s original location was along the west edge of the Creek, the location is within the current Project’s APE and no archaeological testing was conducted in or near the spot. SHPO is not certain that this is the privy’s original location. It is SHPO’s opinion that additional research regarding the privy should have been and should be conducted. If the original location is within the current Project’s APE, then archaeological testing should be conducted at the location, unless extensive prior soil disturbance can be demonstrated.

### **The Mrs. HB Shepard Archaeological Site (USN 05745.000052)**

The Report states that, “No previously documented archaeological sites are located in the APE” (Page 9). Report Table 2 indicates that the Mrs. HB Shepard site is “Adjacent to the APE.” The historical maps that are Report Figures 3, 4 and 5 show a structure(s) in the northeast portion of the APE, on the east side of the Creek. This corresponds with the location of the Mrs. HB Shepard site. Report Photograph 1 shows a remnant foundation wall that was identified during the archaeological survey, and that is interpreted in the text on Report Page 14 as the western portion of the foundation of the Mrs. HB Shepard site.

Despite clear evidence in the Report that the previously identified Mrs. HB Shepard archaeological site is within the APE and that a feature associated with the site was identified during the archaeological survey, the Report Management Summary states that no archaeological sites or features were identified during the survey. Subsurface testing at the apparent location of the structure(s) consisted of a single shovel test, referred to on Report Page 18 as Shovel Test D-5J, but apparently labeled as D-5 W6m on Report Figure 2.

It is SHPO's opinion that the report should be revised to state that the previously identified Mrs. HB Shepard archaeological site is within the Project's APE and that a feature associated with the site was identified during the archaeological survey. The results of the 1991 archaeological survey that initially identified the site should be described. The Report should provide a justification for the subsurface testing that was conducted at the site. Finally, the Report should make recommendations regarding the potential eligibility of the site for listing in the State and National Registers of Historic Places (S/NRHP).

To summarize, SHPO makes the following recommendations.

- The Report should be revised to include a review of previous archaeological investigations conducted on the Old Fort Johnson property.
- Additional research should be conducted regarding the original location of the privy and the report should be revised with the results of the additional research. Depending on the results of the research, additional subsurface archaeological testing may be necessary.
- The report should be revised to state that the Mrs. HB Shepard site is within the APE, that a feature associated with the site was identified, and there should be an explanation for the subsurface testing conducted at the site. The revised report should include a recommendation regarding potential eligibility of the site for listing in the S/NRHP.

If further correspondence is required regarding this project, please refer to the SHPO Project Review (PR) number noted above. If you have any questions I can be reached at 518-268-2186.

Sincerely,



Tim Lloyd, Ph.D., RPA  
Scientist - Archaeology  
timothy.lloyd@parks.ny.gov

via e-mail only

# PHASE I ARCHAEOLOGICAL SURVEY OLD FORT JOHNSON FLOOD MITIGATION PROJECT

Village of Fort Johnson, Montgomery County, New York



**THIS REPORT CONTAINS CONFIDENTIAL INFORMATION  
NOT FOR PUBLIC DISTRIBUTION**

Prepared for:



Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12260

Prepared by:



Louis Berger U.S., Inc.  
A WSP Company  
140 State Street, Suite 101  
Albany, New York 12207

Draft  
June 25, 2019

## Management Summary

|  |  |
|--|--|
| Involved Agencies                                      | New York State Governor's Office of Storm Recovery (GOSR)<br>New York State Homes and Community Renewal (HCR)<br>United States Department of Housing and Urban Development (HUD)<br>New York State Office of Parks, Recreation and Historic Preservation (OPRHP) |
| Phase of Survey  | Phase I Archaeological Survey  |
| Location Information                                   | Old Fort Johnson National Historic Landmark  |
| <i>Town</i>  | Village of Fort Johnson  |
| <i>County</i>  | Montgomery   |
| Survey Area  | Within project limits of disturbance, approximately 0.3 hectare (0.65 acre), within the property of the Old Fort Johnson historic site at 2 Mergner Road, Village of Fort Johnson, Town of Amsterdam, Montgomery County  |
| USGS 7.5-Minute Quadrangle Map                         | <i>Amsterdam, NY, and Tribes Hill, NY. 7.5-Minute Series Topographic Quadrangles, 2016</i>   |
| Archaeological Survey Overview                         |  |
| <i>Methods Used</i>                                    | Pedestrian reconnaissance<br>Subsurface shovel testing (19 shovel tests excavated at 15-meter [50-foot] intervals)<br>Mechanical trenching (3 trenches)  |
| <i>Artifacts Recovered/<br/>Features Identified</i>    | None   |
| Results of Archaeological Survey                       |  |
| <i>No./Name(s) of<br/>Prehistoric Sites Identified</i> | N/A  |
| <i>No./Name(s) of<br/>Historic Sites Identified</i>    | Mrs. HB Shepard Site (USN 05745.000052) relocated  |
| Recommendations  | Mrs. HB Shepard Site (USN 05745.000052) not eligible for listing in the National Register of Historic Places. No additional archaeological investigation in the APE is recommended.  |
| Report Authors   | Dell Gould and Kevin Sheridan  |
| Date of Report   | June 25, 2019  |

## **Abstract**

On behalf of the Governor's Office of Storm Recovery (GOSR), Louis Berger U.S., Inc., a WSP company (WSP), completed a Phase I archaeological reconnaissance survey for the proposed Old Fort Johnson Flood Mitigation Project. The project is located approximately 0.6 kilometers (0.4 mile) west of the city of Amsterdam, New York, Montgomery County, New York. The Area of Potential Effects (APE) for the project consists of the area within the project's limits of disturbance; it measures 0.3 hectare (0.65 acre) within the property of the Old Fort Johnson historic site at 2 Mergner Road in the Village of Fort Johnson in the Town of Amsterdam. The project, on the northwest corner of the intersection of New York State Routes 5 and Route 67, is located on the north bank of the Mohawk River along both east and west banks of Kayaderosseras Creek. Proposed measures include demolishing the concrete walls along the banks of the creek, adding a berm on the west side of Kayaderosseras Creek with new sidewalks, grading the area around the catch basin in the southwest corner of the site, installing the pedestrian bridge across the creek on new footings/abutments, and constructing a new parking area. The proposed flood mitigation measures are to be implemented to the extent feasible given the historic character of the property. The Phase I archaeological survey of the APE included background research, pedestrian reconnaissance, and subsurface testing of the APE with the goal of identifying archaeological resources.

The house at the site was constructed in 1749 as the home, office, and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America. During the French and Indian War the house was fortified as a center for British campaigns in the region. The house was originally the center of a complex of outbuildings, two of which, a privy and a barn or stable, survive today. The barn/stable was partially reconstructed in the early twentieth century and is now used as a visitor center. Fort Johnson is listed in the National Register of Historic Places and was designated a National Historic Landmark in 1972.

WSP excavated 19 shovel tests and three mechanical trenches within the APE. The work was conducted between March 25 and April 25, 2019. Shovel tests were placed at intervals of 15 meters (50 feet) or less in all areas of planned subsurface disturbance. In addition to shovel tests, three mechanical trenches were excavated in the APE, two trenches on the east side of the creek and one trench on the west side of the creek. A minimal amount of nineteenth- to twentieth-century domestic refuse was recovered from disturbed contexts. Shovel test profiles indicate that the project APE has experienced widespread disturbance from landscaping, prior flood mitigation work, road construction, building demolition, and subsurface drainage and utility emplacements. Trenching indicated that the area along the stream banks proposed for grading has been previously impacted by demolition and construction, including construction of the flood wall, and no intact sediments are present above basal stream cobbles.

The Phase I archaeological survey identified widespread surficial disturbance throughout the APE, and deep subsurface disturbance within the area of proposed grading along the stream. No intact subsurface deposits were recovered. Site 05745.000052, identified in 1991 by subsurface testing, was relocated within the project area, and is visible by a foundation stub that runs along the flood wall on the east side of the creek. The site has no associated archaeological deposits as a result of extensive grading and filling on this side of the creek, and it is WSP's opinion that the site is not eligible for listing in the National Register of Historic Places. Based on the negative results of this survey, it is WSP's opinion that no further archaeological investigation in the APE is necessary and that the project may proceed as planned.

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## I. Introduction

On behalf of the Governor's Office of Storm Recovery (GOSR), Louis Berger U.S., Inc., a WSP company (WSP), completed a Phase I archaeological reconnaissance survey for the proposed Old Fort Johnson Assessment and Flood Mitigation Project. Proposed measures include demolishing the concrete walls along the banks of the site, adding a berm on the western side of Kayaderosseras Creek with new sidewalks, regrading the area around the catch basin in the southwest corner of the site, and constructing a new parking area. The proposed flood mitigation measures are to be implemented to the extent feasible given the historic character of the property. The project is located approximately 0.6 kilometers (0.4 mile) west of the city of Amsterdam, Montgomery County, New York. The Area of Potential Effects (APE) for the project consists of the area within the project's limits of disturbance; it measures 0.3 hectare (0.65 acre) within the property of the Old Fort Johnson historic site at 2 Mergner Road in the Village of Fort Johnson in the Town of Amsterdam. The project APE, on the northwest corner of the intersection of New York State Routes 5 and Route 67, is located on the north bank of the Mohawk River along both east and west banks of Kayaderosseras Creek.

The Phase I archaeological survey of the APE included background research, pedestrian reconnaissance, and subsurface testing of the APE with the goal of identifying archaeological resources.

The Phase I archaeological survey was conducted in accordance with guidelines and recommendations established by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and the *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections*, published by the New York Archaeological Council (2000). The technical report conforms to the New York Archaeological Council standards and the requirements set forth in 36 CFR 66, Methods, Standards, and Reporting Requirements for Data Recovery. The survey was performed in accordance with the National Historic Preservation Act of 1966, as amended; Procedures for the Protection of Historic and Cultural Properties (36 CFR 800); the Procedures for Determining Site Eligibility for the National Register of Historic Places (36 CFR 60 and 63); the New York State Environmental Quality Review Act (SEQRA); and the Secretary of the Interior's Standards for Archaeology and Historic Preservation. The Project Manager and Project Archaeologist meet or exceed the qualifications described in the Secretary of the Interior's Professional Qualifications Standards (*Federal Register* 48:190:44738–44739) (United States Department of the Interior 1983) and in 36 CFR 66.3(b)(2) and 36 CFR 61.

This report has been organized into six chapters. Chapter II summarizes the existing conditions in the project APE and provides relevant environmental and cultural contexts. Chapter III describes the methods used for the Phase I archaeological survey. Chapter IV presents the results of the Phase I archaeological survey, followed by Chapter V, the summary and conclusions. Chapter VI contains a list of the references cited. The report concludes with Appendix A, which contains a complete log of shovel test results.

The Phase I archaeological survey was conducted under the direction of Project Manager and Archaeologist Lauren Hayden. Archaeologist Kevin Sheridan, PhD, and Principal Field Director Delland Gould conducted the fieldwork. Mr. Gould and Dr. Sheridan wrote the report. Principal Editor Anne Moiseev supervised the editing and production of this report, including the graphics, which were prepared by Principal Draftsperson/GIS Analyst Jacqueline L. Horsford. The historical research was greatly assisted by Scott Haefner and Rachel Bliven of the Montgomery County Historical Society, who provided digital copies of materials used in this report.

## II. Environmental and Cultural Contexts

### A. Project Area Setting

The project APE is located on the property of the Old Fort Johnson historic site at 2 Mergner Road in the Village of Fort Johnson. Mergner Drive bounds the property to the north and west (Figures 1 and 2). The APE consists of flat, manicured lawn with trees along the creek banks and a gravel parking area. Modern stone and concrete walls line the creek and the south end of the property along Route 5.

Fort Johnson lies on the north shore of the Mohawk River. The village is located in the Mohawk Valley, which is the dominant geographic province in Montgomery County. The terrain in this physiographic province adjacent to the Mohawk River is nearly level. Elevations within the province range from 61 to 442 meters (200 to 1,450 feet) above sea level. Surficial geology of the APE primarily consists of till with variable texture (clay, silt-clay, boulder clay) (Cadwell and Dineen 1987). Sedimentary bedrock in the area is derived from the Lorraine, Trenton, and Black River Groups, and consists of Canajoharie Shale. The project APE is located at the toe of a steep slope to the north. Uplands in the vicinity of the project APE are mapped as glacial till, with bottomlands mapped as glacial outwash and alluvium associated with the Mohawk River. The project APE is located north of the alluvial terraces of the Mohawk but is within the mapped 500-year floodplain of the creek.

The nearest water body is Kayaderosseras Creek, which enters the Mohawk River approximately 113 meters (372 feet) south of the APE. Multiple bridges cross over the creek within and just south of the APE, including a wood pedestrian bridge in the APE, the bridge on Route 5, and a CSX railroad bridge.

The Mohawk River is the primary drainage for Montgomery County, and several creeks drain into the river within the vicinity of the APE. The Mohawk River empties into the Hudson River approximately 49.1 kilometers (30.5 miles) southeast of the APE.

### B. Soils

Soils mapped in the project APE, according to the United States Department of Agriculture-Natural Resources Conservation Service [USDA-NRCS] (2019), consist of loamy fluvaquents. This soil consists of recent deposits of alluvial material, frequently flooded and generally wet, situated on floodplains (Table 1). The soil material is stratified, ranges from medium to coarse, and varies considerably over short distances. Nearby soil series include the Hamlin, Hudson, and Phelps series. Hamlin series soils consist of very deep, well-drained soils formed in alluvium on floodplains and high bottoms. Hudson series soils consist of very deep, moderately well-drained soils formed in clayey and silty lacustrine sediments on lake plains. Phelps series soils are very deep, moderately well-drained soils formed on glacial outwash terraces.

TABLE1: SOILS IN PROJECT VICINITY

| SERIES NAME       | SOIL HORIZON | DEPTH                   | COLOR              | TEXTURE, INCLUSIONS     | SLOPE % | DRAINAGE       | LANDFORM                  |
|-------------------|--------------|-------------------------|--------------------|-------------------------|---------|----------------|---------------------------|
| Loamy Fluvaquents | A            | 0–13 cm<br>(0–5 in)     | Varies             | Gravelly silt loam      | 0-2     | Poorly drained | Floodplains               |
|                   | B            | 13–178 cm<br>(5–70 in)  | Varies             | Very gravelly silt loam |         |                |                           |
| Hamlin Series     | Ap           | 0–23 cm<br>(0–9 in)     | Dark gray          | Silt loam               | 0-3     | Well drained   | Floodplains, high bottoms |
|                   | Bw1          | 23–51 cm<br>(9–20 in)   | Dark grayish brown | Silt loam               |         |                |                           |
|                   | Bw2          | 51–91 cm<br>(20–36 in)  | Brown              | Silt loam               |         |                |                           |
|                   | C            | 91–216 cm<br>(36–85 in) | Dark grayish brown | Silt loam               |         |                |                           |

TABLE 1 (continued)

| SERIES NAME   | SOIL HORIZON | DEPTH                   | COLOR                               | TEXTURE, INCLUSIONS        | SLOPE % | DRAINAGE                | LANDFORM  |
|---------------|--------------|-------------------------|-------------------------------------|----------------------------|---------|-------------------------|---|
| Hudson Series | Ap           | 0–13 cm<br>(0–5 in)     | Brown                               | Silt loam                  | 8-15    | Moderately well drained | Lake plains, hilly moraines, lower valley side slopes |
|               | E            | 13–20 cm<br>(5–8 in)    | Brown                               | Silt loam                  |         |                         |   |
|               | B/E          | 20–41 cm<br>(8–16 in)   | Yellowish brown                     | Silty clay                 |         |                         |   |
|               | Bt           | 41–71 cm<br>(16–28 in)  | Brown                               | Silty clay                 |         |                         |   |
|               | C            | 71–183 cm<br>(28–72 in) | Grayish brown and light olive brown | Silty clay                 |         |                         |   |
| Phelps Series | Ap           | 0–23 cm<br>(0–9 in)     | Very dark grayish brown             | Gravelly loam              | 0-8     | Moderately well drained | Glacial outwash terraces, alluvial fans               |
|               | Bt/E         | 23–36 cm<br>(9–14 in)   | Dark yellowish brown                | Gravelly loam              |         |                         |   |
|               | Bt           | 36–64 cm<br>(14–25 in)  | Dark reddish brown                  | Gravelly clay loam         |         |                         |   |
|               | BC           | 64–86 cm<br>(25–34 in)  | Dark reddish brown                  | Gravelly clay loam         |         |                         |   |
|               | 2C           | 86–152 cm<br>(34–60 in) | Brown                               | Stratified gravel and sand |         |                         |   |

## C. Prehistoric Context

Archaeologists have divided the vast expanse of New York culture history into five general periods: Paleoindian (12,000 to 9500 years before present [BP]), Archaic (9500 to 3000 BP), Woodland (3000 to 500 BP), Contact (500 to 300 BP), and Historic (300 BP to present). The first three subdivisions (Paleoindian, Archaic, and Woodland) are thought to represent Native American cultural adaptation to changing climatic conditions since the arrival of humans in the New York region around 12,000 years ago—from Pleistocene (Ice Age) to Holocene (modern) norms. The region’s natural environment and geomorphology have greatly influenced the nature of Native American settlement, land use, and cultural development. One important factor in the interpretation of New York prehistory is the impact of glaciation on the topographic and hydrologic conditions in the area since the end of the Pleistocene.

### 1. Paleoindian Period (12,000 to 9500 BP)

Humans (the Paleoindians) first entered the region from the south between 12,000 and 9500 BP, following the retreat of the Wisconsin glaciers. At its maximum extent (18,000 and 16,000 BP), the Wisconsin glacier covered all of New York State and extended south into northern New Jersey and Pennsylvania. As the ice sheets receded, open spruce woodland developed in the Northeast, with pine replacing spruce as the dominant arboreal species by about 10,000 BP (Gaudreau 1988).

Few definite habitation sites from the Paleoindian period have been identified in the Northeast. It is more common to encounter isolated finds of artifacts that are diagnostic for the period. Such artifacts include Clovis-type fluted projectile points, assorted scrapers, graters, and drills. These lithic tools are usually made from cherts that originate in eastern New York and jaspers found in Pennsylvania and New Jersey. The Paleoindian sites that have been located in New York tend to be quarry-related activity areas, small base camps, and isolated kill sites.

Paleoindian period sites in the region appear to be located in three geographic settings: (1) lowlands adjacent to water and near coniferous swamps or larger rivers; (2) upland bluffs with deciduous trees as the predominant arboreal

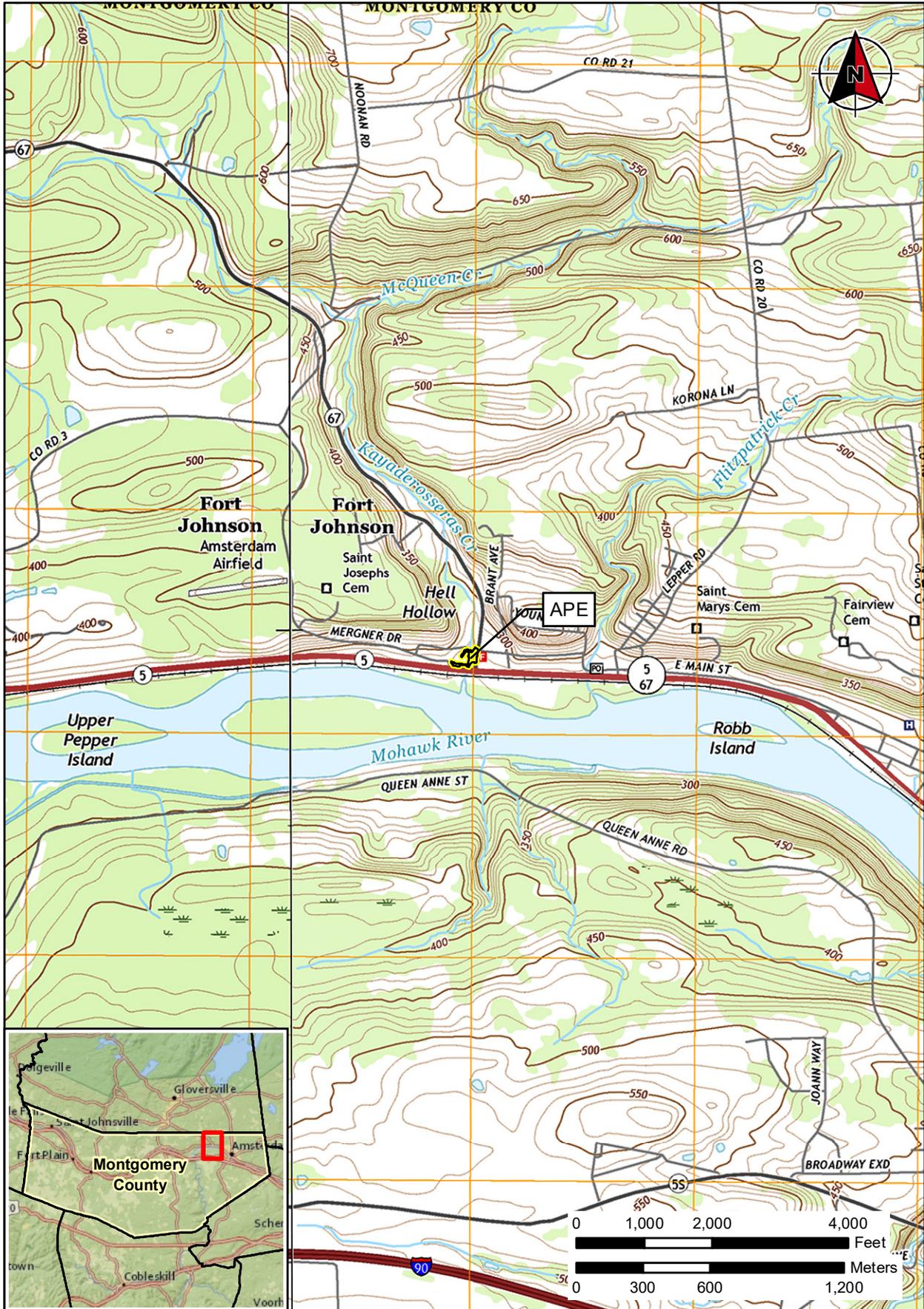


FIGURE 1: Location of Project Area of Potential Effects (APE) (USGS Amsterdam 2016a, Tribes Hill 2016b)

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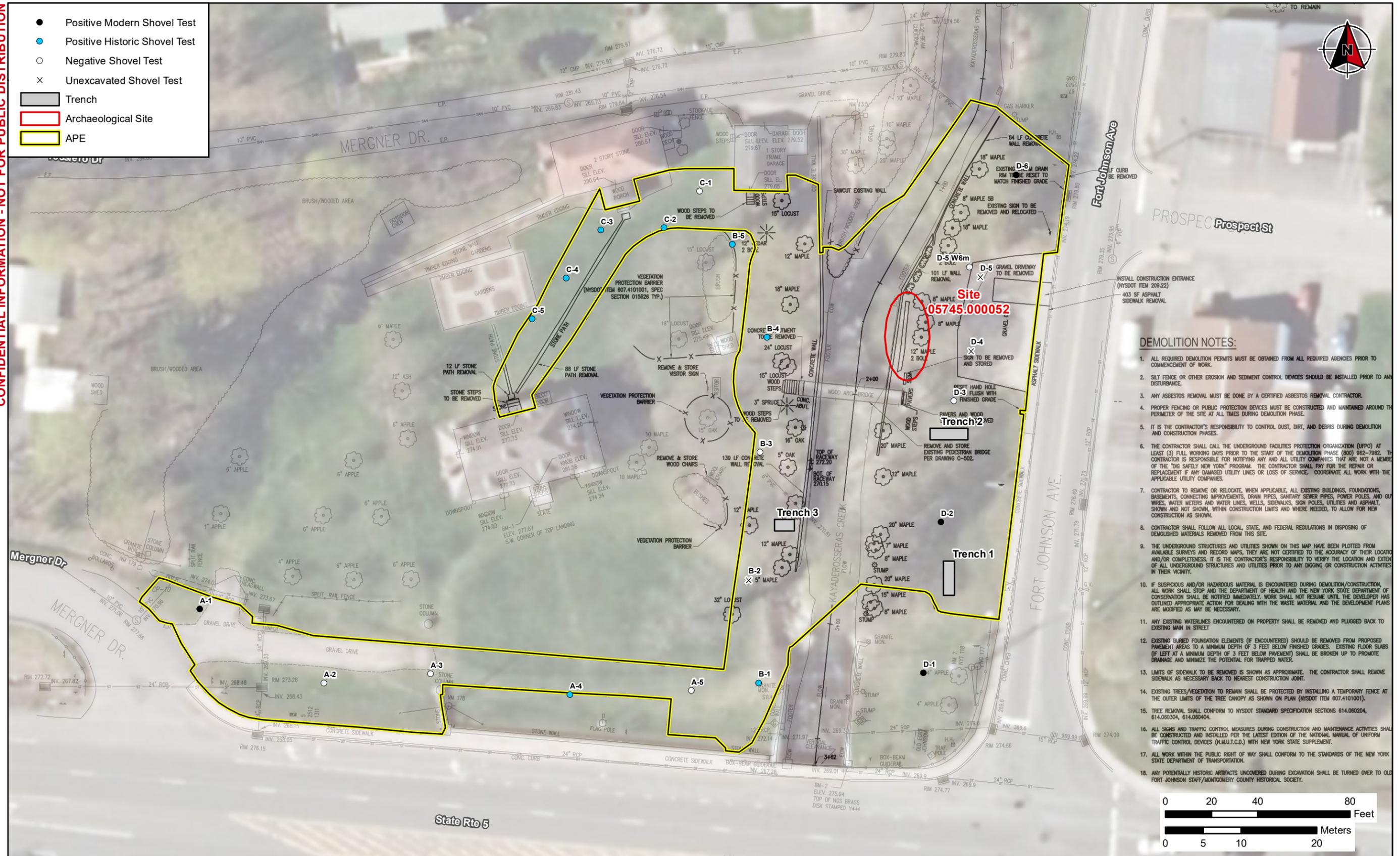


FIGURE 2: Plan Map of Project APE Showing Subsurface Testing (ESRI World Imagery 2017)

species; and (3) ridgetops with deciduous trees as the predominant arboreal species. The basic model for Paleoindian habitation in the Northeast assumes that Paleoindians coalesced in small, highly mobile bands that traveled and hunted through large territories, focusing on post-Pleistocene megafauna. It is also possible, however, that Paleoindian populations used a relatively wide range of plant and animal resources that were encountered in more restricted territorial ranges.

## 2. *Archaic Period (9500 to 3000 BP)*

The Archaic period is characterized by climatic amelioration that eventually resulted in greater biodiversity in the resource base, and changes in technology, site size, and site locations that reflect use of a broader spectrum of resources. Researchers usually divide the Archaic into three subperiods: Early (9500 to 7000 BP), Middle (7000 to 5500 BP), and Late (5500 to 3000 BP).

### a. *Early Archaic Period (9500 to 7000 BP)*

The Early Archaic period was initially characterized by fluctuations in climate that eventually stabilized into a warming trend. The warmer conditions enhanced biological diversity in the plant and animal communities developing in the region. The subsistence focus of aboriginal populations shifted from primarily hunting post-Pleistocene megafauna to hunting, fishing, and gathering a diverse range of animal and plant forms. Populations may have increased as a result of the greater stability of the resource base. Most of the evidence of human occupation during this period is based on isolated finds of artifacts diagnostic for the period, including bifurcate-base points, which are most often located along major drainages.

### b. *Middle Archaic Period (7000 to 5500 BP)*

During the Middle Archaic the climatic warming trend continued, and new varieties of flora and fauna became established in the region. The subsistence and settlement pattern of the human occupants of the region continued to shift toward seasonal transhumance focused on use of specialized resources within limited ranges, which may have fostered a greater degree of territoriality (Dincauze and Mulholland 1977). Diagnostic artifacts include Neville and Stark projectile points. The reliance on diverse and specialized resources fostered expansion of the toolkit, which included adzes, axes, drills, mortars and pestles, netsinkers, and hammerstones.

### c. *Late Archaic Period (5500 to 3000 BP)*

Climatic warming continued into the Late Archaic. The rich and diverse biotic resource base enabled increased habitation. Diagnostic artifacts for the subperiod include small stemmed projectile points, such as Lamoka, Taconic, Squibnocket, and Brewerton.

By the Terminal Archaic or Transitional period, people were grinding and polishing soapstone to make bowls and other cultural items. The Terminal Archaic is characterized by three cultural traditions: the Laurentian tradition (Vergennes phase and Vosberg complex); the small stemmed tradition; and the Susquehanna tradition (Snook Hill and Orient phases). Based on a reassessment of the distribution of Terminal Archaic points, Snow suggests that the Susquehanna tradition (Snook Hill, Perkiomen, and Susquehanna Broad points) was dominant in the first half of the Terminal Archaic and superseded by the Orient complex (Orient Fishtail points) in the second half of the period (Snow 1980:237). The exact nature of the cultural differences between these traditions has not been conclusively discerned. They may represent differences in settlement system and technology based on use of different resource niches, the migration of new people into the region, or the spread of distinctive technological ideas.

## 3. *Woodland and Contact Periods (3000 to 300 BP)*

The Woodland period is divided into three subperiods: Early Woodland (3000 to 1700 BP); Middle Woodland (1700 to 1200 BP); and Late Woodland (1200 to 500 BP).

### a. *Early Woodland Period (3000 to 1700 BP)*

In general Early Woodland occupations in the Eastern Woodlands are characterized by a continuation of Late Archaic lifeways. Throughout the eastern United States it appears that Early Woodland groups were sedentary or

semisedentary, with residential sites located in riverine and upland contexts and logistical sites located in a variety of physiographic contexts.

Ritchie and Funk (1973:96) write that “as in the case of the Transitional [Archaic] stage, it [the Early Woodland] is marked by the appearance of certain new traits and by the characteristic expression of other, older traits,” but “there is no evidence for significant changes in subsistence or settlement patterns.” Substantial residential sites of the Late Archaic are often referred to as base camps, yet similar sites of the Early Woodland become “villages” with the presence of ceramics and possible storage pits at these sites.

Broadspear forms were phased out in the Early Woodland period, and small stemmed and notched forms, as well as lanceolate and teardrop forms, dominate hafted biface assemblages. Ground grooved axes, seen in the Late Archaic, continue into the Early Woodland but are refined, and the repertoire of such implements is expanded. Slate gorgets, pendants, and ground slate pieces have also been recovered from Early Woodland sites.

The mortuary complexity exhibited by some Late Archaic groups continued into the Early Woodland. Meadowood (3000 to 2560 BP) cremations, bundle burials, and flex burials include red ochre, cache blades (“up to 1,500 in one grave”), gorgets, tubular pipes, and copper objects, as well as utilitarian items such as hafted bifaces, other bifacial tools, adzes, celts, bone tools, carbonized nets, and basketry (Ritchie and Funk 1973:96, 348). Early Woodland groups also created burial mounds for their dead, which represents one of the most dramatic manifestations of the social complexity inherent in Adena societies.

The Early Woodland period (Middlesex phase) is characterized by the introduction of ceramic vessels—in this region typed as Vinette 1 undecorated wares, some with steatite temper. Sites of the period are usually found on well-drained knolls next to fresh water (Ritchie 1980:21).

#### b. Middle Woodland Period (1700 to 1200 BP)

The Middle Woodland period is marked by changes in lithic and ceramic technology. During the Middle Woodland maize agriculture and other horticultural practices were gradually incorporated into the subsistence adaptations of the occupants of the region, promoting development of semipermanent village settlement. Subsistence practices during the Middle Woodland period were not very different from those of earlier periods, although intensified hunting, gathering, and small-scale agriculture increased use of resources. The climate during this cultural period remained similar to that of the Early Woodland period. Episodic fluctuations in temperature and precipitation did occur, which affected the distribution and composition of biotic communities. Site types identified include small camps (some temporary and some reoccupied over time), semipermanent large camps, cemeteries, burial mounds, and workshop activity areas (Ritchie and Funk 1973:349).

The bow and arrow were introduced in this period. Diagnostic lithic artifacts include Jack’s Reef Corner Notched and Pentagonal projectile points, and Fox Creek projectile points. The presence of increased amounts of exotic lithic materials suggests further development of interregional trade networks. Other items of material culture associated with the Middle Woodland include ornamental pendants and pins. Ceramic technology became more sophisticated as indicated by a decrease in the wall thickness of pots and a rounding of vessel shape. Ceramic decoration, including netmarking, and ornamentation of collars and bodies increased.

#### c. Late Woodland Period (1200 to 500 BP)

During the Late Woodland period aboriginal populations continued to grow and expand into riverine environmental zones. Agriculture continued to increase in importance as part of aboriginal subsistence systems. Maize became a major component of the prehistoric diet. By the time of the Late Woodland, the climate was very similar to that of today. A greater number of sites, larger sites, and sites with a higher density of cultural material are associated with this period in prehistory compared with earlier periods. Sites have been encountered along major drainages, in association with rockshelters, in coastal areas, and on islands. Small campsites are also located near swamps and streams. The settlement-subsistence system for this period appears to be characterized by an annual pattern of seasonal movement between riverine, coastal, and inland sites. The semipermanence of many of the occupations and resource areas may have fostered greater territoriality (Mulholland 1988:163). Diagnostic artifacts include Levanna projectile points and Owasco-related ceramics.

#### d. Early Historic Contact (500 to 300 BP)

Native American settlement and subsistence adaptations of the Late Woodland continued during the early Contact period, characterized by seasonal hunting and gathering and focusing on streams and major watercourses in the spring and fall for the seasonal fish runs. During this period Native Americans also accessed smaller sites in inland and upland areas for hunting and resource procurement. Larger semipermanent village sites, consisting of oval and round houses and large pits, were also located in the interior near planted fields. In the winter smaller bands of people occupied sites in inland and upland settings close to forest game (Cronon 1983:48).

Initial contact between Europeans and Native Americans was made when early explorers entered the area to engage in trade. The introduction of European material goods, the demands of trading relationships, rapid colonial expansion, and the spread of diseases brought by the Europeans had profound effects on the settlement and subsistence adaptations of the native populations. Native groups gradually became dependent on trade with the Europeans. Tribal and clan affiliations were affected, and much of the native population disappeared or was displaced (Brasser 1978). Some estimates suggest that between 60 and 90 percent of the native population was lost to European diseases in the seventeenth century in southern New England and New York (Snow 1980:34).

### D. Historic Context

#### 1. *Montgomery County*

Named after American Revolutionary War hero Gen. Richard Montgomery, the once very large Montgomery County has become one of the smallest counties in New York State. The original name of the county was Tryon County, after the English Governor William Tryon. That county was created in 1772; the name was changed to Montgomery County in 1784. After the Revolutionary War settlement in the western part of the state opened up, bringing with it a desire to divide the state into smaller sections. Between 1789 and 1854, Montgomery County was reduced to just 436 square miles as 35 new counties were established in New York (Sullivan 1927).

Euro-American settlement in the Mohawk Valley began as early as 1661, with the purchase of land patents by Arent Van Corlear in the vicinity of the current city of Schenectady. However, settlement farther west was restricted by numerous conflicts with the French and various Native American nations. The first real Euro-American settlement in the lands of what became Montgomery County occurred in the early eighteenth century, when groups of Palatine Germans settled in the region with permission from the Mohawks. In 1723, 27 Palatinate families were granted land patents totaling 12,700 acres in the region (Frothingham 1890).

Euro-American settlement west of the hamlet of Fort Johnson was restricted by the dominance of the Mohawk nation. The antipathy of the Mohawk regarding further settlement intensified with fraudulent land patents. For example, Kayaderosseras Patent consisted of a 700,000-acre land grant fraudulently acquired by Naning Hermanse and “twelve gentlemen” from Albany in 1708. This land patent was rejected and disputed by the Mohawks, who did not allow any Euro-American settlers onto these lands for 60 years. This dispute was mediated by William Johnson, a British land agent to the Mohawks, and the patent was reduced to 23,000 acres within the present-day counties of Montgomery, Fulton, and Saratoga (Frothingham 1890).

Despite great losses in geographic breadth, Montgomery County experienced population growth in its villages, towns and cities along the Mohawk River. The county seat was moved from Johnstown to Fonda to accommodate the wishes of those residents closer to the larger towns along the river. The residents to the north showed their discontent with the decision by petitioning their way out as a separate county, which became Fulton County. This marks the final division of Montgomery County (Sullivan 1927).

#### 2. *Town of Amsterdam*

The Euro-American town of Caughnawaga was formed nearby in 1788, encompassing the present towns of Amsterdam, Mayfield, Broadalbin, and Johnstown. The earliest settler in what would become the Town of Amsterdam was Philip Groat, a German settler who arrived in 1715. Groat’s sons built the first gristmill in 1730, which served later settlers in the area. In 1742 William Johnson, a land speculator and Indian trader who in 1739 settled on a track of land north of the Mohawk River, purchased land on the north bank of the Mohawk River to build a sawmill and

gristmill, which were completed in 1744. At the turn of the nineteenth century, Albert Veeder constructed a mill in the vicinity of the future city of Amsterdam. The settlement that grew around the mill came to be known as Veedersburg. In 1804 Veedersburg's name was changed to Amsterdam, which was incorporated as a city in 1830 (Sullivan 1927).

### 3. Village of Fort Johnson

The village of Fort Johnson was one of the earliest Euro-American settlements within what would become Montgomery County. The village is named after William Johnson, who built the sawmill and gristmill in 1744. In 1749 Johnson constructed a stone mansion near Kayaderosseras Creek. This house became known as Fort Johnson and is listed in the National Register of Historic Places (NRHP). It served as the site of many councils with representatives of the Mohawks, as well as a way station for Euro-American travelers (Sullivan 1927).

Johnson purchased a number of land patents along the Mohawk River valley and acted as a British agent to the Six Nations of the Haudenosaunee. Johnson served as commander of Native and colonial militia forces during the French and Indian War and distinguished himself at the Battle of Lake George in 1755. His military career earned him the title of 1st Baronet of New York. In 1763 Johnson moved to a new home in what is now the city of Johnstown, and his son John moved into Fort Johnson. The Johnsons were loyalists and the family fled to Canada in 1776, and the property of Fort Johnson was confiscated by New York State. The property passed to several owners and was eventually acquired by the Montgomery County Historical Society in the early twentieth century, when it was opened to the public as a historic site (Frothingham 1890).

The village of Fort Johnson was not incorporated until 1909, and has primarily existed as a small residential area with some service businesses that appeared in the early twenty-first century. In 1882 the village acquired a post office and was named Akin (after later residents of Fort Johnson). The village was renamed Fort Johnson in 1912. The A.V. Morris and Sons Knitting Mill was established in 1887 and employed up to 150 workers (Crawford 2005). It was noted as one of the few large-scale employers within the village and was located just north of the project APE. The knitting mill was destroyed in a fire in 1915.

## E. Previously Identified Sites and Previous Investigations

One previously documented archaeological site is located in the APE, and one other is located within 100 meters (330 feet) of the APE. Background research indicates that a total of 10 previously recorded archaeological sites are located within 1.6 kilometers (1 mile) of the APE (Table 2). The precontact sites consist of unaffiliated sites with low-density assemblages and no diagnostic artifacts. The historic sites generally consist of eighteenth- or nineteenth-century households, farmsteads, or structures associated with the Erie Canal along the Mohawk River. The Fort Johnson Site (05745.000004) is located adjacent to the APE and is associated with the occupations of Old Fort Johnson. This site is eligible for listing in the NRHP. The Mrs. HB Shepard Site (05745.000052), identified by the presence of a foundation, is located in the project APE on the east side of the creek just north of the pedestrian bridge.

Two NRHP-listed architectural resources (properties) are located within 1.6 kilometers (1 mile) of the APE. The main structure for Old Fort Johnson National Historic Landmark (NHL) at 2 Mergner Road stands within the current APE. The New York State Barge Canal NHL, which encompasses the nearby section of the Mohawk River, is adjacent to the current APE.

The first archaeological investigations undertaken at Old Fort Johnson were conducted by Lenig in 1976 (Mendel-Mesick-Cohen, Architects 1978: appendix G). These excavations were undertaken to help shed light on a number of questions relating to the original architectural materials and layout of the eighteenth-century house and grounds, although it was expected that eighteenth-century household debris would also be recovered. Architectural materials and limestone foundations from demolished structures were identified in the yard immediately south of the house within 60 centimeters (2 feet) of the present surface, as well as evidence of a sequence of at least two courtyard paving episodes separated by fill. The oldest material, dated to circa 1770, was recovered from the deeper courtyard strata. Although data was limited, Lenig concluded that the eighteenth-century residents of the site were likely of higher socio-economic status than the succeeding occupants. Also of note was a thin layer of brown silt found between 40 and 60 centimeters below the surface that was underlain by yellow sand. This soil was interpreted as the original

TABLE 2: RECORDED ARCHAEOLOGICAL SITES WITHIN 1.6-KILOMETER (1-MILE) RADIUS OF APE

| SITE NUMBER  | SITE NAME                        | LOCATION                                   | CULTURAL AFFILIATION       | CULTURAL MATERIAL                          | NRHP STATUS |
|--------------|----------------------------------|--|----------------------------|--|-------------|
| 05701.000114 | Durham Project 27                | 1.6 kilometers (1.0 mile) west-southwest   | Historic; no information   | No information                             | Unevaluated |
| 05701.000119 | Pepper's Island (NYSM 1561)      | 0.6 kilometer (0.4 mile) west-southwest    | Historic; no information   | No information                             | Unevaluated |
| 05704.000101 | Wemp #2 (NYSM 1101)              | 1.6 kilometers (1 mile) southwest          | Precontact; no information | No information                             | Unevaluated |
| 05704.000102 | Bushy Hill Site (NYSM 1106)      | 1.35 kilometers (0.84 mile) southwest      | Precontact; no information | No information                             | Unevaluated |
| 05745.000051 | Foundation #1 / Outbuilding of P | 56 meters northeast                        | Historic                   | Listed as "Outbuilding of P"               | Unevaluated |
| 05745.000004 | Fort Johnson Site (NYSM 1566)    | Adjacent to APE                            | Historic Euro-American     | Eighteenth- to twentieth-century residence | Eligible    |
| 05745.000052 | Foundation #2 / Mrs. HB Shepard  | Within APE                                 | Historic household         | Early twentieth-century foundation         | Unevaluated |
| 05745.000060 | Durham Project 26                | 1.01 kilometers (0.63 miles) east          | Historic; rock dam         | No information                             | Unevaluated |
| 05745.000061 | Durham Project 25                | 1.35 kilometers (0.84 mile) east-southeast | Historic; fishing weir     | No information                             | Unevaluated |
| 05745.000062 | Durham Project 115               | 277 meters west                            | Historic                   | No information                             | Unevaluated |

surface soil, and it appeared to slope down to the south away from the house (Mendel-Mesick-Cohen, Architects 1978: appendix G). Lenig's description of the excavations does not mention any prehistoric lithic artifacts recovered from the buried surface soil.

In 1991 a cultural resource survey was conducted for Route 67, from Route 5 to County Route 38 (Reid 1991). The survey area encompassed properties abutting both sides of the roadway and included the portion of the current APE that lies on the east side of the creek. Two sites were identified, both associated with map-documented structures (MDSs). One of these sites, the Mrs. HB Shepard Site (05745.000052), was identified based on the presence of a filled-in depression and subsurface evidence of the foundation, although very few artifacts were found. No further work was recommended for this site.

A cultural resource survey in advance of sewer collection improvements in the Village of Fort Johnson was conducted in 1999 (Curtin 1999). The survey area ran along the toe of the slope on the west side of the Fort Johnson property to Mergner Drive, and from Mergner Drive across Kayaderoseras Creek to Route 67. Phase II investigations were conducted in the garden area on the west side of the former stable/current visitor center. Early nineteenth-century artifacts and postmolds were found in a buried topsoil below fill, and Curtin (1999) recommended avoidance of this area during sewer construction.

In 2014 an archaeogeophysical survey was conducted and followed up by test excavations (Stull et al. 2014). The geophysical survey covered much of the property within 100 feet of the house, but the test excavations were placed in areas previously investigated by Lenig. Test excavations recovered a mix of early historic and precontact artifacts, but were undertaken primarily to further investigate the structures and features identified by Lening and the reconstructions proposed for the property (Mendel-Mesick-Cohen, Architects 1978).

In April 2017 a survey was conducted approximately 1.1 kilometers (0.7 mile) north of the current project. The survey was conducted for the FMCC Global Village Sewer Line project in the Town of Amsterdam and Village of Fort Johnson. The survey identified a single historic site, the J. Wilde Historic Site, which is located 2.8 kilometers (1.75 miles) northwest of the current APE.

## F. Cartographic and Historical Photograph Review

WSP reviewed available historical maps (Figures 3–5) to understand the history of the built environment within and adjacent to the property, as well as to gain a greater understanding of the location of the creek through time. Potential historic-era development in the APE was determined by georeferencing historical maps and overlaying them on aerial photographs of the project vicinity. Given discrepancies between historical and current surveying techniques, there may be inaccuracies in the georeferencing of the modern data to the historical maps.

The earliest depiction of the property is a sketch of the estate by Sir William Johnson's nephew Col. Guy Johnson in the 1750s (Mendel-Mesick-Cohen, Architects 1978). Although detailed, the sketch is more figural than cartographic, but it shows the main structure and several outbuildings, including a mill and barracks (Mendel-Mesick-Cohen, Architects 1978: figure 4).

The earliest maps to show the property in cartographic detail date to the nineteenth century and show the numerous developments that occurred adjacent to the property. The A.V. Morris and Sons Knitting Mill was established in 1887 north of the property. The creek ran on both sides of an island, and it was crossed by a bridge where Mergner Drive is currently located (see Figures 3 and 4). A residence stood on the south side of this bridge and seems to have been built circa 1890. In 1905 this residence is labeled "Mrs. H. B. Shepard" and is depicted as a duplex (see Figures 4 and 5). An intact portion of the foundation of this structure was later designated USN 05745.000052 (Mrs. HB Shepard Site). A frame structure is shown west of Fort Johnson, and a Building labeled "F. Station" is shown in the southeast corner of the property. By that time Fort Johnson had become the property of the county, and the rear barn or stable was renovated (Figure 6).

A decade later, these buildings are all still extant, although the creek had been restricted to a single channel, following the east channel (see Figure 5). As-built maps surveyed in 1915 show the creek course meandering well to the west of the residence on the east side of the creek, and it appears to be significantly narrower than the current course defined by the flood walls. This mapping does not depict Fort Johnson or any associated outbuildings, as they were located far enough from Route 67 to be outside the surveyed area (Reid 1991: map 4). About that time, the knitting mill burned and was not rebuilt. Sometime after the mill burned, the flood wall along the creek was built, and debris from the knitting mill was used to backfill along the rear of the floodwall (Scott Haefner, Montgomery County Historical Society, personal communication).

The Sanborn (1895) map shows a small outbuilding west of the creek off the northeast corner of the house and one west of the stable (see Figure 3). One of these may be the original Johnson privy that has been maintained to the present day, although it has been moved more than once (see Figure 2, labeled "Wood Shed"). In the 1880s the privy was sketched as being built on a stone foundation into the stream bank (Mendel, Mesick and Cohen 1978:figure 23). If this description is accurate, then within a decade the structure had been moved away from the bank. The Sanborn (1905) map does not show any small outbuildings, but a Sanborn map from circa 1916 shows that the small outbuildings to the west of the stable had been moved or removed and two small outbuildings are located within the project APE (see Figures 5 and 6). The location of the smaller of these two outbuildings is the same as the single small outbuilding shown 20 years earlier, and the second outbuilding is depicted as noticeably larger (see Figure 6). It is not clear if either of these buildings is the privy structure, but the positioning is relatively close to its current location. By 1905 the property had passed into the hands of the county and was no longer a residence. In 1950 the privy building was located adjacent to the floodwall approximately 10 meters (33 feet) south of the garage and remained there until

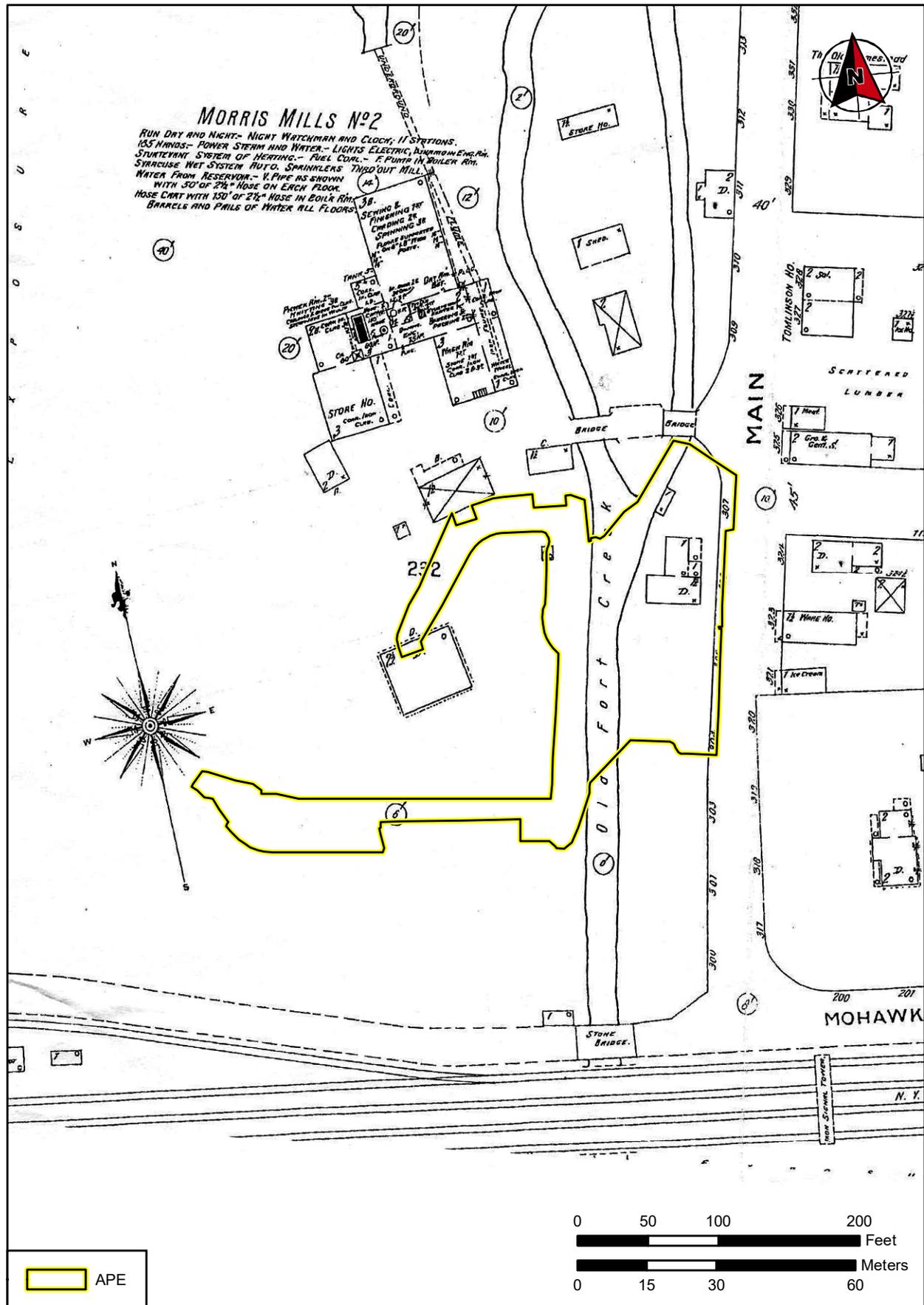


FIGURE 3: APE and Vicinity in 1895 (Sanborn 1895)

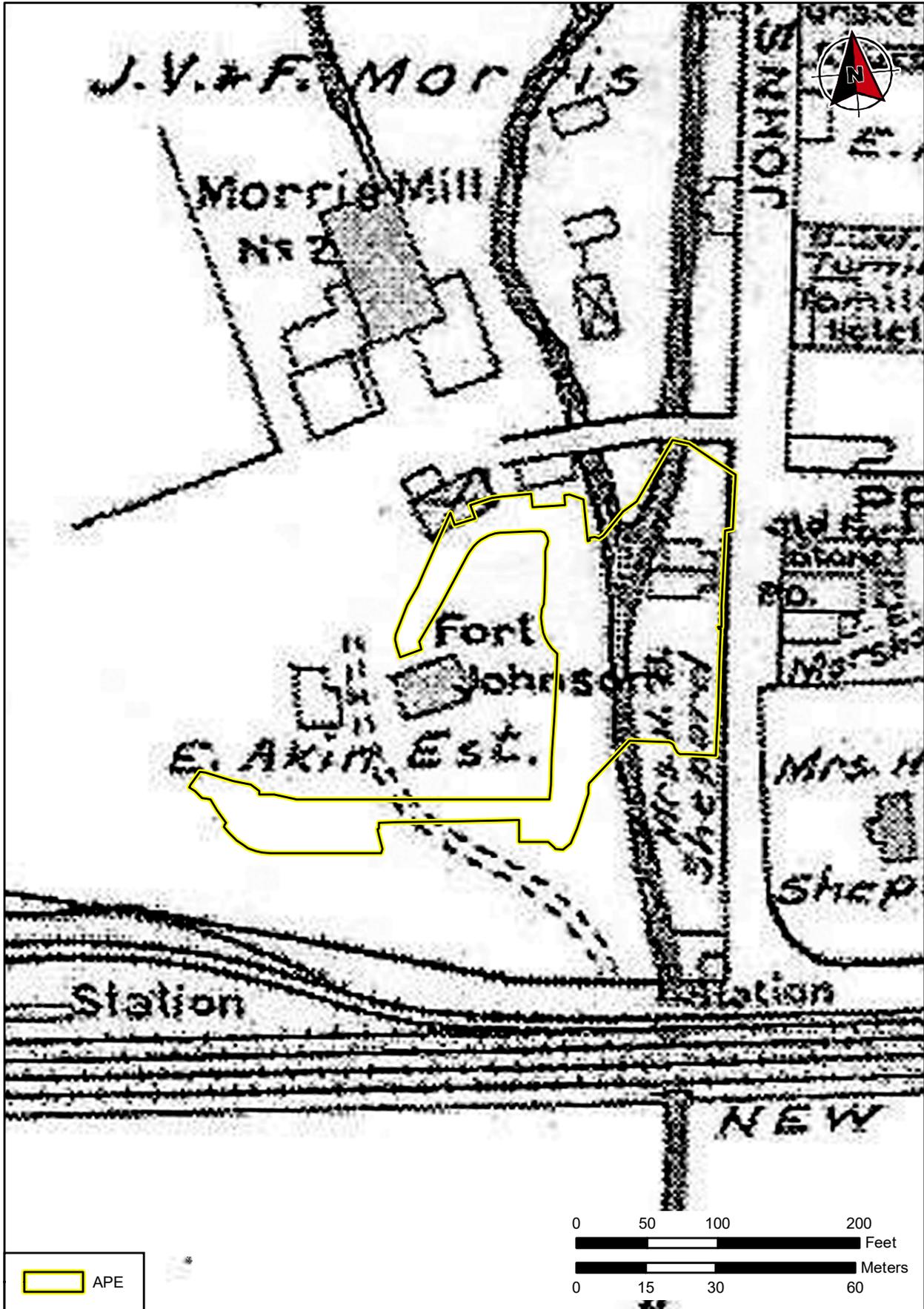


FIGURE 4: APE and Vicinity in 1905 (Century Map Company 1905)

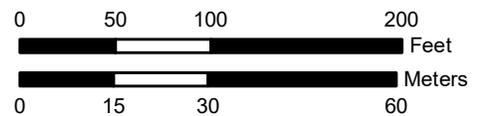
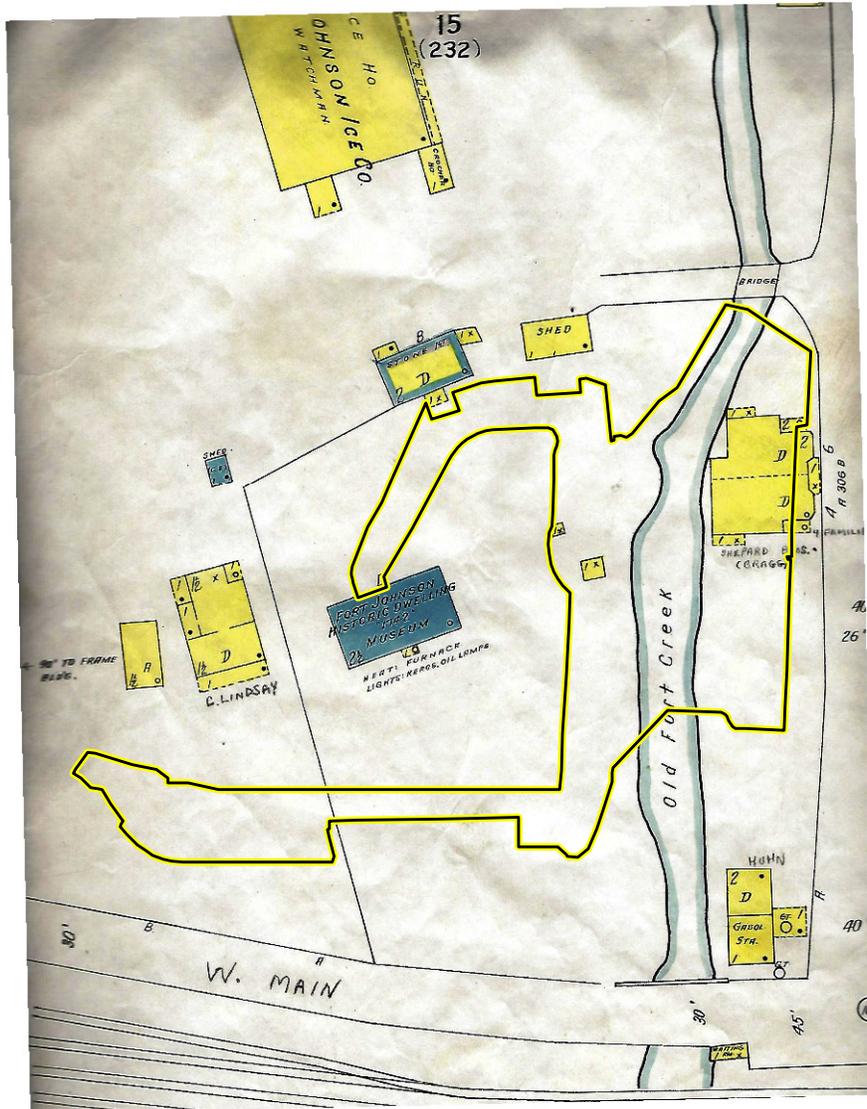


FIGURE 5: APE and Vicinity circa 1916 (Sanborn 1916)



FIGURE 6: Historical Photograph of the Renovation of the Stable (circa 1906)  
(Montgomery County Historical Society 2019)

after 1978 (Figure 7; Mendel-Mesick-Cohen, Architects 1978:figure 52). During floods in 2011, the privy was dislodged and floated into the pedestrian bridge, which likely saved it from being swept farther downstream and possibly lost. In its current location, the privy stands on a low, concrete foundation just outside the current APE. Archaeogeophysical surveys conducted in 2014 indicate that there are no apparent deep shaft features within 20 meters of the main building (Stull et al. 2014).

By 1950 Fort Johnson was a popular tourist attraction with a circular drive on the south side of the building, and the gap between the former Shepard residence and the filling station had been filled in by low one-story garages (see Figure 7). Between 1950 and 1970, Route 5 was expanded to four lanes and over the former location of the filling station and the former south boundary of the Fort Johnson property. In 1972 the other buildings on the east side of the creek were razed and the narrow parcel on the east side of the creek became the property of the Montgomery County Historical Society. This includes the Mrs. HB Shepard House Site (05745.000052), where the rear (west) portion of the foundation was left in place because it was close to the creek and flood wall (Photograph 1).



PHOTOGRAPH 1: Foundation Wall on the East Side of the Creek, View North



FIGURE 7: Historical Aerial Photograph of the Project APE (circa 1950)  
(Montgomery County Historical Society 2019)

### III. Archaeological Field Methods and Techniques

The fieldwork began on March 25, 2019, with a thorough pedestrian reconnaissance of the project area. The work continued with systematic subsurface shovel testing, followed by mechanical trenching on April 25, 2019.

Shovel tests were excavated at standard 15-meter (50-foot) or closer intervals and measured approximately 40 centimeters (1.3 feet) in diameter. All soils removed from the shovel tests were passed through 0.64-centimeter (0.25-inch) mesh hardware cloth to recover artifacts. As each natural or cultural stratum was excavated, that stratum was assigned an alphabetic designation (Stratum A, Stratum B, etc.) to indicate its stratigraphic relationship to the other levels in the shovel test. The letter designations were assigned beginning with the first excavated level of the shovel test and proceeded alphabetically through each subsequent level, until the termination of the shovel test.

Shovel test data were recorded on standardized forms and included stratum depth, soil texture, soil color according to Munsell soil color charts, percentage of rock fragments, and other data, such as presence of disturbance or fill, as needed. Shovel tests were excavated to 1 meter (3.3 feet) below ground surface (bgs) unless an impasse was encountered. Because of the rocky and disturbed nature of the soils, none of the shovel tests reached a full meter in depth, although five shovel tests were excavated to more than 80 centimeters (2.7 feet). Shovel test locations and project area conditions were recorded on a project plan map. Digital photographs were taken to give a general site overview and to complement the field notes. Details of shovel test results are provided in Appendix A.

For the mechanical trenches, excavations began at ground level, and soil was carefully removed horizontally across each trench to expose soils and any potential features in plan view. Trenches were excavated using a John Deere 50G excavator (Photograph 2). Trenches were numbered 1 through 3 in order of excavation. These trenches extended into intact basal stream cobbles and were monitored for the presence of historic and prehistoric archaeological resources. All three trenches were excavated to more than 2 meters (6.6 feet) bgs. Each trench was recorded with a measured profile drawing and digital photography.



PHOTOGRAPH 2: Excavation of Trench 2, View Southeast

## IV. Results of the Phase I Archaeological Survey

WSP excavated 19 shovel tests and three mechanical trenches in the APE (see Figure 2). Shovel tests were arrayed in four transects: Transect A, along the south boundary of the project; Transects B and C, which paralleled the creek on the east and west sides, and Transect D, which followed the alignment of the proposed walkway. Two trenches were excavated on the east side of the creek, and one was placed on the west side.

### A. Shovel Tests

Soils encountered were highly variable across the APE as a result of multiple construction, grading, and filling episodes. Surficial soils across the four shovel test transects were consistent, but the underlying soils varied widely, in some cases even across short distances.

Transect A, placed near and parallel to the south boundary of the property (see Figure 2; Photograph 3), was offset into the property because a buried natural gas line was present. Five shovel tests were excavated along the transect. Soils within the transect were generally consistent, with a black or very dark brown (10YR 2/1 or 2/2) sandy fill overlying a yellowish brown (10YR 4/4 to 5/4) sand with abundant cobbles. In all cases the cobble content in the second stratum prevented further excavation; the deepest shovel test reached 82 centimeters (2.6 feet) bgs. The upper fill stratum had a highly variable thickness, ranging from 21 to 71 centimeters (0.8 to 2.4 feet) bgs.

Transect B was placed parallel to the creek wall, running from the south portion of the property north along the treeline to the garage in the rear corner of the property (Photograph 4). Again, shovel test profiles were highly variable, with a black or very dark brown (10YR 2/1 or 2/2) sandy fill overlying a second stratum. Along the creek this second stratum was highly variable from one shovel test to the next, with sandy fills ranging from homogeneous to heavily mixed. Abundant brick, coal slag, ash, and clinkers were noted in this second stratum. Four shovel tests were excavated in Transect B (see Figure 2).

Transect C began near the garage and former barn/stable at the rear (north) of the property and followed the proposed alignment of the paved pathway (see Figure 2; Photograph 5). As with the prior transects, soil profiles indicated extensive reworking of the soil. A black or very dark brown (10YR 2/1 or 2/2) sandy fill overlay highly variable soils, ranging from sandy to silty or clayey in texture, and ranging in color from very dark brown (7.5YR 2.5/2) to dark yellowish brown (10YR 3/6) to yellowish brown (10YR 5/4). The five shovel tests in Transect C were excavated at intervals of less than 15 meters (50 feet) because they were located near the house and former barn. The presence of highly variable stratigraphy over such short distances indicates that these soils have been heavily modified, and it is unclear based on the testing what the natural conditions of the soils in this area were.

The only materials within these fills were recovered from the surface stratum; they consisted of nails, window glass, coal, coal ash, slag, and modern materials such as plastic, cellophane, and foil. The level of disturbance noted in the rear yard area is consistent with the ground surface conditions observable in photography of the barn/stable renovation in the early twentieth century (see Figure 6).

Transect D was placed on the east side of the creek and ran south to north parallel to the creek (see Figure 2; Photograph 6). A total of five shovel tests were excavated: Shovel Tests D-1 through D-3, D-5J, and D-6. Shovel Tests D-4 and D-5 could not be excavated as they were located within the gravel parking area; Shovel Test D-5W6m was placed off the northwest corner of the parking area in the lawn next to the trees along the creek to provide some data on the deposits near the foundation stub (Site 05745.000052) located within/adjacent to the parking area.

Shovel tests in Transect D indicated that only fills lay within 1 meter of the current surface. The modern topsoil, a very dark grayish brown (10YR 3/2) loam, overlay a thin gravelly layer at approximately 30 centimeters (1 foot) bgs, and was underlain by sandy, gravelly fill ranging from dark yellowish brown (10YR 4/4) to gray (10YR 4/1 to 5/1) that continued to at least 1 meter bgs. This fill contained abundant coal, coal slag, ash, and small brick fragments. Excavation in some shovel tests was halted at rock obstructions.



PHOTOGRAPH 3: Overview of the South Portion of the APE (Transect A), View West



PHOTOGRAPH 4: Overview of Transect B, View South



PHOTOGRAPH 5: Overview of the Rear Yard Area (Transect C), View Southwest



PHOTOGRAPH 6: Overview of the East Portion of the APE (Transect D), View South

## B. Mechanical Trenches

Trenches 1 and 2 were located on the east side of the creek downstream (south) of the current pedestrian bridge (see Figure 2). Trench 1 was 4.5 meters (15 feet) in length and excavated to a maximum depth of 245 centimeters (8.2 feet); Trench 2 was 5 meters (16.5 feet) in length and excavated to a maximum depth of 230 centimeters (7.7 feet).

Trenches 1 and 2 had very similar profiles, showing a sequence of fills overlying a gravelly to cobbly coarse sand C horizon at the base (Figures 8 and 9). Stratum A was a dark grayish brown (10YR 4/2) sandy to silt loam with 10 to 15 percent gravels and extended on average to about 30 centimeters (1 foot) bgs. This was underlain by a compact gravelly layer of dark gray (10YR 4/1) compact loam, likely the surface that resulted from the demolition of the buildings and grading of the property on this side of the creek in 1972. Below this compacted surface was a yellowish brown (10YR 5/4 to 5/6) gravelly sandy loam that extended to 120 to 130 centimeters (4.0 to 4.4 feet) bgs. This was underlain in Trench 1 by a dense layer of coal, coal ash, and slag/clinkers that was 10 to 20 centimeters (0.3 to 0.7 foot) thick (Stratum D). This dense layer or lens of slag was absent in Trench 2, but the next stratum encountered was consistent in both trenches, a gray (10YR 5/1) loose sandy fill with abundant coal/ash/slag/clinkers, bricks, and brick fragments throughout (Stratum E). Underneath this loose gray fill layer in both trenches was a layer of dark yellowish brown coarse sand and cobbles. The coarse sand and cobbles were present in both trenches to the base of the excavation.

The interface of the loose gray fill and the underlying coarse sand and cobbles was examined in both trenches to determine if any evidence of a remnant surface soil was preserved at the base of the fill. The gray sandy fill was found directly over and mixed with the upper contact of the sand and cobble deposit, indicating that the former demolition and grading had disturbed the profile down to this depth with fill then was placed over it, probably to reestablish the former grade. The depth of fill also indicates that the former “Mrs. HB Shepard House” (Site 05745.000052) has been mostly dismantled, with only the rear (west) wall still extant. Since the foundation and adjacent yard deposits have been so heavily impacted by disturbance up to 2 meters (6.7 feet) bgs, it appears that there is little to no chance that significant intact archaeological deposits are preserved within this site. This finding confirms the results of the previous survey, which did not identify any significant archaeological deposits associated with the site.

Trench 3 was excavated on the west side of the stream, to confirm that demolition debris was used to fill in behind the flood wall construction and to determine if any intact soils were underneath the fill. This trench was 2.6 meters (8.6 feet) in length and excavated to a maximum of 220 centimeters (7.5 feet) bgs. Four strata were encountered: three fill deposits (Strata A, B and C) and basal stream cobbles and sand (Stratum D) (Figure 10). Stratum A was a black (10 YR 2/1) fine sandy loam topsoil extending to 25 to 35 centimeters (0.8 to 1.2 feet) bgs with many tree roots. Stratum B was yellowish brown (10YR 5/4) fine sandy loam extending to an average of 50 centimeters (1.7 feet) bgs with many tree roots present and numerous whole bricks in the lower half of the stratum. This was underlain by a thick dark gray (10YR 4/1) loamy fill deposit that contained numerous whole bricks and brick fragments, large stones, coal ash/slag/clinkers, and mortar. This material was consistent with demolition debris and tends to support the account of material from the burned mill being used as fill along the flood wall after construction.

This demolition-related fill overlay a dark gray (10YR 4/1) coarse sand and cobble deposit where ground water was encountered. This deposit was indistinguishable from the bedload material currently forming the creek bed a few feet east of the trench, and indicates that prior to construction of the flood wall, the creek meandered closer to the main fort building than it does currently. These subsurface data are consistent with the stream course that is depicted in the 1915 highway as-built, which depicts the stream as meandering well west of its current, restricted course. It is worth noting that this basal deposit does not appear to represent recent creek deposits on the east side of the creek. Drier and higher in elevation, the basal sand and cobbles on the east side of the creek identified in Trenches 1 and 2 apparently represent point or channel bar deposits associated with an older stage of the creek that was abandoned when it downcut to the elevation of its current bed. Taken together, the depth and apparent weathering of the basal cobble stratum in the three trenches indicate that the creek has been gradually meandering westward over the last several centuries at least, until it was confined by flood walls in the twentieth century.

No artifacts were recovered from any of the three trenches. Despite the abundant structural/industrial material present, domestic debris does not appear to have been mixed with the debris in any meaningful concentration.

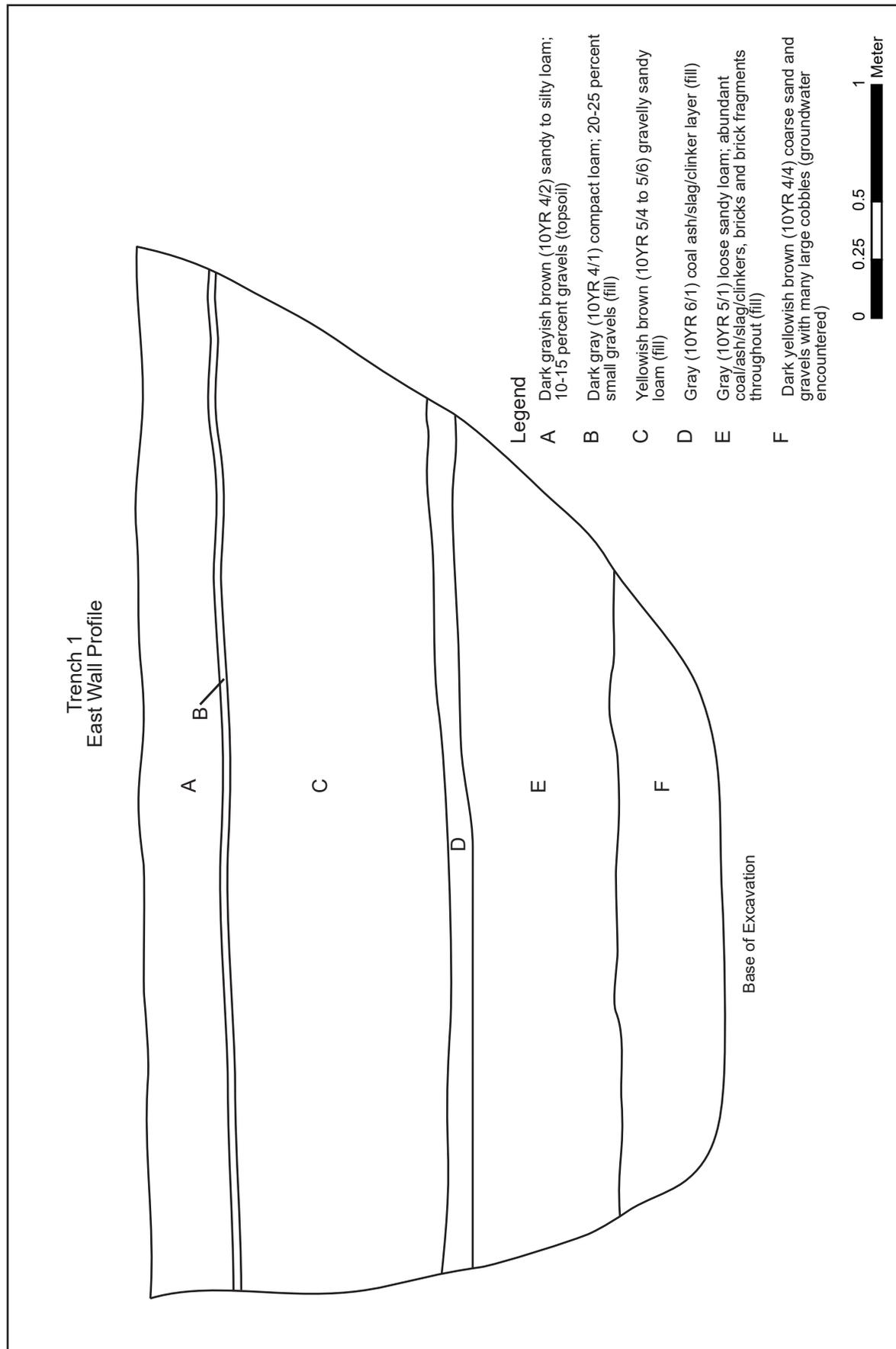


FIGURE 8: Trench 1, East Wall Profile

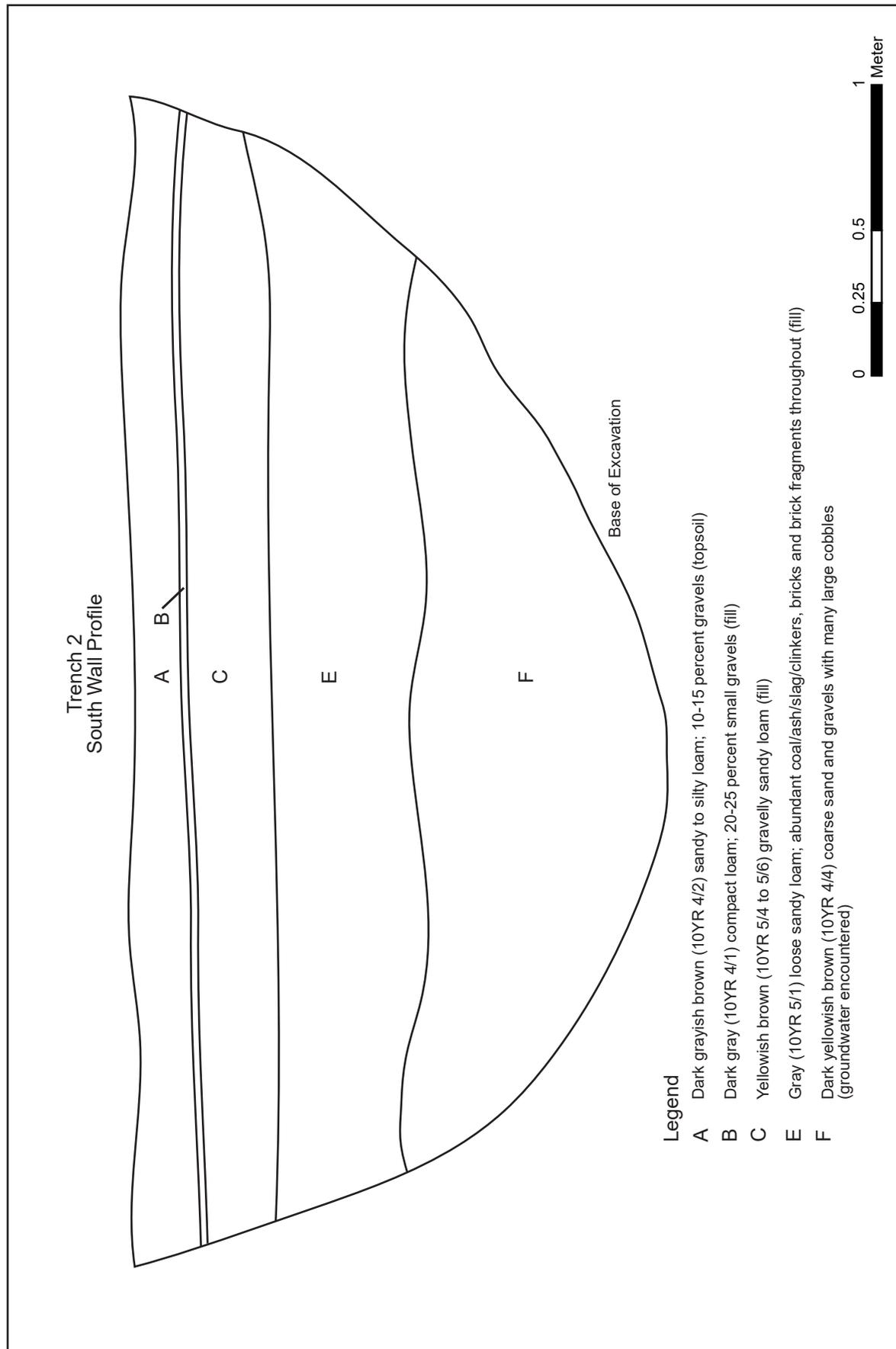


FIGURE 9: Trench 2, South Wall Profile

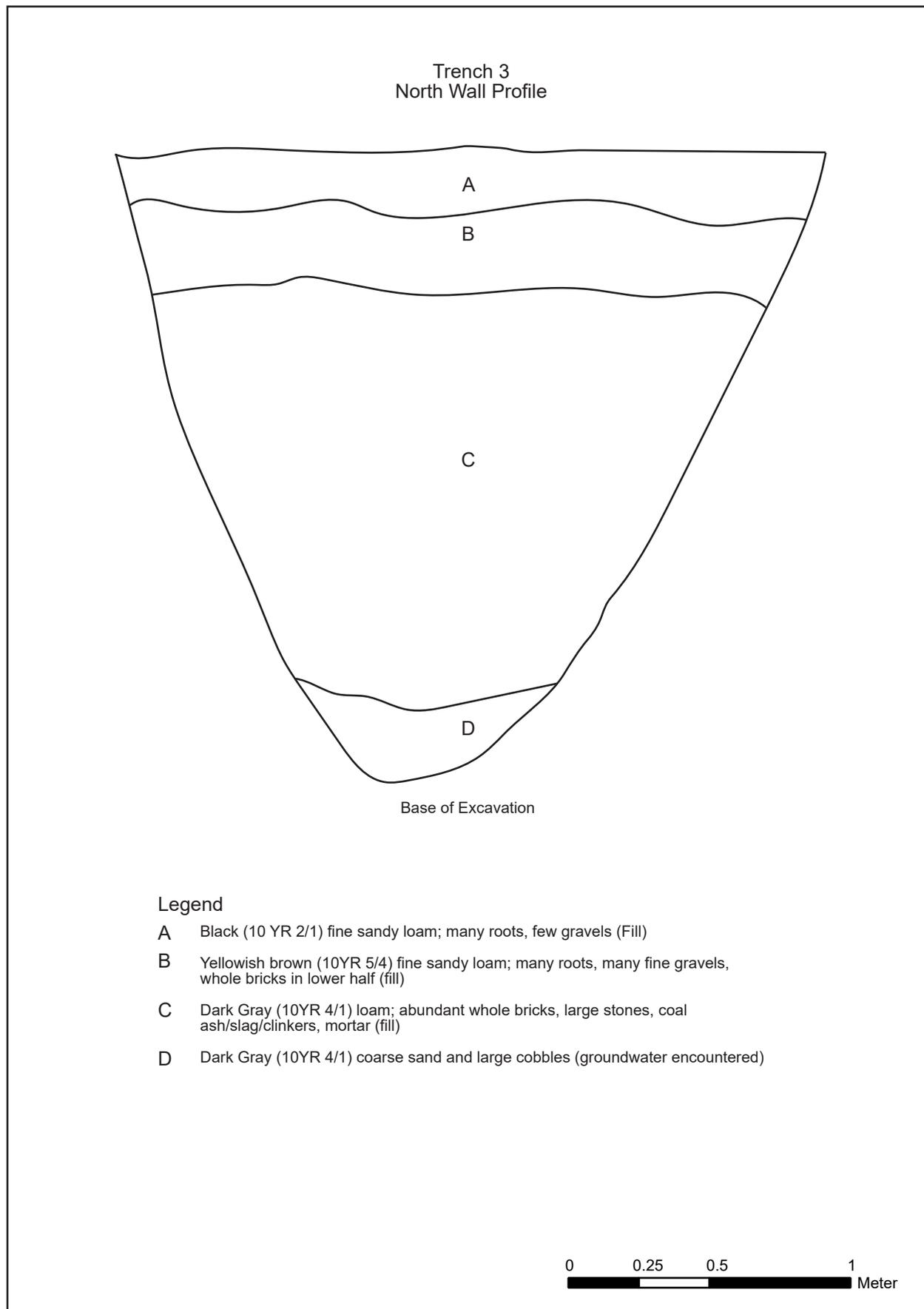


FIGURE 10: Trench 3, North Wall Profile

## V. Summary and Conclusions

On behalf of GOSR, WSP, completed a Phase I archaeological reconnaissance survey for the proposed Old Fort Johnson Flood Mitigation Project in the Village of Fort Johnson, in the Town of Amsterdam, Montgomery County, New York. Proposed measures include demolishing the concrete walls along the banks of the creek, adding a berm on the western side of Kayaderosseras Creek with new sidewalks, grading the area around the catch basin in the southwest corner of the site, installing the pedestrian bridge across the creek on new footings/abutments, and constructing a new parking area. The APE for the project, the area with the project limits of disturbance, measures 0.3 hectare (0.65 acre) within the Old fort Johnson property. The Phase I archaeological survey of the APE included background research, pedestrian reconnaissance, and subsurface testing of the APE with the goal of identifying archaeological resources.

The house on the property was constructed in 1749 as the home, office, and trading center of Sir William Johnson, the British Superintendent of Indian Affairs for North America. During the French and Indian War, the house was fortified as a center for British campaigns in the region. The two outbuildings that remain, the former privy and barn, are now used as a visitor center and office for staff. Fort Johnson is listed in the NRHP and was designated an NHL in 1972.

WSP excavated 19 shovel tests and three mechanical trenches within the APE. The work was conducted between March 25 and April 25, 2019. Shovel tests were placed at intervals of 15 meters (50 feet) or less in all areas of planned subsurface disturbance. In addition to shovel tests, three mechanical trenches were excavated in the APE, two trenches on the east side of the creek and one trench on the west side of the creek. A minimal amount of nineteenth- to twentieth-century domestic refuse was recovered from disturbed contexts. Shovel test profiles indicate that the project APE has experienced widespread disturbance from landscaping, prior flood mitigation work, road construction, building demolition, and subsurface drainage and utility emplacements. Trenching indicated that the area along the stream banks proposed for grading has been previously impacted by demolition and construction, and no intact sediments are present above basal stream cobbles. The original eighteenth-century privy building is still extant on the property but has been moved several times and is not in its original location. A nineteenth-century account of the privy indicates that it was formerly positioned over the creek bank, and as a result virtually anything disposed of in the privy would have been swept downstream or disturbed by the flood wall construction. It is highly unlikely any evidence from the early historic use of the privy survives on the property.

The Phase I archaeological survey identified widespread surficial disturbance throughout the APE, and deep subsurface disturbance within the area of proposed grading along the stream. No intact subsurface deposits were recovered, and no new archaeological sites were identified. Site 05745.000052, originally identified in 1991, has no associated archaeological deposits. It was originally identified by subsurface foundation stones, and currently the only extant feature is a short foundation stub remnant visible at the surface. It is WSP's opinion that Site 05745.000052 is not eligible for listing in the NRHP, and that no further investigation is warranted for this site. It is WSP's opinion that no further archaeological work in the APE is necessary and that the project may proceed as planned.

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## *Appendix A*

### Shovel Test Log

| STP | Stratum | Depth to base of Stratum |      | Soil Color   | Texture       | Coarse Fraction                      | Artifact Cat. # | Comments                           |
|-----|---------|--------------------------|------|--|---------------|--------------------------------------|-----------------|------------------------------------|
|     |         | cm                       | ft   |  |               |                                      |                 |                                    |
| A-1 | A       | 15                       | 0.49 | 10YR 3/2 Very Dark Grayish Brown                                     | Sandy Loam    | 5 percent small gravels and cobbles  | NCM             |                                    |
|     | B       | 47                       | 1.54 | 10YR 3/3 Very Dark Brown   | Sandy Loam    | 15 percent small gravels and cobbles | NCM             |                                    |
|     | C       | 71                       | 2.33 | 10YR 3/2 Very Dark Grayish Brown Mixed With 10YR 5/8 Yellowish Brown | Sandy Loam    |                                      | NCM             | Rock Impasse                       |
| A-2 | A       | 23                       | 0.75 | 10YR 3/2 Very Dark Grayish Brown                                     | Sandy Loam    | 5 percent small gravels and cobbles  | NCM             | Brick, slag and clinkers discarded |
|     | B       | 50                       | 1.64 | 10YR 3/3 Very Dark Brown   | Sandy Loam    | 15 percent small gravels and cobbles | NCM             |                                    |
|     | C       | 61                       | 2.00 | 10YR 3/2 Very Dark Grayish Brown Mixed With 10YR 5/8 Yellowish Brown | Sandy Loam    |                                      | NCM             | Cobble Impasse                     |
| A-3 | A       | 28                       | 0.92 | 10YR 3/2 Very Dark Grayish Brown                                     | Sandy Loam    | 5 percent small gravels and cobbles  | NCM             |                                    |
|     | B       | 61                       | 2.00 | 10YR 3/2 Very Dark Grayish Brown Mixed With 10YR 5/8 Yellowish Brown | Sand          |                                      | NCM             | Concrete Fragment Impasse          |
| A-4 | A       | 25                       | 0.82 | 10YR 3/2 Very Dark Grayish Brown                                     | Sand          | 5 percent small gravels and cobbles  | NCM             |                                    |
|     | B       | 82                       | 2.69 | 10YR 3/2 Very Dark Grayish Brown Mixed With 10YR 5/8 Yellowish Brown | Sand          |                                      | NCM             | Cobble Impasse                     |
| A-5 | A       | 43                       | 1.41 | 10YR 3/2 Very Dark Grayish Brown                                     | Sand          | 15 percent small gravels and cobbles | NCM             | Cobble Impasse                     |
| B-1 | A       | 35                       | 1.15 | 10YR 3/2 Very Dark Grayish Brown                                     | Sandy Loam    |                                      |                 | Brick, slag and clinkers discarded |
|     | B       | 51                       | 1.67 | 10YR 5/4 Yellowish Brown   | Sandy Loam    |                                      |                 |                                    |
| B-2 | A       | 38                       | 1.25 | 10YR 3/2 Very Dark Grayish Brown                                     | Sandy Loam    | 5 percent small gravels and cobbles  |                 |                                    |
|     | B       | 41                       | 1.34 | 10YR 6/6 Brownish Yellow   | Sandy Loam    | 15 percent small gravels and cobbles |                 | Brick, slag and clinkers discarded |
|     | C       | 75                       | 2.46 | 10YR 3/2 Very Dark Grayish Brown Mixed With 10YR 5/8 Yellowish Brown | Sandy Loam    |                                      |                 |                                    |
|     | D       | 98                       | 3.21 | 5YR 4/4 Reddish Brown  | Sandy Loam    |                                      |                 |                                    |
| B-3 | A       | 26                       | 0.85 | 10YR 3/2 Very Dark Grayish Brown                                     | Sandy Loam    |                                      |                 |                                    |
|     | B       | 65                       | 2.13 | 10YR 3/2 Very Dark Grayish Brown Mixed With 10YR 5/8 Yellowish Brown | Sandy Loam    | 15 percent small gravels and cobbles |                 |                                    |
|     | C       | 82                       | 2.69 | 5YR 5/4 Reddish Brown  | Sandy Loam    |                                      |                 |                                    |
| B-4 | A       | 46                       | 1.51 | 10YR 3/2 Very Dark Grayish Brown                                     | Gravelly Loam | 10 percent Gravels and Pebbles       | NCM             | 2 Brick Fragments Discarded        |

| STP     | Stratum | Depth to base of Stratum |      | Soil Color  | Texture                          | Coarse Fraction                         | Artifact Cat. # | Comments                                    |
|---------|---------|--------------------------|------|---|----------------------------------|---|-----------------|---|
|         |         | cm                       | ft   |   |                                  |   |                 |   |
|         | B       | 88                       | 2.89 | 10YR 3/2 Very Dark Grayish Brown Mixed<br>With 10YR 5/8 Yellowish Brown | Sandy Loam                       | Abundant coal/clinkers                  | NCM             | Rock Impasse                                |
| B-5     | A       | 71                       | 2.33 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       |   |                 | Brick, coal , slag discarded; Rock Impasse  |
| C-1     | A       | 31                       | 1.02 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       |   | NCM             |   |
|         | B       | 42                       | 1.38 | 10YR 5/6 Yellowish Brown  | Silty Clay Loam                  |   | NCM             | Rock Impasse                                |
| C-2     | A       | 27                       | 0.89 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       |   | NCM             |   |
|         | B       | 45                       | 1.48 | 10YR 3/2 Very Dark Grayish Brown Mixed<br>With 10YR 5/8 Yellowish Brown | Sandy Loam                       | 20 percent large rocks                  | NCM             | Rock Impasse                                |
| C-3     | A       | 45                       | 1.48 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       |   | NCM             |   |
|         | B       | 87                       | 2.85 | 10YR 3/2 Very Dark Grayish Brown Mixed<br>With 10YR 5/8 Yellowish Brown | Sand                             | 20 percent large rocks                  | NCM             | Rock Impasse                                |
| C-4     | A       | 63                       | 2.07 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       |   | NCM             | Brick, slag and clinkers discarded          |
|         | B       | 96                       | 3.15 | 10 YR 4/4 Dark Yellowish Brown  | Sand                             |   | NCM             |   |
| C-5     | A       | 43                       | 1.41 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       |   | NCM             |   |
|         | B       | 55                       | 1.80 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       | 15 percent large rocks                  | NCM             | Rock Impasse                                |
| D-1     | A       | 43                       | 1.41 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       | 5 percent small gravels and<br>cobbles  | NCM             | Abundant plastic and bottle glass discarded |
|         | B       | 49                       | 1.61 | 10YR 5/6 Yellowish Brown  | Sandy Loam                       | 15 percent small gravels and<br>cobbles | NCM             |   |
|         | C       | 80                       | 2.62 | 10YR 3/2 Very Dark Grayish Brown Mixed<br>With 10YR 5/8 Yellowish Brown | Sandy Loam                       |   | NCM             | Cellophane and modern glass discarded       |
| D-2     | A       | 27                       | 0.89 | 10YR 3/2 Very Dark Grayish Brown  | Sandy Loam                       | 15 percent small gravels and<br>cobbles | NCM             | Asphalt fragments discarded                 |
|         | B       | 38                       | 1.25 | 10YR 3/2 Very Dark Grayish Brown  | Compacted silt and<br>and gravel |   | NCM             | Impasse                                     |
| D-3     | A       | 21                       | 0.69 | 10YR 3/2 Very Dark Grayish Brown  | Loam                             | 5 percent small gravels and<br>cobbles  | NCM             |   |
|         | B       | 28                       | 0.92 | 10YR 3/2 Very Dark Grayish Brown  | Compacted silt and<br>and gravel | 15 percent small gravels and<br>cobbles | NCM             | Impasse                                     |
| D-4     |         |                          |      |   |                                  |   |                 | In parking area, not excavated              |
| D-5     |         |                          |      |   |                                  |   |                 | In parking area, not excavated              |
| D-5 6mW | A       | 21                       | 0.69 | 10YR 3/2 Very Dark Grayish Brown  | Gravelly Loam                    |   |                 |   |

| STP | Stratum | Depth to base of Stratum |      | Soil Color  | Texture                          | Coarse Fraction          | Artifact Cat. # | Comments                           |
|-----|---------|--------------------------|------|---|----------------------------------|--------------------------|-----------------|------------------------------------|
|     |         | cm                       | ft   |   |                                  |                          |                 |                                    |
|     | B       | 27                       | 0.89 | 10YR 3/2 Very Dark Grayish Brown Mixed<br>With 10YR 5/8 Yellowish Brown | Compacted silt and<br>and gravel |                          |                 | Root Impasse                       |
| D-6 | A       | 25                       | 0.82 | 10YR 3/2 Very Dark Grayish Brown  | Gravelly Loam                    | 15 percent small gravels | NCM             |                                    |
|     | B       | 37                       | 1.21 | Mixed 10YR 4/4 Dark Yellowish Brown and 3/3<br>Very Dark Brown          | Silt Loam                        | 20 percent large rocks   | NCM             |                                    |
|     | C       | 42                       | 1.38 | 10YR 3/2 Very Dark Grayish Brown  | Clinkers and Gravel              |                          | NCM             | Brick, slag and clinkers discarded |
|     | D       | 65                       | 2.13 | 10 YR 4/4 Dark Yellowish Brown  | Sandy Loam                       |                          | NCM             |                                    |

wsp



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

July 1, 2019

Ms. Alicia Shultz  
Planner  
HCR  
38 State Street  
Albany, NY 12207

Re: GOSR  
GOSR and DASNY-Old Fort Johnson Flood Mitigation  
2 Mergner Rd, Fort Johnson, NY 12070  
18PR07627

Dear Ms. Shultz:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York State Environmental Conservation Law Article 8).

I have reviewed the revised design plans (100% Submission Set, dated 06/25/2019) submitted on June 27, 2019. A comparison of the 100% Submission Set design plans with the 60% Progress Site design plans submitted to SHPO on November 29, 2018, indicates two changes to the work scope in the rear of Old Fort Johnson. First, the addition of an eight-foot-square wooden platform abutting the rear of the building. Second, the realignment of a five-foot-wide concrete sidewalk, which is now shown extending northeast from the wooden platform.

Significant archaeological features were identified within the rear yard of Johnson Hall (see Feister 1995 Johnson Hall Outbuildings, Landscape History, and Forgotten Features), a nearby eighteenth century National Historic Landmark that is closely related to Old Fort Johnson. Given the close relationship between these two buildings, the potential for similar rear yard features at Old Fort Johnson should be investigated. My review of the location of archaeological shovel tests excavated in the rear yard during the Phase I archaeological survey for the project (see archaeological report dated May 20, 2019) indicates that no shovel tests were excavated within approximately 50 feet of the rear of Old Fort Johnson.

SHPO recommends the excavation of 50-centimeter-square shovel tests at 5-meter intervals within the Limits of Disturbance, from the rear of the building to approximately 50 feet from the building.

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**Division for Historic Preservation**

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov

Ms. Alicia Shultz  
July 1, 2019  
Page 2

If further correspondence is required regarding this project, please refer to the SHPO Project Review (PR) number noted above. If you have any questions I can be reached at 518-268-2186.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Lloyd". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke.

Tim Lloyd, Ph.D., RPA  
Scientist - Archaeology  
timothy.lloyd@parks.ny.gov

via e-mail only



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

July 02, 2019

Ms. Alicia Shultz  
Planner  
HCR  
38 State Street  
Albany, NY 12207

Re: GOSR  
GOSR and DASNY-Old Fort Johnson Flood Mitigation  
2 Mergner Rd, Fort Johnson, NY 12070  
18PR07627

Dear Ms. Shultz:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

We have reviewed the revised Phase I archaeological survey report (SHPO Survey No. 19SR00291). SHPO recommended report revisions in a letter dated May 30, 2019, and we appreciate the submission of the revised report. A remnant of a foundation was identified within the project's Area of Potential Effect. This foundation remnant is described in the report as a feature of the late-nineteenth-century Mrs. HB Shepard archaeological site (SHPO Site No. 05745.000052), which was identified during an archaeological survey conducted in 1991. SHPO concurs with the report recommendation that the site is not eligible for listing in the New York State and/or National Registers of Historic Places and no additional archaeological work is necessary. No other archaeological resources were identified during the Phase I archaeological survey and SHPO has no additional concerns regarding that survey.

You recently submitted a change in the proposed work scope within the rear yard of Old Fort Johnson. In a letter dated July 1, 2019 (yesterday), SHPO recommended additional archaeological testing within this area.

If further correspondence is required regarding this project, please refer to the SHPO Project Review (PR) number noted above. If you have any questions I can be reached at 518-268-2186.

Sincerely,

Tim Lloyd, Ph.D., RPA  
Scientist - Archaeology  
timothy.lloyd@parks.ny.gov

via e-mail only

---

**Division for Historic Preservation**

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov



July 22, 2019

**Memorandum**

**To:**

Alicia Shultz, Senior Environmental Scientist  
New York State Homes & Community Renewal  
Governor's Office of Storm Recovery  
38-40 State Street, 408N, Hampton Plaza  
Albany, New York 12207

**Subject: Additional Phase I Archaeological Survey, Old Fort Johnson Flood Mitigation Project, Village of Fort Johnson, Montgomery County, New York (Louis Berger Reference 2004232.023.01.01.01); via electronic mail to: [Alicia.Shultz@nyshcr.org](mailto:Alicia.Shultz@nyshcr.org)**

This memorandum constitutes an addendum to the Phase I Archaeological Survey, Old Fort Johnson Flood Mitigation Project, Village of Fort Johnson, Montgomery County, New York, completed by Louis Berger U.S., Inc., a WSP Company (WSP), for the Governor's Office of Storm Recovery (GOSR) (Figures 1 and 2). The additional survey detailed in this memorandum was requested by the Office of Parks, Recreation and Historic Preservation (OPRHP) on July 1, 2019. The additional survey was requested in an effort to determine if any archaeological features were present within 15 meters (50 feet) of the rear of the building, similar to features identified at Johnson Hall, the nearby National Historic Landmark that was the second residence built by Sir William Johnson in Montgomery County. As part of the additional survey, WSP excavated seven 50x50-centimeter shovel tests at 5-meter (16-foot) intervals (E-1 through E-7) across the rear yard area in the vicinity of the proposed project improvements (see Figure 2).

*Project Background and Previous Survey*

The project is located approximately 0.6 kilometer (0.4 mile) west of the City of Amsterdam, Montgomery County, New York. The Area of Potential Effects (APE) for the project consists of the area within the project's limits of disturbance; it measures 0.3 hectare (0.65 acre) within the property of the Old Fort Johnson historic site at 2 Mergner Road in the Village of Fort Johnson in the Town of Amsterdam. The project, on the northwest corner of the intersection of New York State Route 5 and Route 67, is located on the north bank of the Mohawk River along the east and west banks of Kayaderosseras Creek. Proposed project measures include demolishing the concrete walls along the banks of Kayaderosseras Creek, adding a berm on the west side of the creek with new sidewalks, grading the area around the catch basin in the southwest corner of the site, installing a pedestrian bridge across the creek on new footings/abutments, and constructing a new parking area. The proposed flood mitigation measures are to be implemented to the extent feasible given the historic character of the property.

During the earlier Phase I survey WSP excavated 19 shovel tests and three mechanical trenches in the APE. The work was conducted between March 25 and April 25, 2019 (WSP 2019). Shovel tests were placed at intervals of 15 meters (50 feet) or less in all areas of planned subsurface disturbance. Three mechanical trenches were also excavated in the APE, two trenches on the east side of the creek and one trench on the west side of the creek. A minimal amount of nineteenth- to twentieth-century domestic refuse was recovered from disturbed contexts.

Shovel test profiles indicated that the project APE has experienced widespread disturbance from landscaping, prior flood mitigation work, road construction, building demolition, and subsurface drainage and utility emplacements. Trenching indicated that the area along the stream banks proposed for grading has been previously impacted by demolition and construction, including construction of the flood wall, and no intact sediments were present above basal stream cobbles.

The Phase I archaeological survey identified no intact subsurface deposits. Site 05745.000052, identified in 1991 by subsurface testing, was relocated within the APE; it is visible by a foundation stub that runs along the flood wall on the east side of the creek. The site has no associated archaeological deposits as a result of extensive grading and filling on that side of the creek, and it was WSP’s opinion that the site is not eligible for listing in the National Register of Historic Places.

*Subsurface Testing*

The testing methodology followed that of the earlier WSP (2019) survey, except that the testing interval was reduced to 5 meters (16 feet) between shovel tests. The shovel testing was conducted on July 12, 2019. Seven shovel tests, designated E-1 through E-7, were excavated across the rear yard area, extending from just west of the rear porch to the east edge of the house, and encompassing the area between the house and the modern garden (see Figure 2; Appendix A). Shovel tests ranged from 58 to 80 centimeters (1.9 to 2.6 feet) in depth and were terminated in sterile subsoil, with the exception of one shovel test that encountered a rock impasse at 58 centimeters (1.9 feet) below ground surface (bgs) (see Appendix A).

Soil texture and color varied somewhat, but the stratigraphy appeared to be relatively consistent across the yard area. In each test the first stratum encountered was a dark grayish brown (10YR 4/2) silty or fine sandy loam that extended to between 25 and 41 centimeters (0.9 to 1.3 feet) bgs. This was underlain by second stratum that was between 16 and 30 centimeters (0.5 and 1 foot) thick. In the six tests where a third stratum was encountered, the soil consisted of a yellowish brown (10YR 5/4 or 5/6) sandy silt to fine sandy loam. The upper contact with this third stratum was between 41 and 69 centimeters (0.9 and 2.2 feet) bgs.

Virtually all of the cultural material recovered came from the first stratum and consisted of mostly architectural debris and is primarily attributable to the late nineteenth or twentieth centuries, including a hexagonal-head carriage bolt and a 1974 nickel (Table 1). In two of the shovel tests (E-2 and E-3), a few large cobbles were identified at the base of the stratum. These did not appear to represent a surfacing material, as they were not tightly packed together and were underlain by the second stratum, which notably contained unburned coal fragments, occasional small brick fragments, and nothing else. The one exception to this pattern was in Shovel Test E-5, located just off the northeast corner of the house. In this test the second stratum was a compacted, light-colored soil containing abundant mortar fragments, roofing slate fragments, small brick fragments. Two historic artifacts and one possible lithic flake were recovered (see Table 1 and Appendix A).

TABLE 1. CULTURAL MATERIAL FROM REAR YARD TESTING AT OLD FORT JOHNSON

| STRATUM | SHOVEL TEST                  |     |                                |        |                                       |                              |                     |
|---------|------------------------------|-----|--------------------------------|--------|---------------------------------------|------------------------------|---------------------|
|         | E-1                          | E-2 | E-3                            | E-4    | E-5                                   | E-6                          | E-7                 |
| A       | 1 bolt,<br>1 roofing<br>tack | -   | 2 nails,<br>1 nickel<br>(1974) | 1 nail | 1 window<br>glass                     | 1 nail,<br>2 curved<br>glass | 2 bone<br>fragments |
| B       | NCM                          | -   | NCM                            |        | 1 whiteware,<br>1 nail,<br>1 debitage | NCM                          | NCM                 |
| C       | NCM                          | NCM | N/A                            | NCM    | NCM                                   | NCM                          | NCM                 |

NCM = no cultural material

No radial or supplemental shovel tests were excavated during the testing effort because (1) the reduced interval used for the testing is already consistent with radial testing, and (2) the possible locations of any additional tests at 5 meters would have either fallen outside the proposed area of impact for the project or overlapped the previous testing grid (see Figure 2).

### *Discussion*

It was expected that close-interval testing in the rear yard area would likely result in the recovery of some amount of cultural material, even if it was not attributable to the eighteenth-century occupation of the property or was significantly impacted by later disturbance, such as the refurbishment/reconstruction of the stable/caretaker's house or numerous landscaping episodes. In any case the stratigraphy was consistent enough across the area to reach some tentative conclusions about the central portion of the rear yard.

First, there has been conjecture that some type of courtyard surface may be present in the rear yard, as a courtyard surface was identified in the front yard. The front courtyard surface was found at approximately 30 centimeters (1 foot) bgs and consisted of an upper pavement of mortared limestone capping an earlier surface of waterworn cobbles 1 to 2 inches in diameter, and it was estimated to be 10 meters (40 feet) wide along the front of the house (Lenig in Mendel-Mesick-Cohen 1978). Beyond the presence of a few cobbles between approximately 20 and 30 centimeters (0.6 and 1 foot) bgs in two of the shovel tests, there was no indication of any kind of a courtyard surface in the rear yard. The cobbles encountered in the rear yard were much larger (10 to 20 centimeters [4 to 8 inches] in diameter) than those recovered in the front yard and in both shovel tests were underlain by a stratum that contained an appreciable amount of coal, which was present in this stratum across the rear yard. Coal was not a common fuel source in the eighteenth century, and all indications are that coal was not used as a heat source at Old Fort Johnson until the nineteenth century.

Based on the stratigraphy, with coal fragments underlying the cobbles, their large size relative to the eighteenth-century pavement in the front yard, and the limited extent of the cobble deposit, the stones recovered in the rear yard do not appear to represent any type of courtyard or other feature. Period photos from the late nineteenth century do not show any type of courtyard feature, although they do show pathways in the yard (Figures 3 and 4). These appear to be either earthen or some other fine material. A pathway consisting of crushed stone, cinder, and coal ash was identified during the excavations in the front yard, and it is possible that the rear yard pathways were covered with a similar material. The pathways shown in nineteenth-century images appear to correlate fairly well with the pathways interpreted from the geophysical survey data, but no attempt was made at that time to confirm the data with archaeological excavations (Stull et al. 2014: figure 9). Regardless of whether they were capped or earthen, they are clearly not cobblestone paths, so the source of the cobbles in the rear yard is unknown. Col. Guy Johnson's sketch of the property published in 1759 shows no details in the rear yard and indicates that the rear entry had not yet been added. The first evidence that the rear entry was present dates to 1853, so it may not have been added until sometime in the nineteenth century (Mendel-Mesick-Cohen 1978).

Beyond the noted presence of the large cobbles, the stratigraphy across the rear yard appears to be consistent, with a dark grayish brown silty to sandy soil approximately 30 centimeters thick and containing a light scatter of late nineteenth-century to modern, mostly architectural materials. This likely correlates with the twentieth-century ownership of the site by the Montgomery County Historical Society, and likely represents landscaping fill, with debris from various restoration and construction activities at the site. The second stratum seems to represent the original eighteenth- to nineteenth-century topsoil, although it is atypical for a nineteenth-century yard deposit in that no cultural material beyond small coal and brick fragments was found. It is possible that this relatively clean soil is in itself a landscaping fill and was transported to the site from another location, but if this is the case, then the original topsoil or surface soil has been truncated, as it is underlain by sterile yellowish brown silty sand. Worth noting is that the grade of the rear yard,

especially along the rear wall of the house, is apparently unchanged since before 1900. Both the rear entry and bulkhead entry look essentially the same now as in circa 1890 (see Figures 3 and 4). Although the current grade may essentially have been a return to a previous grade after the renovation of the former stable, the paths shown in the nineteenth-century imagery appear to correlate to geophysical anomalies that are still present (Stull et al. 2014: figure 9).

The unusual deposit in Shovel Test E-5 located off the northeast corner of the house did contain clearly non-modern artifacts, although the soil appeared more like fill/redeposited soil. Compact and containing abundant mortar and small brick fragments as well as roofing slate fragments, this soil was much lighter in color (yellowish brown) than anywhere else in the yard area. Located 3 meters (10 feet) north of the rear wall of the house, it is unlikely that this is part of the builders' trench for the foundation, and the roofing slate seems to indicate that this deposit also dates to the late nineteenth century. Mendel-Mesick-Cohen (1978) seem to favor a late nineteenth-century date for the installation of the slate roof, which was placed directly over an older wood shingle roof. This mixed deposit also included a single chert flake. Scattered lithic artifacts have been documented on the property before, although some may be attributable to eighteenth-century gunflint maintenance (Stull et al. 2014). This long narrow flake is neither the right size to be related to gunflint maintenance nor the right quality of material to make a suitable gunflint. It may be indicative of occupation that predates the house or represents flintknapping activities that may have taken place during one of the many interactions between Sir William Johnson and Native Americans.

#### *Summary and Conclusions*

On behalf of GOSR, WSP conducted additional Phase I archaeological investigations in the rear yard of Old Fort Johnson as part of the Old Fort Johnson Flood Mitigation Project. The additional survey was requested by OPRHP to determine if any archaeological features were present within 15 meters (50 feet) of the rear of the building, similar to features identified at Johnson Hall, the nearby National Historic Landmark that was the second residence built by Sir William Johnson in Montgomery County. As part of the additional survey, WSP excavated seven 50x50 centimeter shovel tests at 5-meter (16-foot) intervals across the rear yard area in the vicinity of the proposed project improvements (see Figure 2).

Thirteen artifacts and two bone fragments were recovered, primarily from the uppermost stratum of the soil profile. These artifacts consist primarily of historic to modern architectural debris, including seven fasteners (nails, a bolt, a roofing tack) and one piece of window glass. A nickel dating to 1974 was also recovered. One fragment of whiteware and one piece of lithic debitage were recovered from one of the seven tests; however, they came from a disturbed stratum and date no earlier than the late nineteenth century. This shovel test was also located outside the proposed area of impact. No evidence of any eighteenth-century deposits or features was identified.

Based on the results of this additional survey, it is WSP's opinion that no further archaeological investigation in the APE is necessary and that the project may proceed as planned.

#### *References*

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Preservation, Heritage Conservation and Recreation Service, U.S Department of the  
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Montgomery County Historical Society

2019 Archival materials. On file, Old Fort Johnson, 2 Mergner Road, Fort Johnson, New York.

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2016b *Tribes Hill, NY*. 7.5-Minute Series Topographic Quadrangle. United States Geological Survey, Reston, Virginia, <https://nationalmap.gov/ustopo/>.

WSP [Louis Berger U.S., Inc.]

2019 *Phase I Archaeological Survey, Old Fort Johnson Flood Mitigation Project, Village of Fort Johnson, Montgomery County, New York* (Revised). Prepared for Governor's Office of Storm Recovery, Albany, New York.

#### *Figures*

- 1 Location of Project Area of Potential Effects (APE)
- 2 Plan Map of Project APE Showing Subsurface Testing
- 3 Historical Photograph of the Rear Yard (circa 1898)
- 4 Historical Photograph of the Rear Yard (dated March 1898)

#### *Appendix A: Shovel Test Log*

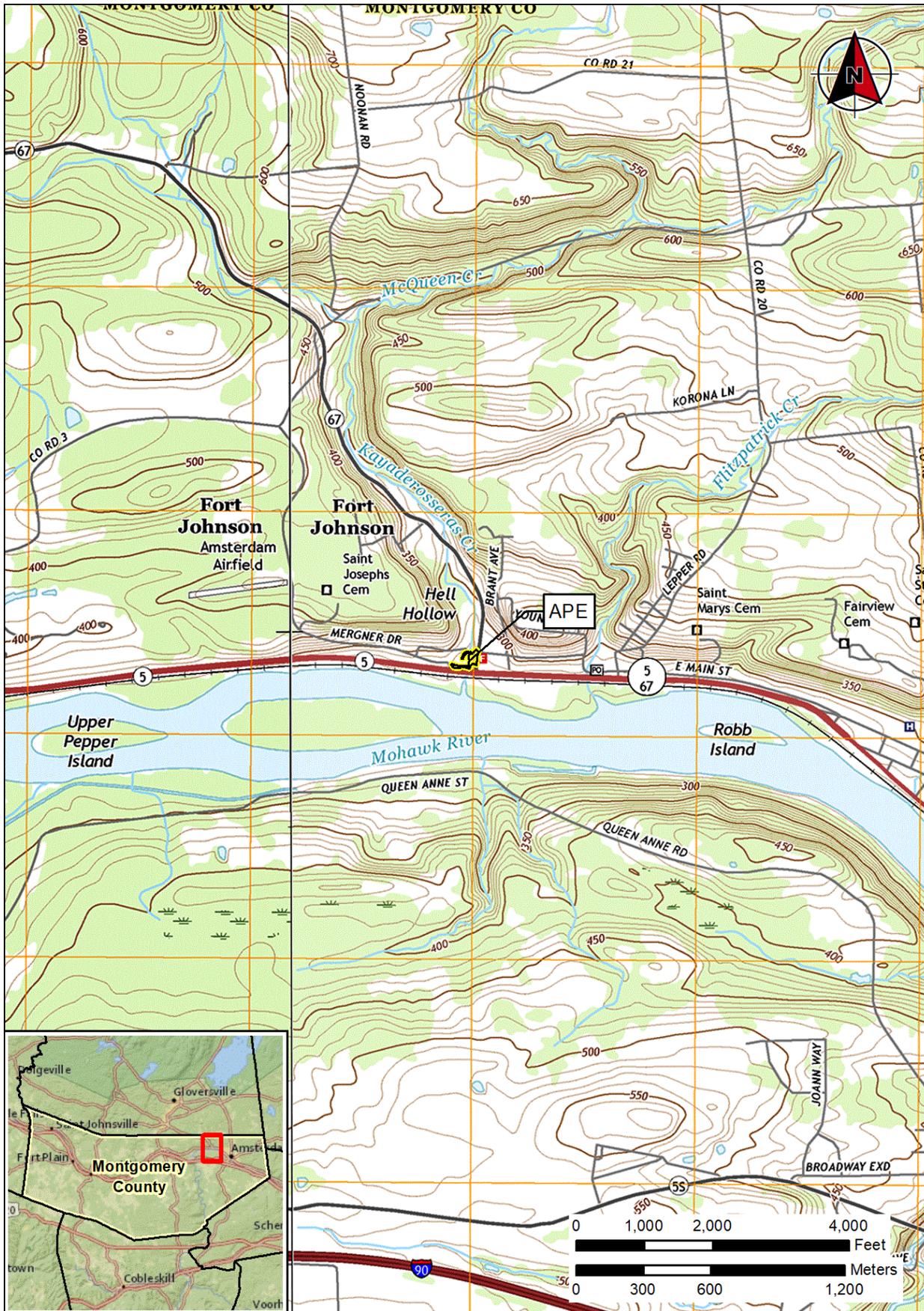


FIGURE 1: Location of Project Area of Potential Effects (APE) (USGS Amsterdam 2016a, Tribes Hill 2016b)

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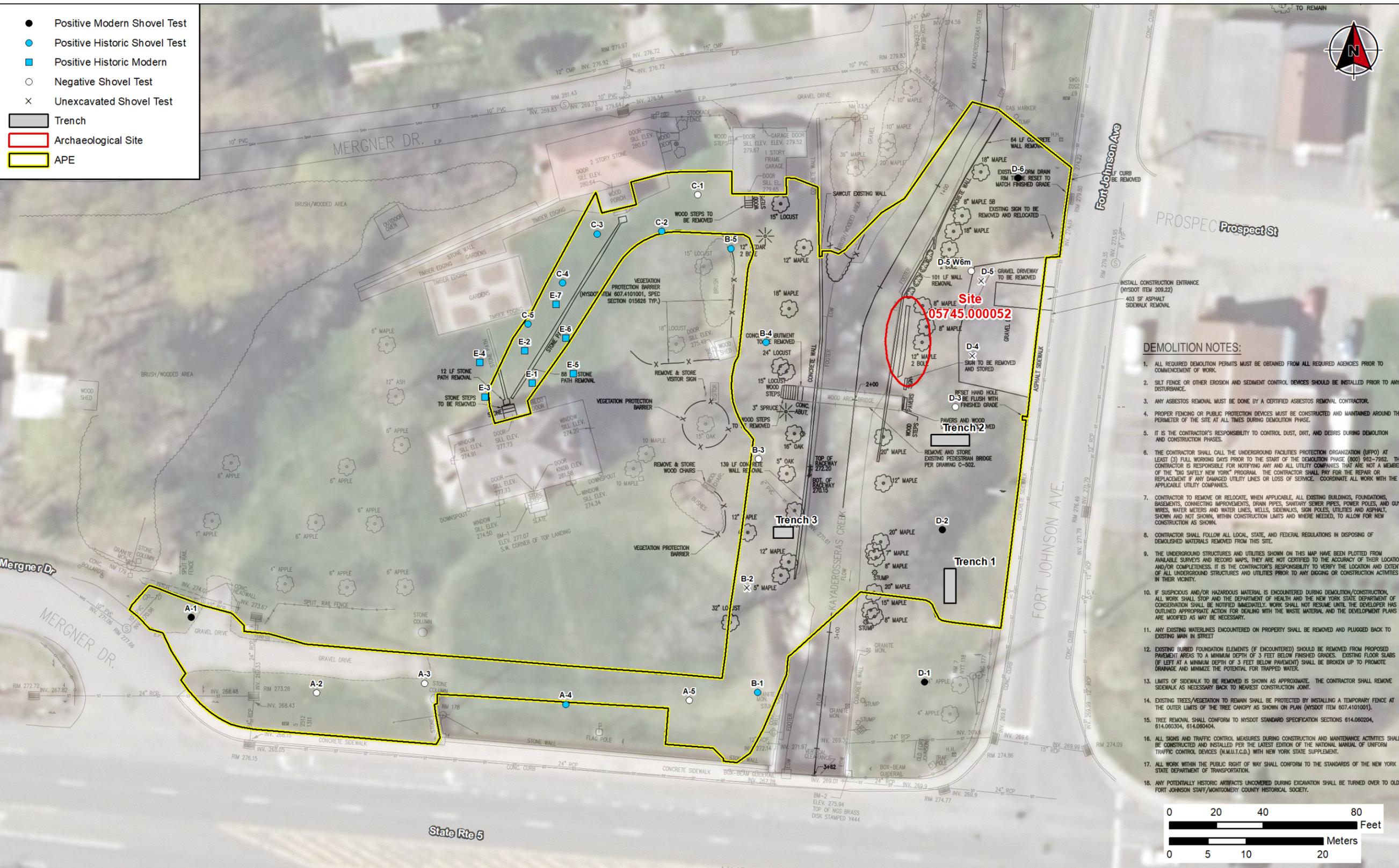


FIGURE 2: Plan Map of Project APE Showing Subsurface Testing (ESRI World Imagery 2017)



FIGURE 3: Historical Photograph of the Rear Yard (circa 1898)  
(Montgomery County Historical Society 2019)



FIGURE 4: Historical Photograph of the Rear Yard (dated March 1898)  
(Montgomery County Historical Society 2019)

| STP | Stratum | Depth to Base of Stratum |      | Soil Color                       | Texture                    | Coarse Fraction                           | Artifact Cat. # | Comments   |
|-----|---------|--------------------------|------|----------------------------------|----------------------------|---|-----------------|--|
|     |         | cm                       | ft   |                                  |                            |   |                 |  |
| E-1 | A       | 41                       | 1.34 | 10YR 4/2 Dark Grayish Brown      | Silt Loam                  | 15 percent small gravels and pebbles      |                 | 1 hexhead carriage bolt, 1 roofing tack  |
|     | B       | 66                       | 2.16 | 10YR 4/2 Dark Grayish Brown      | Silt Loam                  | 5 percent cobbles and small gravels       | NCM             | Coal fragments discarded   |
|     | C       | 75                       | 2.46 | 10YR 5/4 Yellowish Brown         | Fine Sandy Silt            | Few gravels                               | NCM             |  |
| E-2 | A       | 35                       | 1.15 | 10YR 4/2 Dark Grayish Brown      | Silt Loam                  | 15-20 percent cobbles                     | NCM             |  |
|     | B       | 58                       | 1.90 | 10YR 4/2 Dark Grayish Brown      | Silt Loam                  | 5 percent small gravels and pebbles       | NCM             | Coal and small brick fragments discarded   |
|     | C       | 80                       | 2.62 | 10YR 5/4 Yellowish Brown         | Sandy Silt                 | Few gravels                               | NCM             |  |
| E-3 | A       | 28                       | 0.92 | 10YR 4/2 Dark Grayish Brown      | Fine Sandy Silt            | 10-15 percent cobbles                     |                 | 2 wire nails, 1974 nickel  |
|     | B       | 58                       | 1.90 | 10YR 4/2 Dark Grayish Brown      | Silt Loam                  | 5 percent small gravels and pebbles       | NCM             | Coal fragments discarded; rock impasse at base   |
| E-4 | A       | 25                       | 0.82 | 10YR 3/2 Very Dark Grayish Brown | Fine Sandy Loam            | Few gravels                               |                 | 1 wire nail  |
|     | B       | 41                       | 1.34 | 10YR 4/2 Dark Grayish Brown      | Silty/Fine Sandy Loam      | 10-15 percent small gravels and cobbles   | NCM             | Coal and small brick fragments discarded   |
|     | C       | 75                       | 2.46 | 10YR 5/4 Yellowish Brown         | Fine Sandy Loam            | 5 percent small gravels and cobbles       | NCM             |  |
| E-5 | A       | 32                       | 1.05 | 10YR 4/2 Dark Grayish Brown      | Fine Sandy Loam            | 5 cobbles and angular limestone fragments |                 | 1 window glass   |
|     | B       | 69                       | 2.26 | 10YR 5/6 Yellowish Brown         | Compact Gravelly Silt Loam | 10-15 percent small gravels and cobbles   |                 | 1 whiteware, 1 nail, 1 possible flake; abundant mortar, small brick fragments and coal fragments discarded |
|     | C       | 80                       | 2.62 | 10YR 5/4 Yellowish Brown         | Very Fine Sandy Loam       | <5 percent small gravels and cobbles      | NCM             |  |
| E-6 | A       | 28                       | 0.92 | 10YR 4/2 Dark Grayish Brown      | Fine Sandy Loam            |   |                 | 1 nail, 2 curved glass   |
|     | B       | 52                       | 1.71 | 10YR 4/2 Dark Grayish Brown      | Silty/Fine Sandy Loam      | 10-15 percent small gravels and cobbles   | NCM             | Coal fragments discarded   |
|     | C       | 75                       | 2.46 | 10YR 5/4 Yellowish Brown         | Fine Sandy Loam            | <5 percent small gravels and cobbles      | NCM             |  |
| E-7 | A       | 29                       | 0.95 | 10YR 4/2 Dark Grayish Brown      | Silt Loam                  |   |                 | 2 bone fragments   |
|     | B       | 48                       | 1.57 | 10YR 4/4 Dark Yellowish Brown    | Silty/Very Fine Sandy Loam | 10-15 percent small gravels and cobbles   | NCM             |  |
|     | C       | 68                       | 2.23 | 10YR 5/4 Yellowish Brown         | Sandy Silt                 | 15-20 percent cobbles                     | NCM             | Rock Impasse   |



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

July 23, 2019

Ms. Alicia Shultz  
Planner  
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38 State Street  
Albany, NY 12207

Re: GOSR  
GOSR and DASNY-Old Fort Johnson Flood Mitigation  
2 Mergner Rd, Fort Johnson, NY 12070  
18PR07627

Dear Ms. Shultz:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

We have reviewed the Memorandum entitled "Additional Phase I Archaeological Survey, Old Fort Johnson Flood Mitigation Project, Village of Fort Johnson, Montgomery County, New York" (July 22, 2019). SHPO recommended the additional archaeological survey in the rear yard of the building in response to the revised project plans. SHPO concurs with the Memorandum's recommendation that no significant archaeological features were identified. SHPO has no additional concerns regarding the project's potential to affect archaeological resources.

In a letter dated July 1, 2019, SHPO Historic Site Restoration Coordinator Weston Davey requested additional information regarding the proposed platform at the rear entrance of the building. SHPO will provide additional comments after that information has been received.

If further correspondence is required regarding this project, please refer to the SHPO Project Review (PR) number noted above. If you have any questions, I can be reached at 518-268-2186.

Sincerely,

Tim Lloyd, Ph.D., RPA  
Scientist - Archaeology  
timothy.lloyd@parks.ny.gov

via e-mail only

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**Division for Historic Preservation**

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

July 26, 2019

Ms. Alicia Shultz  
Planner  
HCR  
38 State Street  
Albany, NY 12207

Re: GOSR and DASNY  
Old Fort Johnson Flood Mitigation  
2 Mergner Rd, Fort Johnson, Montgomery County  
18PR07627

Dear Ms. Shultz:

Thank you for your ongoing consultation the New York State Historic Preservation Office (SHPO). We continue to review the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

Since Old Fort Johnson is a National Historic Landmark we have reviewed the structural plans dated 11/02/2018. Our Archaeological Unit has no further concerns. Based upon our review it is the SHPO's opinion that the project will have No Adverse Effect on historic or archaeological resources.

If you have any questions, I can be reached at 518-268-2187.

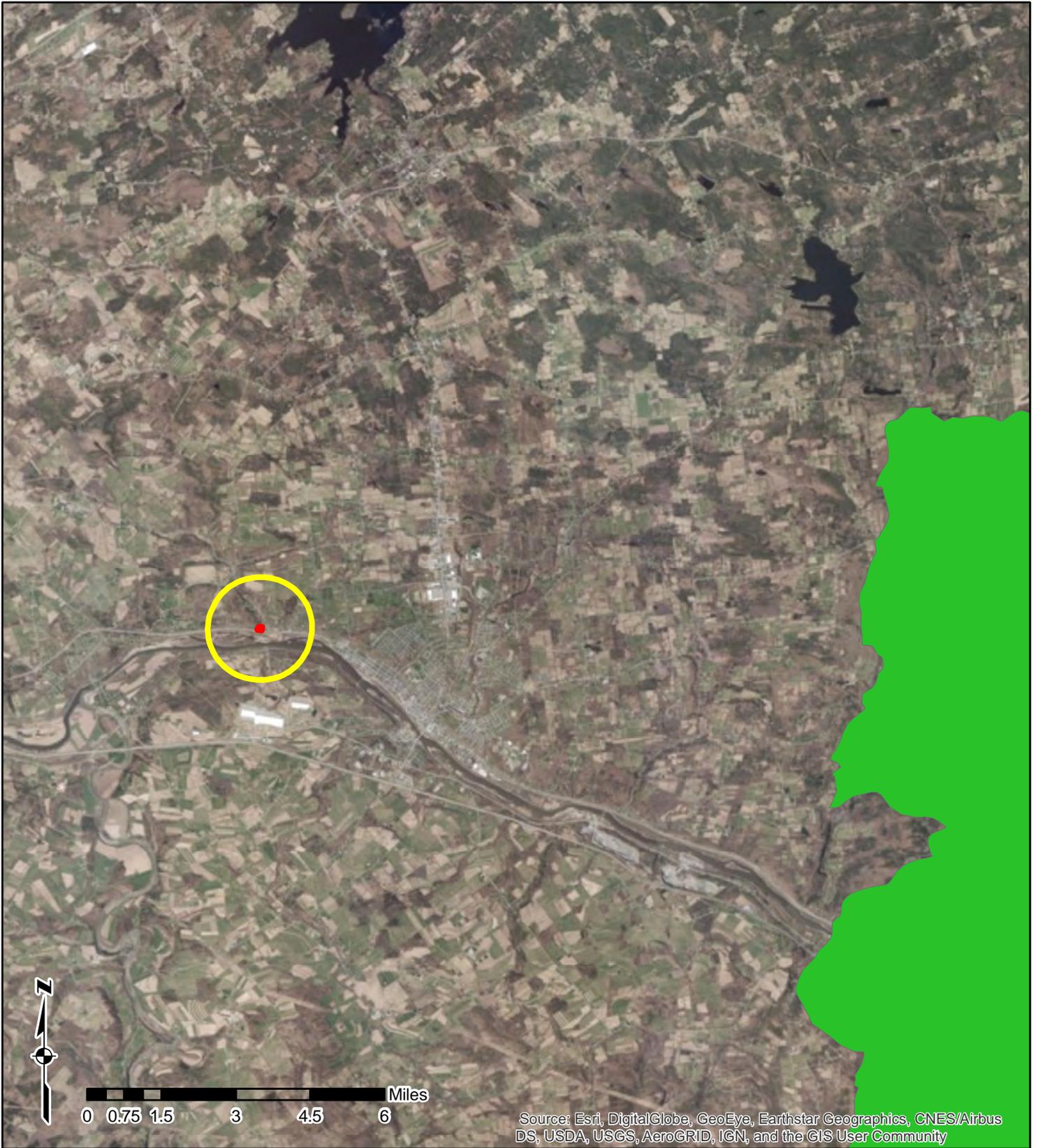
Sincerely,

Derek Rohde  
Historic Site Restoration Coordinator  
e-mail: derek.rohde@parks.ny.gov

via e-mail only

# **APPENDIX H**

## **SOLE SOURCE AQUIFERS**



**Legend**

-  One Mile Project Area Buffer
-  Project Area
-  Schenectady-Niskayuna SSA

# Sole Source Aquifers

Old Fort Johnson  
 2 Mergner Road, City of Fort Johnson  
 Montgomery County, New York

