RANSOM PARK IMPROVEMENTS PROJECT

ENVIRONMENTAL ASSESSMENT

Prepared by:
Tectonic Engineering & Surveying
PO Box 37, 70 Pleasant Hill Road
Mountainville, NY 10953

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

August 30, 2019
# Ransom Park Improvements Project

**Environmental Assessment**

**August 30, 2019**

**Project Name:** Ransom Park Improvements Project

**Project Locations:**
- *Ransom Park*: 3054 Route 17C (Tax ID: 149.09-1-18.2) and the *Pipe Creek* work area: 3027 State Route 17C (Tax ID: 148.08-1-25.1), Hamlet of Tioga Center, Town of Tioga, Tioga County, New York

**Federal Agency:** U.S. Department of Housing and Urban Development (HUD)

**Responsible Entity:** New York State Homes and Community Renewal (HCR)

**Responsible Agency’s Certifying Officer:**
- Lori A. Shirley, Certifying Environmental Officer
- 38-40 State Street, Hampton Plaza
- Albany, New York 12207
- (518) 474-0755, Lori.Shirley@nyshcr.org

**Project Sponsor:** Town of Tioga

**Primary Contact:**
- Lewis Zorn, Town of Tioga Supervisor
- 54 Fifth Avenue
- Barton, NY 13734
- Phone: (607) 687-2292
- Email: lzornsupervisor@htva.net

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

<table>
<thead>
<tr>
<th>Environmental Finding:</th>
<th>☑ Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.</th>
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<td></td>
<td>☐ Finding of Significant Impact - The project may significantly affect the quality of the human environment.</td>
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**Certification**

The undersigned hereby certifies that New York State Homes and Community Renewal has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.

**Signature**

Lori A. Shirley

**Environmental Assessment Prepared By:**
- Tectonic Engineering & Surveying
- PO Box 37, 70 Pleasant Hill Road
- Mountainville, NY 10953
CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activities proposed in its 2019 NYS CDBG-DR project, Ransom Park Improvements Project are:

Check the applicable classification.

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

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

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

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

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

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

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

Lori A. Shirley ________________________________  August 30, 2019 __________________________
Signature of Certifying Officer  Date

Lori A. Shirley ________________________________  Certifying Environmental Officer
Print Name  Title
CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activities proposed in its 2019 NYS CDBG-DR project, Ransom Park Improvements Project 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

______________________________  August 30, 2019
Signature of Certifying Officer  Date

Lori A. Shirley  ___________________________  Certifying Environmental Officer
Print Name  Title
Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
The Ransom Park Improvements Project (Project) will involve streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. Ransom Park is located at 3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 149.09-1-18.2) and the work on Pipe Creek will occur on a property located at 3027 State Route 17C, Tioga Center, NY (Tax ID: 148.08-1-25.1). Project location maps are included in Attachment 1. Project Engineering Drawings are included in Attachment 2.

The Project will involve stream bank protection activities in two locations, where a total of seven (7) stream rock barbs will be installed in Pipe Creek: five (5) will be located upstream and west of Ransom Park and two (2) will be located immediately downstream and east of Ransom Park. The five (5) upstream barbs will be installed on a privately-owned parcel of land (Tax ID: 148.08-1-25.1). Improvements to Ransom Park will include the installation of a paved walking path, a concrete pad with an outdoor bench along the walking path, and signage along the walking path. Tree clearing will be performed as needed, though it is estimated approximately six (6) trees will need to be removed. Topsoil, seed, and mulch will be applied to all disturbed areas. Any stockpiled soil will be stabilized with either seed or a secured impervious cover and surrounded by silt fencing. Erosion and sediment controls will be installed, which will include the use of a temporary compost sock above the high-water mark of Pipe Creek to prevent the discharge of sediment into Pipe Creek.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:
On September 7, 2011, Tropical Storm Lee stalled over the Southern Tier and dropped over 11 inches of rain on Tioga County during a 24-hour period. Torrential rains, coupled with saturated soil and a swollen Susquehanna River from Hurricane Irene, which occurred the week of August 28, 2011, led to record high water levels.

Rising waters of the Susquehanna River associated with Hurricane Irene and Tropical Storm Lee caused severe flash flooding, and destroyed homes, businesses, infrastructure, and agricultural land in the Town of Tioga. Because of the storms, many roads in Tioga were closed, including Halsey Valley, State Highway 96, Glen Mary Drive, and sections of NYS Route 17C. The southern portion of Halsey Valley Road that connects to 17C is a critical connector in the Town and its closure limited emergency vehicles’ access during and immediately after the storm.

The extreme rains also caused water in Pipe Creek to overrun its banks. Excess velocity, coupled with sediment and debris in the Creek, resulted in an estimated $1.6 million in culvert repairs. The Tioga Central School District bus garage located in Tioga Center sustained approximately $300,000 in damage, and the Town’s Ransom Park required $100,000 in repairs. Floodwaters associated with Tropical Storm Lee also washed away the Town’s unprotected salt supply, causing potential environmental contamination, which can negatively affect the productivity of nearby agricultural lands.

In addition, Hurricane Irene and Tropical Storm Lee altered the streams, creeks, and river within the Tioga Community by eroding their banks and creating unstable riparian areas. Sediment and debris that eroded from the upslope areas of the various watersheds moved downstream and settled in areas already impounded by culverts or debris or located in “slack water” areas of the Susquehanna River. The erosion and sedimentation created flooding situations in the Tioga Community where the streams were blocked due to undersized culverts or where the waters of the Susquehanna were ‘backing up’ into the stream bed.

In addition to physical damage, floodwaters associated with Tropical Storm Lee negatively impacted the quality of life for residents in the Town of Tioga. The local branch of the U.S. Post Office, located in Tioga Center, was flooded with 8 feet of water because of the storm and as a result, was permanently closed, and the community’s zip code was removed from service.
The proposed Project would make Ransom Park resilient to future storms and save the Town from future repair costs. The streambank restoration components of the Project will not only protect Ransom Park from future flood damage but will also help relieve the Town of flooding overall.

In-stream rock barb structures function to alter the hydraulics of the flowing water in the channel. When designed and installed properly, in-stream rock barbs reduce the shear stresses on the outside bank, preventing erosion and lateral migration, while slowing and re-directing the higher velocity flows away from the affected bank, in addition to encouraging deposition on the affected bank side and assisting in proper sediment pass through of the treated reach.

The two proposed rock barb installation locations were selected due to the existing and current lateral migration of the stream occurring during high flow events, threatening private property, Town property and railroad property. Installing the rock bars in the locations proposed would prevent further lateral migration of the stream in two key areas, preventing potential costly repairs for residents and the Town in the future. The rock barb installation would prevent the excess buildup of gravel bars and the accelerated lateral migration of sediment in the stream.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:
The proposed Project is located in the Town of Tioga, in southern Tioga County, New York. The Town of Tioga is primarily an agricultural community located in the center of Tioga County and encompasses approximately 59 square miles. Tioga is bounded by the Susquehanna River to the south, the Village of Owego and Glen Mary Drive to the east, the Town of Candor to the north, and the Town of Barton to the west.

Major drainage features in the Town include the Susquehanna River to the south and east, Owego Creek, and Pipe Creek to the east. The Tioga Town Center is located approximately 0.3 mile west of the north bank of the Susquehanna River in its historical upper floodplain. The section of the Susquehanna River between Smithboro and Tioga Town Center has a series of floodplains with varied elevations that step down to river level. Pipe Creek is located at the northern edge of the Town. It has a watershed of 46.4 square miles and approximately 68% of its watershed is covered by forest. Pipe Creek historically tops its banks during heavy rains, causing flooding and damaging parts of the Town’s infrastructure, including flooding of the Tioga Central School District’s bus garage.

After the 2006 storms, the Town used $100,000 in FEMA Public Assistance funding to repair the barn in Ransom Park, stabilizing walls and installing a concrete foundation to replace the earthen one originally installed. The proposed Project would further enhance those improvements and advance resiliency strategies to mitigate the damage of future storms. A key strategy for the Town of Tioga is to protect their assets; as the only park in the Town, Ransom Park is an important community asset that merits such protection.

**Funding Information**

| Estimated Total HUD Funded Amount: | $223,920.00 |
| CDBG-DR                          | $223,920.00 |

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: $223,920.00
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.

### Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

<table>
<thead>
<tr>
<th>Compliance determinations</th>
<th>Are formal compliance steps or mitigation required?</th>
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<tr>
<td><strong>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</strong></td>
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| **Airport Hazards** 24 CFR Part 51 Subpart D | Yes No | Based on guidance provided by HUD via Fact Sheet #D1\(^1\), the National Plan of Integrated Airport Systems (NPIAS) was reviewed for civilian, commercial service and military airports located near the Project. This review is summarized in the Airport Hazards Map included in Attachment 3.

There are no civilian, commercial service airports located within 2,500 feet of the proposed Project. There are no military airports located within 15,000 feet of the Site. No additional review is required. |

| **Coastal Barrier Resources** Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes No | Based on the USFWS Coastal Barrier Resources System Map\(^2\) included in Attachment 3, the Project is not located in, or within 150 feet of, a Coastal Barrier Resource System Unit or Otherwise Protected Area. |

| **Flood Insurance** Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | Yes No | Based on the FEMA National Flood Hazard Map included in Appendix II of Attachment 4, the proposed Project is located within a FEMA\(^3\) designated flood zone (100-year floodplain, Special Flood Hazard Area – Zone AE).

However, proof of National Flood Insurance Program (NFIP) insurance is not required as the proposed Project does not involve insurable structures. |

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\(2\) USFWS Coastal Barrier Resources. [https://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html](https://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html)

\(3\) FEMA Flood Map Service Center. [https://msc.fema.gov/portal](https://msc.fema.gov/portal)
The proposed Project is located in Tioga County, which is listed as a current attainment area\(^4\) for particulate matter (PM\(_{2.5}\) or PM\(_{10}\)), carbon monoxide, and ozone. Therefore, a conformity and screening analysis was not performed according to the requirements of 40 CFR 93, Subpart B (federal general conformity regulations).

The proposed Project would not generate significant levels of vehicular traffic; therefore, no exceedances of the National Ambient Air Quality Standard (NAAQS) associated with carbon monoxide (CO) or particulate matter (PM) is anticipated occur. The proposed Project will not result in siting any new source of air pollutants. The proposed Project will not adversely affect the State Implementation Plan (SIP). Any air quality impacts would be short-term and localized during construction and, therefore, no significant adverse impacts to air quality are anticipated. However, it is recommended that construction activities are conducted in such a way as to ensure acceptable air quality during these activities (e.g., through minimization of volatile organic compounds and nitrogen oxides emissions, mindful operation of gas-powered construction equipment to avoid prolonged idling, or fugitive dust management during construction). It is also recommended that low-VOC materials and inventory and energy star efficient equipment are used, as practicable.

Not applicable. The proposed Project is not located within the New York State Coastal Boundary (Attachment 3).

Based on a review of available environmental records for the Project area and the surrounding area, the Project area is unlikely to contain hazardous materials, contamination, toxic chemicals and gases, or radioactive substances which would constitute a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the Project area.

EPA, Recent Updates: Federal Register Notices Published or Effective After September 22, 2016 http://www.epa.gov/airquality/greenbook/adden.html
## Contamination and Toxic Substances

24 CFR Part 50.3(i) & 58.5(i)(2)

Therefore, a Phase I Environmental Site Assessment (ESA) or Phase II Investigation is not warranted. An in-depth review of state and federal records, including maps, NYSDEC reports, and EPA reports, are included as part of Attachment 5.

## Endangered Species

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

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Based on a review of the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM), the proposed Project does not fall within an area displayed in the Rare Plants and Rare Animals layer. Therefore, the New York Natural Heritage Program (NYNHP) does not possess records of rare plants or animals in the vicinity of the Project area and consultation is not required. Documentation of the NYSDEC ERM review is included in Attachment 6.

The USFWS lists the federally threatened Northern Long-eared Bat (NLEB) (*Myotis septentrionalis*) and migratory birds of concern as protected species with the potential to occur within the vicinity of the proposed Project site. The Information for Planning and Consultation (IPaC) Resource List indicates that there are seven (7) species of migratory birds protected by the MBTA and BGEPA that could potentially be affected by the proposed Project, including the Bald Eagle (*Haliaeetus leucocephalus*). However, there are no known breeding bald eagles within the vicinity of the proposed Project site; therefore, no adverse impacts to breeding bald eagles are expected to occur as a result of the proposed Project. Migratory birds are expected to temporarily leave the area during construction due to noise and disturbance. Therefore, the proposed Project is likely to have no effect on migratory birds of concern.

A USFWS consultation request was submitted on February 20, 2019 to determine if Project activities will affect NLEB populations and is included in Attachment 6. There are no NLEB hibernaculum has been documented within 0.25 mile from the Project site. There are currently no known maternity roost trees or hibernacula known to be occupied by NLEB within the vicinity of the Project location according to

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5 Request Natural Heritage Data [https://www.dec.ny.gov/animals/31181.html](https://www.dec.ny.gov/animals/31181.html)
Endangered Species
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

geospatial information provided by the USFWS. The main impact of concern for bats is the removal of potential roost trees. GOSR will strive to remove trees between November 31 and March 1. However, due to construction limits the trees may need to be removed during the active season.

The NLEB 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. The Project site consists of an existing recreational park surrounded by agricultural land, low density residential developments, and open grassy areas with forested areas and streams nearby.

Due to the potential for active season tree removal, GOSR determines that the Project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule. However, while both the USFWS and GOSR recommend that tree cutting occur between November 1 and March 31, this may not be feasible due to construction schedules which have not been finalized.

Therefore, as indicated in the consultation package included in Appendix 6, GOSR has determined that the proposed Project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule. The NLEB 4(d) Rule Streamlined Consultation Form indicates that 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...
### Endangered Species

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

Responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO.

The USFWS response was not received within 30 days from submission of this determination to USFWS. Therefore, GOSR may presume that its determination regarding the NLEB is informed by the best available information and that its responsibilities under Section 7(a)(2) of the Endangered Species Act with respect to the NLEB are fulfilled, as documented in Attachment 6.

### Explosive and Flammable Hazards

24 CFR Part 51 Subpart C

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Not applicable.

This criterion is applicable to HUD-assisted projects that involve new residential construction, conversion of non-residential buildings to residential use, rehabilitation of residential properties that increase the number of units, or restoration of abandoned properties to habitable condition. The proposed Project does not include these activities. Further, the proposed Project does not involve the introduction of bulk storage of hazardous materials.

### Farmlands Protection

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658

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Not applicable.

The Project is not located within a New York State (NYS) Agricultural District. While the Project is located in an area designated as “prime farmland” by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Farmland Classification Map, and the Project does cause new disturbance to Prime Farmland, this Project does not involve the conversion of farmland to non-agricultural use and at least part of the Project activities will be conducted within Pipe Creek. Therefore, the proposed Project would not violate the Farmland Protection Policy Act. No further review is required.

The NYS Agricultural District Map and USDA NRCS reports are included as part of Attachment 7.

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**Floodplain Management**  
Executive Order 11988, particularly section 2(a); 24 CFR Part 55

Yes No

Based on the FEMA\(^7\) FIRMette included in *Appendix II* of *Attachment 4*, the Project is located within a FEMA designated flood zone.

A Floodplain Management & Wetlands Protection Determination was completed pursuant to 24 CFR 55.12(a)(4) and is included as *Attachment 4*. It was determined that there is no better alternative than to provide funding for the Project.

Project activities do not involve insurable structures; these structures would not be included in calculations as defined by 24 CFR 55.2(b)(10).

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**Historic Preservation**  
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.

Yes No

Section 106 approval was obtained.

No recorded historic properties are located on or immediately adjacent to the Subject Property which are eligible for the State and National Register of Historic Places. There is one (1) listed and one (1) eligible National Register sites, three (3) archaeological sites, three (3) NYSM sites located within approximately 1,000 feet of the Project area, according to the New York State Historic Preservation Office (SHPO). SHPO requested a Phase I Archaeological Survey which was completed and submitted to SHPO in August 2019. The survey did not find any archaeological resources. SHPO responded on August 14, 2019 that because no archaeological resources were identified, SHPO concurs with the report recommendation that no additional archaeological work is necessary. “It is SHPO’s opinion that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.” No further action is required. See SHPO findings, annexed hereto as *Attachment 8*.

Project information was sent to the THPO of the Onondaga Nation on August 16, 2019 for a determination if there are any significant cultural resource concerns with the Project (*Attachment 8*). Any response received from the THPO of the Onondaga Nation will be incorporated into the requirements under this environmental review.

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\(^7\) FEMA Flood Map Service Center. [https://msc.fema.gov/portal](https://msc.fema.gov/portal)
| **Historic Preservation** | National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance. | and appended to Attachment 8.  
In the event of any inadvertent discoveries of human remains and/or cultural resources including, but not limited to, funerary objects, sacred objects and objects of cultural patrimony are made during execution of the project scope, then work shall be halted immediately and the SHPO and THPO of all appropriate Tribes, Nations and Communities shall be consulted before work can be resumed. |
| **Noise Abatement and Control** | **Yes No** ![Yes](on) ![No](off) | **The proposed Project use is not a noise-sensitive use.** The proposed Project activities are not expected to generate excessive noise during the short-term construction work and will adhere to local noise control standards. The proposed Project activities will be completed in accordance with all applicable federal, state and local laws, regulations, and permit requirements and conditions. Therefore, the proposed Project is not expected to generate any significant adverse noise impacts. |
| **Sole Source Aquifers** | **Yes No** ![Yes](on) ![No](off) | The Project is located above the Clinton Street Ballpark SSA. The Project activities were reviewed according to the non-housing project activity initial screen criteria form and a sole source aquifer analysis and consultation was submitted to the EPA on April 5, 2019. The EPA determined that the proposed Project did not qualify as needing a sole source aquifer review but noted that these improvements should not pose a threat to health or the environment. As such, the proposed Project complies with Section 1424(e) of the Safe Drinking Water Act. No further compliance measures are required. The EPA determination for the Project is included in Attachment 9. |
| **Wetlands Protection** | **Yes No** ![Yes](on) ![No](off) | Pipe Creek is located on the northern border of Ransom Park. According to the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory, Pipe Creek is designated as a riverine wetland, while the NYSDEC notes Pipe Creek is a Classification C, Standard C waterway. The NYSDEC Tidal Wetlands Map indicate that the Project area is not located within, or adjacent to, a tidal wetland or the associated 300-foot wetland buffer zone. Wetland maps are included in Appendix I in Attachment 4. |
| **Wetlands Protection**  
Executive Order 11990, particularly sections 2 and 5 | Compliance with *Executive Order 11990 Protection of Wetlands* requires a formal review process, documented in the *Floodplain Management & Wetlands Protection Determination*, included as *Attachment 4*. It was determined that there is no better alternative than to provide funding for the Project.

The Project is not anticipated to impact on- or off-site wetlands. Therefore, the proposed Project is in compliance with the section. |
|---|---|

| **Wild and Scenic Rivers**  
Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | Yes No | The proposed Project is not located within proximity of any wild, scenic, or recreational rivers, as designated by the U.S. Department of the Interior, Congress, or NYSDEC\(^8\); the proposed Project is not located within the proximity of any waterway included in the National Wild and Scenic Rivers System\(^9\) or Nationwide Rivers Inventory\(^{10}\) (NRI).

A NYSDEC & NPS Wild and Scenic Rivers Map is included as part of *Attachment 3*. |
|---|---|---|

| **ENVIRONMENTAL JUSTICE** | Yes No | The proposed Project is not located in an area defined by the NYSDEC as a potential environmental justice area\(^ {11}\); see map included in *Attachment 3*.  

Therefore, the proposed Project does not contribute to, or promote, environmental injustice. |

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GOSR Environmental Review Record
Ransom Park Improvements Project

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

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<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
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<tbody>
<tr>
<td>LAND DEVELOPMENT</td>
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<tr>
<td>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</td>
<td>2</td>
<td>The Town of Tioga is located within a rural area primarily devoted towards agricultural use, as agriculture is an important economic sector and contributor to the quality of life for residents. The Project does not propose to alter any land use; the Project will enhance and protect the single recreational park utilized by the Town of Tioga. No work will be performed that will alter this use or the use of the surrounding properties. As such, the proposed work at Ransom Park and in Pipe Creek is compatible with the Town of Tioga’s zoning and land use plan.</td>
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<tr>
<td>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</td>
<td>1</td>
<td>According to the United States Geological Survey (USGS) Topographic Map (Attachment 1), the Project is located in an area of little to no slope. The Project activities would not significantly alter the slope of the Project Area. USDA NRCS maps provide information on soils types and properties that influence development of building sites. According to the USDA NRCS Soil Map data for soil classification, the proposed Project area is located in a soil map unit that is designated as well drained high bottom Tioga silt loam, as documented in Attachment 7. The USDA NRCS report also interprets and rates the suitability of soil for various developmental uses. The Project proposes to construct a paved walking path through the existing park. As such, soil information was reviewed as if the proposed path was a local road, rather than an unpaved path or trails for hiking.</td>
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| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | Local roads and streets have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material; a base of gravel, crushed rock, or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete), or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity. Per the NRCS report, the existing conditions at the Project area are rated as “somewhat limited” for paved roadway use. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. Based on the current soil map of the area and the lighter than intended use, no potential undesirable impacts are anticipated, and the area should be improved in terms of its functionality upon completion of the Project.

The Project includes streambank protection within Pipe Creek, both upstream and down-stream of Ransom Park. During Tropical Storm Lee, Ransom Park was inundated with stormwater as 11 inches of rain were produced over a 24-hour period. These rains, combined with the previous heavy rainfall from Hurricane Irene, led to record high water levels. Hurricane Irene and Tropical Storm Lee also altered the streams, creeks, and rivers within the Tioga Community by eroding their banks and creating unstable riparian areas. The Project proposes to construct a total of seven (7) stream rock barbs that will act to transfer erosive velocity away from the streambanks in Pipe Creek on either side of Ransom Park, to protect the surrounding area from erosion during future storm events.

Stormwater runoff at Ransom Park travels primarily north, towards Pipe Creek. The proposed construction does not involve drainage being significantly altered in the Project area, and thus it will not create additional storm water runoff that would adversely affect the existing drainage areas.

Erosion and drainage control best management practices (BMPs) will be implemented by the contractor during construction. These practices will include seeding and mulching disturbed areas immediately after construction, and dust control measures such as covering trucks contents, as applicable.

All work will be completed utilizing engineered site plans and in accordance with all applicable Federal, State and local regulations, laws and permit requirements and conditions, including State and local building codes. Thus, no potential impacts from erosion, drainage, or stormwater runoff are anticipated. |
Hazards and Nuisances, including Site Safety and Noise &nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;2 &nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;Based on a review of available environmental records for the proposed Project and surrounding area, the proposed Project is unlikely to be impacted by hazardous materials, contamination, toxic chemicals and gases, and radioactive substances. No hazards are anticipated to affect the health and safety of occupants or conflict with the intended utilization of the proposed Project. The HUD Environmental Standards Review and the associated attachments are provided in **Attachment 5**.

The proposed Project is not a noise-sensitive use. The proposed activities are not expected to generate excessive noise during the short-term construction work and will adhere to local noise control standards. The proposed Project will be completed in accordance with all applicable federal, state and local permit requirements and conditions. Therefore, the proposed Project would not generate any significant adverse noise impacts.

Energy Consumption &nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;2 &nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;The proposed Project will cause a temporary increase in energy consumption in the form of petroleum fuels for construction equipment necessary for Project site construction activities. However, the proposed Project will not increase long-term energy consumption.

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SOCIOECONOMIC</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment and Income Patterns</td>
<td>2</td>
<td>The Project will not adversely affect employment opportunities or income patterns, is not likely to impact traffic and potential customer access to residences and businesses in the area, either during construction or operation. Rather, the Project would increase the flood resiliency at this popular municipal park, allowing for continued use by the locals and tourists alike.</td>
</tr>
<tr>
<td>Demographic Character Changes, Displacement</td>
<td>2</td>
<td>The proposed Project is not expected to cause any change in the demographic character of the area. The proposed Project does not involve residential or commercial development activities. And, the proposed Project does not present the potential to cause the displacement of individuals or families, destroy jobs, local businesses or public community facilities, or disproportionately affect particular populations.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMMUNITY FACILITIES AND SERVICES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational and Cultural Facilities</td>
<td>2</td>
<td>The proposed Project will not introduce any new populations that would increase the student population of the area. As such, the proposed Project would not have an impact on educational or cultural facilities.</td>
</tr>
</tbody>
</table>
### Environmental Assessment Factor

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NATURAL FEATURES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unique Natural Features, Water Resources</td>
<td>2</td>
<td>According to NYSDEC, there are no unique geological features located on or adjacent to the Project area. According to NYSDEC’s Environmental Resource Map, the Project is not located in or adjacent to Significant Natural Communities,</td>
</tr>
<tr>
<td>Commercial Facilities</td>
<td>2</td>
<td>The proposed Project will not introduce any new commercial development that would require additional retail services or other commercial facilities.</td>
</tr>
<tr>
<td>Health Care and Social Services</td>
<td>2</td>
<td>The proposed Project will not introduce any new development that would require the availability of additional routine or emergency health services. Rather, the proposed Project is likely to help provide better access for emergency health services to the local community during future storm events.</td>
</tr>
<tr>
<td>Solid Waste Disposal / Recycling</td>
<td>2</td>
<td>The proposed Project will not introduce new development that would generate solid wastes on an ongoing basis. All construction wastes will be appropriately disposed of according to the type of waste generated and construction waste management practices in an appropriate, legally compliant receiving facility.</td>
</tr>
<tr>
<td>Waste Water / Sanitary Sewers</td>
<td>2</td>
<td>The proposed Project will not introduce any new development that would generate waste water. No additional waste water will be generated during construction.</td>
</tr>
<tr>
<td>Water Supply</td>
<td>2</td>
<td>The proposed Project will not increase demand for water. As such, the proposed Project will not have an impact on local water supplies.</td>
</tr>
<tr>
<td>Public Safety - Police, Fire, and Emergency Medical</td>
<td>2</td>
<td>The proposed Project will not generate new demand for police, fire, or emergency services. The proposed Project will not impact traffic. Therefore, there will be no adverse effect on the access and travel time for emergency services.</td>
</tr>
<tr>
<td>Parks, Open Space and Recreation</td>
<td>1</td>
<td>The proposed Project will not introduce new development that would generate additional demand for open space resources or impede open space access. Instead, the proposed Project is likely to increase resilience to flooding in the Project area, allowing for quicker resumed use immediately after future storm events.</td>
</tr>
<tr>
<td>Transportation and Accessibility</td>
<td>2</td>
<td>Besides limited trips generated by construction vehicles during a short window of construction, the proposed Project will not introduce new development that generates continuing demand for transportation access or transportation services.</td>
</tr>
<tr>
<td>Unique Natural Features, Water Resources</td>
<td>Unique Geological Features, or Critical Environmental Areas These maps are included as part of <strong>Attachment 3</strong>.</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Watershed Analysis</strong></td>
<td>The Project is located within one of the 47 identified watersheds with watershed plans in NYS(^{12}). The Susquehanna River Watershed(^{13}) is noted to have water quality that is generally satisfactory, with the most widespread impacts associated with agricultural and other non-point sources that contribute nutrients, such as nitrogen and phosphorus, and sediment to the waters(^{14}). However, this Project at an existing park does not involve agricultural use or other practices that would significantly contribute to this non-point source contamination. Thus, no potential impacts from the Project are anticipated. The proposed Project will not introduce new demand for groundwater or surface water, nor would the proposed Project introduce septic flows that may affect groundwater. Additionally, the proposed Project will not significantly increase impervious surfaces or impede waters during future storm or flooding events. Therefore, unique natural features or water resources are not expected to be permanently affected by this proposed Project.</td>
<td></td>
</tr>
<tr>
<td>Vegetation, Wildlife</td>
<td>2 The proposed Project will involve recreational improvements in the form of a paved walkway and construction of an outdoor bench at an existing park. These improvements will involve the removal of approximately (6) trees as needed within Ransom Park, as noted by the Engineering Drawings in <strong>Attachment 2</strong>. Disturbed areas will be restored to pre-existing conditions after construction is complete.</td>
<td></td>
</tr>
<tr>
<td>Other Factors</td>
<td>There are no other factors identified or evaluated for the proposed Project.</td>
<td></td>
</tr>
</tbody>
</table>

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GOSR Environmental Review Record
Ransom Park Improvements Project

Attachments:

- **Attachment 1:** Project Location Maps
  - Street Map
  - Topographic Map
  - Aerial Photograph

- **Attachment 2:** Project Engineering Drawings

- **Attachment 3:** Project Reference Maps
  - FAA Airport Hazards Map
  - USFWS Coastal Barrier Resources System Map
  - NYS DOS Coastal Boundary Map
  - NYSDEC & NPS Wild and Scenic Rivers Map
  - NYSDEC Potential Environmental Justice Areas Map
  - NYSDEC Critical Environmental Areas Map

- **Attachment 4:** Floodplain Management (EO 11988) and Protection of Wetlands (EO 11990) Determination
  - Appendix I
    - USFWS NWI Map
    - NYSDEC Wetlands and Waterways Map
  - Appendix II
    - FEMA National Flood Hazard Layer Map
  - Appendix III
    - Early Notice of a Proposed Activity in a 100-Year Floodplain and Wetland; and Affidavit
  - Appendix IV
    - Combined Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland, Notice of Finding of No Significant Impact (FONSI), and Notice of Intent to Request Release of Funds (NOI-RROF)

- **Attachment 5:** HUD Environmental Standards Review
  - HUD Environmental Report Maps and EPA NEPAssist Map
  - NYSDEC Reports for Spills, Environmental Remediation Sites, or Bulk Storage Sites Located on, or within close proximity to, the Project Area
  - US EPA-permitted Facilities located on or within 3,000 feet of the Project Area and in non-compliance with the EPA permit requirements

- **Attachment 6:** Endangered Species Compliance Documents
  - NYSDEC Environmental Resource Map
  - NYSDEC Environmental Resource Map Information
  - USFWS Consultation Package

- **Attachment 7:** Agricultural and NRCS Soil Resource Documents
  - New York State Agricultural Districts Map
  - USDA NRCS Soil Resource Map
  - USDA NRCS Farmland Classification

- **Attachment 8:** SHPO and THPO Documentation
  - SHPO Response
  - Letters Sent to the THPO of the Onondaga Nation

- **Attachment 9:** US EPA Sole Source Aquifer Documents
  - US EPA Sole Source Aquifer Map
  - US EPA SSA Consultation Response
List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:
- Federal Aviation Administration (FAA)
- Federal Emergency Management Agency (FEMA)
- United States Department of Agriculture (USDA)
- United States Department of Interior (USDOI)
- United States Environmental Protection Agency (USEPA)
- United States Fish and Wildlife Service (USFWS)
- United States Geological Survey (USGS)
- National Parks Service (NPS)
- Natural Resources Conservation Service (NRCS)
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Department of State (NYSDOS)
- New York State Historic Preservation Office (SHPO)
- Natural Heritage Program (NHP)
- NYRCR Program, Ransom Park Improvements Project Pre-application Report, September 12, 2017
- Tioga County, NY Rising Community Reconstruction Program Plan, March 2014.
- Tioga County Hazard Mitigation Plan, updated 2012.

List of Environmental Permits Obtained or Potentially Required:
- USACE Section 404 Permit
- NYSDEC – Protection of Waters – Excavation and Fill in Navigable Waters
- NYSDEC – Section 401 Water Quality Certification
- NYSDEC – SPDES General Permit for Stormwater Discharges from Construction Activity – GP-0-15-002 (if project involves ground disturbance of one or more acre)
- Town of Tioga Floodplain Development Permit

Public Outreach [24 CFR 50.23 & 58.43]:
- April 5, 2019 – Publication of Notice of Early Public Review of a Proposed Activity in 100-year Floodplain and Wetland.
Cumulative Impact Analysis [24 CFR 58.32]:
The proposed Project was evaluated according to the Engineering Drawings included in Attachment 2. There are no other known future projects in the area of the proposed Project that would create environmental or social impacts in the community.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:
The primary alternative for the proposed Project is the “no action” alternative. This alternative means that there would be no streambank protective work undertaken to mitigate future flood damage from future storm events. This would leave the Park vulnerable to being damaged in the future, from both active erosive scouring and deposition of eroded materials at the park – leaving the surrounding community vulnerable to future flood damage. The “no action” alternative would leave this beloved community asset vulnerable to future flood events, as the resiliency measures would be compromised due to lack of financial support. Thus, the “no action” alternative is not feasible in relation to the desired objective of creating area resiliency to future flooding events.

Summary of Findings and Conclusions:
The preceding Statutory Checklist and Environmental Assessment Checklist, and the discussion below, document that the proposed work will comply with regulations in 24 CFR part 58 and that there are no direct or cumulative adverse environmental impacts anticipated as a result of the proposed Project.
**Standard Conditions for All Projects**

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with 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.

**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.

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

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

<table>
<thead>
<tr>
<th>Law, Authority, or Factor</th>
<th>Mitigation Measure</th>
</tr>
</thead>
</table>
| Floodplain Management  
Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | An 8-step Floodplain Management and Wetlands Protection Determination was completed pursuant to 24 CFR 55.20. It was determined that there is no better alternative than to provide funding for the Project.  
The proposed Project will be completed in accordance with all applicable federal, state and local permit requirements and conditions.                                                                                                                                                                                                                                                                                                                                                           |
| Wetlands Protection  
Executive Order 11990, particularly sections 2 and 5 | An 8-step Floodplain Management and Wetlands Protection Determination was completed pursuant to 24 CFR 55.20. It was determined that there is no better alternative than to provide funding for the Project.  
The proposed Project will be completed in accordance with all applicable federal, state and local permit requirements and conditions.                                                                                                                                                                                                                                                                                                                                                           |
| Endangered Species  
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | The Project may involve the removal of trees in a developed area that is comprised of agricultural land use, residential properties, and commercial properties.  
A NYSDEC jurisdictional inquiry response on March 13, 2018 states that the “project area does not occur in the immediate vicinity of known occurrences of rare or state-listed bat species,” which includes the NLEB. The Project activities will not disturb hibernating NLEBs in a known hibernaculum, alter... |
the entrance or interior environment of a known hibernaculum, remove any trees within 0.25 miles of a known hibernaculum, or cut or destroy known occupied maternity roost trees or any other trees within a 150-foot radius from the maternity roost tree. GOSR determined that the proposed Project may affect the NLEB, but any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule. GOSR recommends that tree cutting occur between November 1 and March 31, but this may not be feasible due to construction schedules which have not been finalized, and is not a condition that is required for the Project.

Determination:

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

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

Preparer Signature: ____________ Date: August 30, 2019
Name/Title/Organization: Kristofer Mierisch, Senior Environmental Analyst

Certifying Officer Signature: ____________ Date: August 30, 2019
Name/Title: Lori A. Shirley – Environmental Certifying Officer

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an ERR for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).
Attachment 1

Project Location Maps

Street Map
Topographic Map
Aerial Photograph
Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Attachment 2

Project Engineering Drawings
ENGINEERING DRAWINGS
FOR
RANSOM PARK IMPROVEMENTS PROJECT
TOWN OF TIOGA
TIOGA COUNTY, NEW YORK

HUNT NO. 3051.003
OCTOBER 2018 - REVISED FEBRUARY 2019

HUNT ENGINEERS | ARCHITECTS | SURVEYORS
1. **Geotechnical Requirements**

   a. Ground support and protection must be provided as necessary to protect existing features and structures.

   b. Drainage and erosion control measures are to be incorporated into the project design.

   c. Groundwater control will be as provided in the existing design.

   d. During excavation, temporary stabilization measures will be provided as necessary to prevent soil erosion.

   e. All construction activities shall be carried out in accordance with the site plan and specifications.

2. **Erosion Control Measures**

   a. Erosion control measures will be provided to prevent soil erosion during construction.

   b. All areas affected by construction activities will be protected with appropriate erosion control measures.

   c. Erosion control measures will be maintained throughout the duration of the project.

3. **Soil Erosion Control**

   a. All construction activities shall be conducted in a manner that minimizes soil erosion.

   b. Erosion control measures shall be installed and maintained in accordance with the specifications.

   c. Erosion control measures shall be maintained throughout the duration of the project.

4. **Stormwater Management**

   a. Stormwater management measures shall be provided to control the flow of water from construction activities.

   b. All areas affected by construction activities shall be protected with appropriate stormwater management measures.

   c. Stormwater management measures shall be maintained throughout the duration of the project.

5. **Environmental Considerations**

   a. Environmental considerations will be incorporated into the project design.

   b. All construction activities shall be conducted in a manner that minimizes environmental impact.

   c. Environmental considerations shall be maintained throughout the duration of the project.

6. **General Requirements**

   a. All construction activities shall be conducted in a manner that minimizes environmental impact.

   b. All construction activities shall be conducted in accordance with the site plan and specifications.

   c. All construction activities shall be conducted in a manner that minimizes soil erosion.

7. **Soil Stabilization**

   a. Soil stabilization measures shall be provided to prevent soil erosion.

   b. Soil stabilization measures shall be installed and maintained in accordance with the specifications.

   c. Soil stabilization measures shall be maintained throughout the duration of the project.

8. **Vegetative Cover**

   a. Vegetative cover shall be provided to protect soil and prevent soil erosion.

   b. Vegetative cover shall be installed and maintained in accordance with the specifications.

   c. Vegetative cover shall be maintained throughout the duration of the project.

9. **Geotechnical Monitoring**

   a. Geotechnical monitoring shall be conducted to determine the effectiveness of the erosion control measures.

   b. Geotechnical monitoring shall be conducted throughout the duration of the project.

10. **General Requirements**

    a. General requirements shall be met in accordance with the site plan and specifications.

    b. General requirements shall be maintained throughout the duration of the project.

11. **Stormwater Management**

    a. Stormwater management measures shall be provided to control the flow of water from construction activities.

    b. Stormwater management measures shall be maintained throughout the duration of the project.

12. **Vegetative Cover**

    a. Vegetative cover shall be provided to protect soil and prevent soil erosion.

    b. Vegetative cover shall be maintained throughout the duration of the project.

13. **General Requirements**

    a. General requirements shall be met in accordance with the site plan and specifications.

    b. General requirements shall be maintained throughout the duration of the project.

14. **Geotechnical Monitoring**

    a. Geotechnical monitoring shall be conducted to determine the effectiveness of the erosion control measures.

    b. Geotechnical monitoring shall be conducted throughout the duration of the project.

15. **Stormwater Management**

    a. Stormwater management measures shall be provided to control the flow of water from construction activities.

    b. Stormwater management measures shall be maintained throughout the duration of the project.

16. **Vegetative Cover**

    a. Vegetative cover shall be provided to protect soil and prevent soil erosion.

    b. Vegetative cover shall be maintained throughout the duration of the project.
Attachment 3

Project Reference Maps

FAA Airport Hazards Map
USFWS Coastal Barrier Resources System Map
NYSDOS Coastal Boundary Map
NYSDEC & NPS Wild and Scenic Rivers Map
NYSDEC Potential Environmental Justice Areas Map
NYSDEC Critical Environmental Areas Map
Legend

- Approximate Project Area
- Project Area (15,000ft Buffer)

Airport and Heliport Locations

- North American Airports and Heliports (Location ID)
- Heliport Protection Zone (280 ft)
- Civilian Runway Protection Zone (2500 ft)

Created: 2/20/2019
Source data: FAA facility data and Airport Master Records and Reports data.

Note: This map identifies all documented airport and heliport facilities located within the shown area.

Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Legend

- Approximate Project Area
- NYS Coastal Area Boundary
- Local Waterfront Revitalization Program Communities
- Long Island Sound CMP
- Scenic Areas of Statewide Significance

Source data: Map GIS data provided by NYS DOS.
https://www.dos.ny.gov/opd/atlas/

Created: 2/20/2019

Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Potential Environmental Justice Areas Map

Legend
- Approximate Project Area
- Potential Environmental Justice Areas

Potential Environmental Justice Areas provided by The Office of Environmental Justice and available at https://www.dec.ny.gov/public/333.html

Created: 2/20/2019

Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Legend

Approximate Project Area
NYSDEC Critical Environmental Areas

Created: 2/25/2019
Source data: Critical Environmental Areas in New York State
https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1330

Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Attachment 4

Floodplain Management (EO 11988) & Wetlands Protection (EO 11990) Determination
Ransom Park Improvements Project
Floodplain Management and Wetlands Protection Determination
Commercial & Economic Development Initiative within
NY State Community Development Block Grant Disaster Recovery Program
August 30, 2019

Introduction & Overview
The purpose of Executive Order 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.”
The purpose of EO 11990 Protection of Wetlands is “to avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative.” This report contains the analysis prescribed by 24 CFR Part 55.

This project involves U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program – Disaster Recovery (CDBG-DR) funding for streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. The analysis that follows focuses on floodplain and wetland impacts, as work is proposed within Pipe Creek and within floodplain. Based on the type of land use and other case characteristics described herein, it is concluded that there is a reasonable basis to proceed with funding for this project/activity within 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
The Ransom Park Improvements Project (Project) will involve streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. Ransom Park is located at 3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 149.09-1-18.2) and the work on Pipe Creek will occur on a property located at 3027 State Route 17C, Tioga Center, NY (Tax ID: 148.08-1-25.1).

The Project will involve stream bank protection activities in two locations, where a total of seven (7) stream rock barbs will be installed in Pipe Creek: five (5) will be located upstream and west of Ransom Park and two (2) will be located immediately downstream and east of Ransom Park. The five (5) upstream barbs will be installed on a privately owned parcel of land (Tax ID: 148.08-1-25.1). Improvements to Ransom Park will include the installation of a paved walking path, a concrete pad with an outdoor bench along the walking path, and signage along the walking path. Tree clearing will be performed as needed, though it is estimated approximately six (6) trees will need to be removed. Topsoil, seed, and mulch will be applied to all disturbed areas. Any stockpiled soil will be stabilized with either seed or a secured impervious cover, and surrounded by silt fencing. Erosion and sediment controls will be installed, which will include the use of a temporary compost sock above the high water mark of Pipe Creek to prevent the discharge of sediment into Pipe Creek.

Applicable Regulatory Procedure Per EO 11988
The proposed action corresponds with a noncritical action not excluded under 24 CFR §55.12(b) or (c). Funding is permissible for the use in the floodplain if the proposed action is processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed.
Based on data shown in Appendix I, including online data managed and updated by the U.S. Fish & Wildlife Service (USFWS) and New York Department of Environmental Conservation (NYSDEC), there are mapped federal and state wetlands within the Project work area.

According to 24 CFR §55, the streambank protection and recreational improvements activities occurs in a community that is in the regular program of the National Flood Insurance Program (NFIP) and the community is currently in good standing. This project does not involve structures that are insurable, and thus are not included in a substantial improvement or substantial damage calculation set forth in 24 CFR §55.2(b)(10). However, there is direct construction in the riverine wetlands present in the Project Area. As such, the full eight-step floodplain determination process in §55.20 is required. The following analysis examines each of these eight steps in a floodplain management and wetlands protection determination process.

**Step 1. Determine Whether the Proposed Action is Located in the 100-year Floodplain (500-year for Critical Actions) or results in New Construction in Wetlands.**

The location of the proposed action, per the applicable FEMA flood map Firmette, is within the 100-year floodplain (SFHA - AE Zone). There is an established Base Flood Elevation (BFE) of approximately 799 to 800 feet across the property, as shown in Appendix II. Per the USFWS and NYSDEC, there are riverine wetlands and waterways located within the Project Area. This action does not require an individual Section 404 permit under the Clean Water Act (see 55.20(a)(1)).

**Step 2. Initiate Public Notice for Early Review of Proposal.**

Because the proposed project is located in floodplain and wetlands, the Governor’s Office of Storm Recovery (GOSR) published an early notice that allowed for public and public agency input on the decision to provide funding for reconstruction and development activities. The early public notice and 15-day comment period is complete. No public comments were received.

The early notice and corresponding 15-day public comment period started on April 5, 2019 with the "Notice of Early Public Review of a Proposed Activity in Wetlands and 100-Year Floodplain" being published in the Star-Gazette newspaper, with the 15-day period expiring on April 22, 2019. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on April 5, 2019: U.S. Department of Housing and Urban Development, Federal Emergency Management Agency (FEMA); USFWS; NYSDEC; New York State Historic Preservation Office; New York State Office of Parks, Recreation and Historic Preservation; and New York State Office of Emergency Management. The notice was also sent to the Town of Tioga. (See Appendixes 1 and 2 of this Floodplain Management and Wetlands Protection Determination for the letter distributed to these agencies and the associated newspaper notice affidavit).

**Step 3. Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in a 100-year Floodplain (or 500-year Floodplain if a Critical Action) or Wetland.**

The NYRCR Program empowers the State’s most impacted communities with the technical expertise needed to develop thorough and implementable reconstruction plans to build physically, socially, and economically resilient and sustainable communities. According to the Tioga County NYRCR Plan, a central focus of the NYRCR planning process was to identify resiliency measures that could help protect civic assets from future flood damages, and Ransom Park was identified as a vulnerable asset. Given the history of flooding at the site, potential alternatives must be considered in order to try and mitigate the amount of damage from future flood events.

One potential alternative is to relocate the park out of the 100-year floodplain; however, this regional recreational park, an open space land use, would be difficult to move to a replacement property due to the surrounding area topography and surrounding land usage, it could be challenging to impracticable to
secure a feasible alternative location within the community. The park serves local and regional recreational and tourism demand and is a type of land use that could be a compatible form of floodplain development. As such, relocation is not considered a viable option.

Another alternative would be for no action to occur, meaning the Applicant would not be receiving grant funds to protect and improve the recreational facility. This option means there would be no changes at the park, leaving the community with a potential inability to rebuild the area’s only recreational facility after future storm events. The ability for the Town to successfully mitigate any future damages from floods would be impeded due to the lack of financial support, leaving the park more vulnerable. Thus, the “no action” alternative is not feasible in relation to the desired objective of creating area resiliency to future flooding events and dam failures.

Due to the number of developed parcels within floodplain in this community and the nature of the proposed land use, prohibition of rehabilitation within floodplain is not practicable.

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

*Step 4. Identify & Evaluate Potential Direct & Indirect Impacts Associated with Occupancy or Modification of 100-year Floodplain and Potential Direct & Indirect Support of Floodplain and Wetland Development that Could Result from Proposed Action.*

The focus of floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial floodplain values include water resources, living resources, cultural resources, and agricultural/aquacultural/forestry resources.

**Water Resources – Natural moderation of floods, water quality maintenance, and groundwater recharge**

The Project does not propose to significantly alter floodplain or increase the amount of impervious surfaces within the work area. The Project involves the construction of stream barbs for the protection of the Pipe Creek stream bank; these barbs are generally low rock structures that transfer erosive velocity away from the streambank. These rock barbs do not obstruct stream flow or restrict groundwater recharge, and can increase the amount of riparian vegetation while decreasing the amount of streambank sediment erosion. As such, the existing natural moderation of floodplain and floodway will remain intact, water quality will be maintained, and groundwater recharge will not be impeded.

However, best management practices (BMP) will be implemented and permit specified conditions will be followed during construction to minimize the potential effects on water resources. A qualitative evaluation suggests the potential for impacts would be relatively minor, and if such releases do occur, it would likely be part of an area wide impact. Given the nature of the Project, the potential for an acute or chronic level of water quality impact from the proposed Project is low.

**Living resources – Flora and fauna**

On September 7, 2011, Tropical Storm Lee stalled over the Southern Tier and dropped over 11 inches of rain on Tioga County during a 24-hour period. Torrential rains, coupled with saturated soil and a swollen Susquehanna River from Hurricane Irene, which occurred the week of August 28, 2011, led to record high water levels. These water levels led to sediment erosion along Pipe Creek and Ransom Park, creating sediment deposition problems down-stream. To protect the area during future storm events, the Project proposes to install rock barbs upstream and downstream from Ransom Park. These rock barbs interrupt and redirect water velocities away from the vulnerable streambanks while not impeding water flow and recharge. These rock barbs act to interrupt the creek’s flow velocity, resulting in deposition of fine-grained sediments immediately upstream of the barb as water velocities fall and increasing scouring actions towards the center of the channel near the end of the barb. This scouring action increases low-flow pool habitat for aquatic species in the channel area, while the decreased flow velocities and sediment...
deposition upstream of the barb along the stream banks allows for velocity shelter areas during high flow events, increased riparian vegetation, and increased habitat enhancements.

Occupancy of the Town of Tioga has been documented since approximately 1820. The land in Tioga Center is primarily agricultural, rural residential, or undeveloped; considering the context Project and the area, the Project does not directly support occupancy of the floodplain as the Project does not involve residential or commercial occupancy of the Project area after project activities. The Project protects the surrounding area against the erosion of Pipe Creek’s streambanks and the deposition of sediment in lower flow velocity areas, allowing for stormwater backup due to sediment and debris blocked waterways and culverts. If the Project were not funded, this community would remain vulnerable to erosion and sedimentation during future storm events.

Cultural resources – Archaeological, historic, & recreational aspects
The New York State Historic Preservation Office has determined that this project will have “No Impact” upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places. The letter documenting this determination and supporting studies are included in the environmental review record in Attachment 8 of Ransom Park Improvements Project Environmental Assessment document.

According to the Outdoor Industry Association’s two-page fact sheet New York The Outdoor Recreation Economy, outdoor recreation generates $33.8 Billion in consumer spending and 305,000 direct jobs within the State. The Project will allow for continued use of the area for recreational purposes while allowing for increased protection for the park and surrounding community during future storm and flooding events.

Agricultural, aquacultural, & forestry resources
Tioga County has several agricultural sites and undeveloped woodlands located in flood zone. According to the County’s Multi-Jurisdictional Hazard Mitigation Plan, 8.7% of the 151.75 square miles of farmland in Tioga County located within floodplain. The Census of Agriculture (2007) indicated that agricultural products sold from Tioga County accounted for greater than $36.7 million dollars; Tioga County also had 327.98 square miles of forested lands. It is possible that if there is a materials release from this property during construction activities, it could potentially affect natural resources including agricultural and forestry.

However, a qualitative analysis suggests that the impact would be minor as mitigative measures and BMPs will be utilized during construction. These measures include, but are not limited to, installing temporary silt fencing on land to prevent soil and/or debris from being washed off-site and installing turbidity curtains in the water to minimize sediment transportation from the area of disturbance to the larger body of water per the soil erosion control plan. Additionally, during installation of the rock barbs, the creek will be temporarily diverted around the work area, preventing sediment and silt from being transported downstream during construction. Project activities will be completed in accordance with all applicable federal, state and local permit requirements and conditions. Thus, no or minor temporary impacts from the proposed project activities are anticipated.

Wetland Evaluation
The purpose of wetland evaluation is to consider factors relevant to a proposal’s effect on the survival and quality of the wetland. These factors should include public health (including water supply and water quality), maintenance of natural systems, cost increases attributed to construction in wetland, and other uses of wetlands in the public interest.
Public health, safety, and welfare, including water supply, quality, recharge, and discharge; pollution; flood and storm hazards and hazard protection; and sediment and erosion.

The rock barbs associated with the Project are located in areas designated as NYSDEC classification C waterbody and USFWS designated riverine wetlands. These wetlands are freshwater wetlands; however, they are not directly used for water supply. The scope of work for this project involves the creation of rock barbs within the stream channel, in order to stabilize the streambank. This work is not suspected to pose a threat to public health and safety, decrease water quality, or to increase flood and storm hazards as the rock barbs will not obstruct stream flow or otherwise reduce stream capacity. These rock barbs will protect the downstream area from streambank erosion and increased sediment deposition during future storm events. The proposed action will not significantly decrease the area of the wetland; additionally, the rock barbs will increase diversity in habitat areas and refuge areas for aquatic species during high and low flows.

Maintenance of natural systems, including conservation and long-term productivity of existing flora and fauna; species and habitat diversity and stability; natural hydrologic function; wetland type; fish; wildlife; timber; and food and fiber resources.

The proposed action involves the construction of rock barbs within a riverine wetland. This proposed action will reduce stream flow velocities while creating additional, diverse habitat areas. The existing flora and fauna will have protected shelter areas during high and low flow events while the low flow areas immediately upstream of the rock barbs will allow for increased vegetation that will enhance wildlife habitat and water quality. These rock barbs will not obstruct stream flow or otherwise reduce stream capacity. The Applicant shall comply with all best management practices and permit conditions that are set forth in the applicable federal, state, and local environmental permits, when and as they are acquired.

Cost increases attributed to wetland-required new construction and mitigation measures to minimize harm to wetlands that may result from such use.

The proposed scope of work involves the construction of rock barbs; these rock barbs do not obstruct water flow and will increase wetland vegetation and enhance aquatic wildlife habitat and water quality. Consequently, there are no cost increases attributed to necessary mitigation measures to minimize harm to wetlands that may result from such use.

Other uses of wetland in the public interest, including recreational, scientific, and cultural uses.

Ransom Park is the only municipal park in the town of Tioga; as such, the town considers the park a key asset for the area. Protecting the park and waterway from additional erosion while increasing resiliency against future flood damage is a key strategy for the town of Tioga in order to protect this asset. According to the Outdoor Industry Association’s two page fact sheet New York The Outdoor Recreation Economy, outdoor recreation generates $338 Billion in consumer spending and 305,000 direct jobs within the State. This is an important sector of the regional and local economy and the park fulfills a necessary recreational need for the local community.

Step 5. Where Practicable, Design or Modify the Proposed Action to Minimize the Potential Adverse Impacts To and From the 100-Year Floodplain and to Restore and Preserve its Natural and Beneficial Functions and Values.

Given that proposed rehabilitation funded by this Program is very limited and does not rise to the level of substantial reconstruction, and considering the individual property scale, it is not financially feasible to specify mitigation measures such as elevating the park’s buildings, dry floodproofing it, or promoting strategic retreat such as through government acquisition. However, it is reasonable to promote awareness of future risks of natural hazards, including flooding, plus the physical, social, and economic impacts that potential events could convey, including through potential for future physical damage to property, buildings, supplies, and equipment.
The “no action” alternative for not funding this project would not address the purpose and need of the proposed action. Without the proposed action, the impacted park would be left more susceptible to future flooding events in this area than it would after the implementation of the proposed action and the community would be left without access to a key recreational facility. Therefore, the “no action” alternative examined is not considered desirable and the proposed action is still practicable in light of exposure to flood hazards in floodplain, possible adverse impacts on floodplain and wetlands, the extent to which it may aggravate current hazards to other floodplains, and the potential to disrupt natural and beneficial functions and values of floodplains and wetlands. Additionally, implementation of the proposed action will abide by all applicable state and local codes for floodplain development. As such, the impact of the proposed action on a floodplain would be less the “no action” alternative.

A final notice, formally known as “Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland”, was published in accordance with 24 CFR 55. This public notice was combined with the “Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI-NOIRROF)” on August 30, 2019. The final notice requires a 7-day comment period after publication; however, the FONSI-NOIRROF requires a 15-day comment period. As such, a 15-day comment period was used for this Final Notice. The 15-day comment period started with the Final Notice publishing in the Elmira Star Gazette newspaper on August 30, 2019 and the 15-day comment period expires at 5pm on September 16, 2019. The combined notice describes the reasons why the project must be located in the floodplain and wetlands, alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

The Governor’s Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes and Community Renewal’s (NYSHCR) Housing Trust Fund Corporation, is the responsible entity. The responsible entity will make available educational materials regarding best practices for businesses located in floodplains. It will also require proof of current flood insurance from the applicant, when applicable. It is acknowledged there is a continuing responsibility by the responsible entity to ensure, to the extent feasible and necessary, compliance with the steps herein.
Appendix I

USFWS NWI Map

NYSDEC Wetland and Waterways Map
Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Appendix II

FEMA National Flood Hazard Layer Map
Appendix III

Early Notice of a Proposed Activity in a 100-Year Floodplain and Wetland; and Affidavit
EARLY NOTICE OF A PROPOSED ACTIVITY
IN A 100-YEAR FLOODPLAIN AND WETLAND

RANSOM PARK IMPROVEMENTS PROJECT
3027 AND 3054 STATE ROUTE 17C, HAMLET OF TIoga CENTER, TOWN OF
TIoga, TIoga COUNTY, NEW YORK
APRIL 5, 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
Town of Tioga to fund the Ransom Park Improvements 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 and wetlands 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 or wetlands, 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.

The Proposed Activity is needed to address impacts from Hurricane Irene and Tropical Storm Lee,
which inundated Ransom Park with stormwater. The Town of Tioga received 11 inches of rain over
a 24 hour period from Tropical Storm Lee, which, combined with previous heavy rainfall from
Hurricane Irene less than a month prior, led to record high water levels. The Proposed Activity
would advance resiliency strategies to mitigate the damages of future storms and enhance an
existing community park.

The Proposed Activity will involve streambank protection activities along Pipe Creek in areas that
impact Ransom Park and recreational improvements to Ransom Park. Ransom Park is located at
3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 149.09-1-18.2) and the
work on Pipe Creek will occur on a property located at 3027 State Route 17C, Tioga Center, NY
(Tax ID: 148.08-1-25.1). These improvements involve the creation of a paved walking path, the
installation of a concrete pad and outdoor bench along the walking path, and signage along the
walking path.

The Proposed Activity will result in impacts to approximately 0.5 acres of 100-Year Floodplain
located in Ransom Park and Pipe Creek and approximately 0.1 acre of NWI-mapped riverine
wetlands and NYSDEC waterways. These impacts will consist of the installation of approximately
seven (7) stream rock barbs that will redirect the existing water flow and erosive velocities so as to
protect the existing stream bank and stream bed in Pipe Creek. Additional impacts include the
installation of impervious surfaces in the form of the paved walking path in Ransom Park and the
concrete pad the outdoor bench is installed on; the amount of impervious surfaces at the park will
not be significantly increased. As such, the construction of these structures are not anticipated to
affect the existing flood water levels. The Proposed Activity is not anticipated to adversely affect
any natural or beneficial functions and/or values of the floodplain or wetlands.
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 April 22, 2019 will be considered.
State of New York
County of Chemung, SS:

being duly sworn, deposes and says she is the Principal Clerk
of the Elmira Star-Gazette, Division of Gannett Newspaper Subsidiary, publishers of the
Star-Gazette newspaper printed and published daily in Elmira, and of general circulation in said
county, and that a NOTICE, of which annexed is a printed copy, out from said newspaper has
been published in said newspaper on:

04/05/19

Subscribed and sworn to before me this 5 day of April, 2019

[Signature]
Notary Public
EARLY NOTICE OF A PROPOSED ACTIVITY
IN A 100-YEAR FLOODPLAIN AND WETLAND

RANSOM PARK IMPROVEMENTS PROJECT
3027 AND 3054 STATE ROUTE 17C, HAMLET OF TIoga
CENTER, TOWN OF TIoga, TIoga COUNTY, NEW YORK
APRIL 5, 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 Town of Tioga to fund the Ransom Park Improvements 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 and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplains or wetlands, it must inform those who may be 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.

The Proposed Activity is needed to address impacts from Hurricane Irene and Tropical Storm Lee, which inundated Ransom Park with stormwater. The Town of Tioga received 11 inches of rain over a 24-hour period from Tropical Storm Lee, which combined with previous heavy rainfall from Hurricane Irene, less than a month prior, led to record high water levels. The Proposed Activity would advance resiliency strategies to mitigate the damages of future storms and enhance an existing community park.

The Proposed Activity will involve streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements in Ransom Park. Ransom Park is located at 3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 146.08-1-25-1). The work on Pipe Creek will occur on a property located at 3027 Stage Road 17C, Tioga Center, NY (Tax ID: 146.08-1-25-1). These improvements involve the creation of a paved walking path, the installation of a concrete pad and outdoor bench along the walking path, and signage along the walking path.

The Proposed Activity will result in impacts to approximately 0.2 acres of 100-Year Floodplain located in Ransom Park and Pipe Creek and approximately 0.1 acre of NWI-mapped riparian wetlands and NYSEDEC wetlands. These impacts will consist of the installation of approximately seven (7) stream bank stabilization features that will redirect the existing water flow and improve velocities to protect the existing streambank and streambed in Pipe Creek. Additional impacts include the installation of impervious surfaces in the form of the paved walking path in Ransom Park and the concrete pad and outdoor bench is installed on the amount of impervious surfaces at the park will not be significantly increased. As such, the construction of these structures are not anticipated to affect the existing floodwater levels. The Proposed Activity is not anticipated to adversely affect any natural or beneficial functions and/or values of the floodplain or wetlands.

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 (NYSEDEC) data are available for review with additional information at http://www.storm recovery.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 12220; email: NYSEDCR.GR.EH@nysh.state.ny.us. Standard office hours are 9:00 AM to 5:00 PM Monday through Friday. For more information, call 518-474-0765. All comments received by April 22, 2019 will be considered.

4/5/2019
Appendix IV

Combined Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland, Notice of Finding of No Significant Impact (FONSI), and Notice of Intent to Request Release of Funds (NOI-RROF)
Attachment 5

HUD Environmental Standards Review
Town of Tioga: Ransom Park Improvements Project  
HUD Environmental Standards Review

**Project Sites:** Ransom Memorial Park, 3054 Route 17C, Tioga Center, NY (Tax ID: 149.09-1-18.2) and Pipe Creek, located on 3027 State Route 17C, Tioga Center, NY (Tax ID: 148.08-1-25.1).

**Introduction:**

The purpose of this review is to ensure that the project complies with U.S. Department of Housing and Urban Development (HUD) environmental standards in relation to 24 CFR Part 58.5. Properties that are proposed for use in HUD programs “must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.”

A desktop review was performed to identify whether the Project Sites referenced in the title of this document complies with the following criteria:

i. is not Listed on an U.S. Environmental Protection Agency (EPA) Superfund National Priorities or Comprehensive Environmental Response Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list;

ii. is not located within 3,000 feet of a toxic or solid waste landfill site;

iii. does not have an underground storage tank; and

iv. is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

**Summary of Findings**

**Project Sites Records Review**

**Project Sites:** The Ransom Park Improvements Project (Project) will involve streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. Ransom Park is located at 3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 149.09-1-18.2) and the work on Pipe Creek will occur on a property located at 3027 State Route 17C, Tioga Center, NY (Tax ID: 148.08-1-25.1). These two locations will be collectively known as the Project Sites unless otherwise noted.

**New York State Department of Environmental Conservation (NYSDEC) Records:** The Project Sites are not listed on the NYSDEC Bulk Storage, Environmental Site Remediation, or Spill Incidents Databases. A review of the NYSDEC databases provided no indication of past uses of the Project Sites that could contaminate the Project Sites or conflict with the intended utilization of the Project Sites. The Project Sites are not located within 3,000 feet of a toxic or solid waste landfill site.

**EPA Records:** The Project Sites are not listed on an EPA Superfund National Priorities or CERCLA list or equivalent State list or EPA Resource Conservation and Recovery (RCRA) database. The Project Sites are not located within 3,000 feet of a toxic or solid waste landfill site. The Project Sites are not known or suspected to be contaminated by toxic chemicals or radioactive materials.

**Surrounding Properties Records Review**

**NYSDEC Records:** A search of the NYSDEC Environmental Site Remediation Database notes there are no environmental remediation sites within 3,000 feet of the Project Sites. It should be noted that, as accurate spill locations in the NYSDEC Incident Reports were not always provided in the Report itself, a decision was made to err on the side of caution and assume that certain spill incidents were located near the Project.
Sites and the Surrounding Properties. A search of the NYSDEC Spill Incidents Database resulted in the identification of 7 spills within 1,000 feet of the Project Sites; all 7 spills have been closed by the NYDEC. A spill closure means that the records and the data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial actions are necessary or the case was closed for administrative reasons (e.g. multiple reports of a single spill consolidated into a single spill number). As such, these spill reports are not considered a hazard that could conflict with the intended utilization of the Project Sites.

According to NYSDEC Bulk Storage Database, there are four (4) Petroleum Bulk Storage (PBS) sites located within 3,000 feet of the Project Sites; one (1) of these PBS facilities is located approximately 2,600 feet east of the Project Sites across the Susquehanna River, which would act as a hydraulic barrier for the Project Sites. As such, this PBS facility is not considered a hazard that could conflict with the intended utilization of the Project Sites.

The second PBS site, Town of Tioga Highway Department (Site No. 7-438863), is located approximately 1,390 feet north and up-gradient from the Pipe Creek Project area and Ransom Park. This facility has four in service Aboveground Storage Tanks (ASTs) and five (5) closed and removed ASTs. There are three (3) closed spills associated with this facility. This bulk storage facility is not considered a hazard that could conflict with the intended utilization of the Project Sites due to the distance of this facility from Pipe Creek, the reported status of the permitted tanks, and the lack of any open spill reports or releases to the environment from this facility.

The third PBS site, Denny Ellis Trucking (Site No. 7-600628), is located approximately 1,260 feet southwest and down-gradient of Ransom Park and Pipe Creek. This facility had one (1) AST that has been converted to non-regulated use; there are no spills associated with this facility location. This bulk storage facility is not considered a hazard that could conflict with the intended utilization of the Project Sites due to the distance and down-gradient location of this facility from the Project Sites, and lack of any open spills or releases to the environment from these facilities.

The fourth PBS site, Tioga Central School District (Site No. 7-003352), is located approximately 1,020 feet southwest and down-gradient from the Pipe Creek Project area and Ransom Park. This facility has four (4) in service Underground Storage Tanks (USTs) and 11 USTs that have been closed and removed from the site. The facility also has five (5) in service ASTs and two (2) ASTs that have been closed and removed. There is one (1) closed spill associated with this facility. This bulk storage facility is not considered a hazard that could conflict with the intended utilization of the Project Sites due to the distance and down-gradient location of this facility from the Project Sites, and lack of any open spills or releases to the environment from these facilities. Any active tanks on-site are permitted and regulated by NYSDEC which requires leak detection, containment and monitoring. Due to the distance and down-gradient location from the Project Sites and the ongoing permit monitoring, this Bulk Storage site is not considered a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the Subject Property.

EPA Records: According to the EPA’s Enforcement and Compliance History Online (ECHO) search, there are three (3) EPA permitted Clean Water Act and EPA permitted Resource Conservation and Recovery Act (RCRA) facilities located within 3,000 feet of the Project Sites. The first facility, NYSDOT BIN 1012900, is an inactive EPA-permitted RCRA facility located approximately adjacent to Ransom Park on Route 17C at the bridge crossing Pipe Creek. Given this site is a bridge and not an operational facility, this facility is not considered a hazard that could conflict with the intended utilization of the Project Sites.

The second facility, the Tioga Central Schools WWTP, located approximately 890 feet southwest and down-gradient from the Pipe Creek Project area. This facility has an active minor water discharge permit and an inactive RCRA permit; this facility is currently in compliance, but has been historically been in
Reportable Noncompliance due to permit limit violations associated with BOD, Coliforms, Total Suspended Solids, and pH. These violations have been resolved and no formal or informal enforcement actions have been issued. This facility is currently in compliance and the facility has resolved the historic violations; due to the distance and down-gradient location from the Project sites, and the status of the reported releases, this facility is not considered a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the Project Sites.

The third facility, the **Interstate Used & New Auto Parts**, is located approximately adjacent to the Susquehanna River, approximately 2,550 feet northeast and cross-gradient from the nearest Project Site, Ransom Park. This facility has a minor water discharge permit that expired on 09/30/2017; this facility is in Significant Noncompliance due to missing discharge monitoring report measurements and permit schedule violations. The state issued an administrative Compliance Order in 2015 and there are no reported releases or spills on site. While this facility is currently in noncompliance, the facility has no active discharge permit and no releases or spills were reported; due to the distance and cross-gradient location from the Project sites, location on the Susquehanna River, and the lack of reported releases or spills, this facility is not considered a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the Project Sites.

**Conclusion**
Based on a review of available environmental records for the Project Sites and the surrounding area, the Project Sites are unlikely to contain hazardous materials, contamination, toxic chemicals and gases, or radioactive substances which would constitute a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the Project Sites. Therefore, a Phase I Environmental Site Assessment (ESA) or Phase II Investigation is not warranted. Maps, NYSDEC reports, and EPA reports are included at the end of this report.

**Data Sources**
Tectonic Engineering and Surveying Consultants, P.C. (Tectonic) has reviewed the following sources to make the above determinations: Hazardous Waste records contained in the RCRA Information System, the Superfund Enterprise Management System (SEMS) for sites listed under CERCLA (otherwise known as Superfund), EPA’s Toxic Release Inventory database (TRI), and the EPA Radiation Information Database (RADInfo). RCRA includes data on small and large quantity hazardous waste material generators and handlers. EPA’s Toxic Release Inventory provides information on toxic chemical releases and waste management activities by certain industries. The RADInfo database provides information about facilities that are regulated by the U.S. EPA for radiation and radioactivity.

Tectonic reviewed the NYSDEC Environmental Site Remediation Database to assess whether the sites are registered as a NYS Superfund or Environmental Restoration site. The NYSDEC Environmental Site Remediation Database includes records of sites that are part of the NYS Superfund, Brownfield Cleanup, Environmental Restoration, and Voluntary Cleanup Programs. The Database also includes a Registry of Inactive Hazardous Waste Disposal Sites. The NYSDEC Bulk Storage Database was reviewed for records of facilities that are or have been regulated according to one of the Bulk Storage Programs - Petroleum Bulk Storage, Chemical Bulk Storage, or Major Oil Facility. The NYSDEC Spill Incidents Database was used to determine the potential effects of spills on or near the Project Sites. A desktop review of Google Earth was used in conjunction with a map of active municipal landfills (provided by the NYSDEC), and a list of landfills provided by the NYSDEC to determine whether a non-active or active landfill is located within 3,000 feet of the Project Sites.
Maps

HUD Environmental Report Maps
EPA NEPAssist Map
Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York

Legend
- Approximate Project Area
- Project Area (3,000ft Buffer)

NYSDEC Bulk Storage Database
- Chemical Bulk Storage
- Petroleum Bulk Storage
- Major Oil Storage
- Active Municipal Solid Waste Landfills
- Solid Waste Landfill Buffer(3,000 ft)

Source data: Environmental remediation sites listed in the NYSDEC Environmental Remediation Database. Properties listed on the NYSDEC Bulk Storage Database. Solid waste landfill information provided by NYSDEC. Brownfields (ACRES) information provided by EPA.

Created: 2/20/2019

Tectonic
Environmental Reports

NYSDEC Reports for Spills, Environmental Remediation Sites, or Bulk Storage Sites Located on, or within close proximity to, the Project Area
<table>
<thead>
<tr>
<th>Spill Number</th>
<th>Date</th>
<th>Spill Reported</th>
<th>Spill Name</th>
<th>County</th>
<th>City/Town</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>0651329</td>
<td>10/17/2006</td>
<td>DOUG GRAVES RESIDENCE</td>
<td>Tioga</td>
<td></td>
<td>TIOGA CENTER 8 FIFTH AVENUE</td>
<td>TIOGA CENTER 8 FIFTH AVENUE</td>
</tr>
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<td>1107881</td>
<td>09/13/2011</td>
<td>SMITH (JOHN) RESIDENCE</td>
<td>Tioga</td>
<td></td>
<td>TIOGA CENTER 14 FIFTH AVENUE</td>
<td>TIOGA CENTER 14 FIFTH AVENUE</td>
</tr>
<tr>
<td>1803554</td>
<td>07/02/2018</td>
<td>TIOGA CENTRAL SCHOOL</td>
<td>Tioga</td>
<td></td>
<td>TIOGA CENTER 3 FIFTH AVE</td>
<td>TIOGA CENTER 3 FIFTH AVE</td>
</tr>
</tbody>
</table>
Bulk Storage Database Search Details

Facility Information

Site No.: 7-438863  
Status: Active  
Expiration Date: 05/19/2023  
Site Type: PBS  
Facility Type: Municipality (Incl. Waste Water Treatment Plants, Utilities, Swimming Pools, etc.)  
Site Name: TOWN OF TIOGA HIGHWAY DEPT  
Address: 46 HALSEY VALLEY RD  
Locality: Barton  
State: NY  
Zipcode: 13734  
County: Tioga

Facility(Property) Owner(s) Information

Facility Owner: TOWN OF TIOGA HIGHWAY DEPT  
54 FIFTH AVE . BARTON, NY. 13734  
Mail Contact: TOWN OF TIOGA HIGHWAY DEPT  
46 HALSEY VALLEY RD . BARTON, NY. 13734

Facility Operator

Facility Operator: TOWN OF TIOGA HIGHWAY DEPT

Tank Information

9 Tanks Found

<table>
<thead>
<tr>
<th>Tank No</th>
<th>Tank Location</th>
<th>Status</th>
<th>Capacity (Gal.)</th>
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</thead>
<tbody>
<tr>
<td>001</td>
<td>Underground includingvaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>500</td>
</tr>
<tr>
<td>002</td>
<td>Underground includingvaulted with no access for inspection</td>
<td>Closed - Removed</td>
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<td>003</td>
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<td>Closed - Removed</td>
<td>1000</td>
</tr>
<tr>
<td>004</td>
<td>Underground includingvaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>1000</td>
</tr>
<tr>
<td>007</td>
<td>Aboveground on saddles, legs, stills, rack or cradle</td>
<td>Closed - Removed</td>
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<td>03</td>
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<td>275</td>
</tr>
<tr>
<td>04</td>
<td>Aboveground on saddles, legs, stills, rack or cradle</td>
<td>In Service</td>
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<tr>
<td>05</td>
<td>Aboveground on saddles, legs, stills, rack or cradle</td>
<td>In Service</td>
<td>4000</td>
</tr>
<tr>
<td>06</td>
<td>Aboveground on saddles, legs, stills, rack or cradle</td>
<td>In Service</td>
<td>1000</td>
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Refine This Search
<table>
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<tr>
<th>Spill Number</th>
<th>Date Spill Reported</th>
<th>Spill Name</th>
<th>County</th>
<th>City/Town</th>
<th>Address</th>
</tr>
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<tbody>
<tr>
<td>9012955</td>
<td>03/20/1991</td>
<td>TRUCK ACCIDENT</td>
<td>Tioga</td>
<td>TIOGA (T)</td>
<td>HALSEY VAL. &amp; DIAMOND VAL R</td>
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<tr>
<td>9103514</td>
<td>06/29/1991</td>
<td>PIPE CREEK</td>
<td>Tioga</td>
<td>TIOGA (T)</td>
<td>HALSEY VALLEY RD.</td>
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<tr>
<td>9413882</td>
<td>01/18/1995</td>
<td>T/TIOGA HWY. GARAGE</td>
<td>Tioga</td>
<td>TIOGA (T)</td>
<td>HALSEY VALLEY RD.</td>
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<tr>
<td>9800114</td>
<td>04/02/1998</td>
<td>TOWN OF TIOGA</td>
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<td>TIOGA CENTER</td>
<td>HALSEY VALLEY ROAD</td>
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<tr>
<td>0004896</td>
<td>07/24/2000</td>
<td>Spill Number 0004896</td>
<td>Tioga</td>
<td>TIOGA CENTER</td>
<td>169 HALSEY VALLEY ROAD</td>
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<td>1000944</td>
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Bulk Storage Database Search Details

Facility Information

Site No.: 7-600682  
Status: Inactive  
Expiration Date: 06/23/2004  
Site Type: PBS  
Facility Type: Trucking/Transportation/Fleet Operation  
Site Name: DENNY ELLIS TRUCKING  
Address: 12 HIGBY RD  
Locality: TIOGA CENTER  
State: NY  
Zipcode: 13845  
County: Tioga

Facility(Property) Owner(s) Information

Facility Owner: WILLIAMS OIL CO., INC.  
   YORK AV. N. , TOWANDA , PA. 18848  
Mail Contact: WILLIAMS OIL CO., INC.  
   YORK AV. N. , TOWANDA , PA. 18848

Facility Operator

Facility Operator: DENNY ELLIS TRUCKING

Tank Information

1 Tanks Found

<table>
<thead>
<tr>
<th>Tank No</th>
<th>Tank Location</th>
<th>Status</th>
<th>Capacity (Gal.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Aboveground on saddles, legs, stilts, rack or cradle</td>
<td>Tank Converted to Non-Regulated use</td>
<td>2000</td>
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</tbody>
</table>

Refine This Search
Bulk Storage Database Search Details

Facility Information

Site No.: 7-003352
Status: Active
Expiration Date: 05/23/2021
Site Type: PBS
Facility Type: School
Site Name: TIoga CENTRAL SCHOOL DISTRICT
Address: 3 FIFTH AVE
Locality: TIoga CENTER
State: NY
Zipcode: 13845
County: Tioga

Facility(Property) Owner(s) Information

Facility Owner: TIoga CENTRAL SCHOOL DISTRICT
3 FIFTH AVE . TIoga CENTER, NY. 13845
Mail Contact: TIoga CENTRAL SCHOOL DISTRICT #3
3 FIFTH AVE - PO BOX 241 . TIoga CENTER, NY. 13845

Facility Operator

Facility Operator: TIoga CENTRAL SCHOOL DISTRICT

Tank Information

22 Tanks Found

<table>
<thead>
<tr>
<th>Tank No</th>
<th>Tank Location</th>
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<th>Capacity (Gal.)</th>
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</thead>
<tbody>
<tr>
<td>001</td>
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<td>Closed - Removed</td>
<td>12000</td>
</tr>
<tr>
<td>002</td>
<td>Underground including vaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>12000</td>
</tr>
<tr>
<td>003</td>
<td>Underground including vaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>10000</td>
</tr>
<tr>
<td>004</td>
<td>Underground including vaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>10000</td>
</tr>
<tr>
<td>005</td>
<td>Underground including vaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>10000</td>
</tr>
<tr>
<td>006</td>
<td>Underground including vaulted with no access for inspection</td>
<td>Closed - Removed</td>
<td>5000</td>
</tr>
<tr>
<td>007</td>
<td>Underground including vaulted with no access for inspection</td>
<td>Closed - Removed</td>
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</tr>
<tr>
<td>008</td>
<td>Underground including vaulted with no access for inspection</td>
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<td>009</td>
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<tr>
<td>010</td>
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<td>In Service</td>
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</tr>
<tr>
<td>011</td>
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<td>In Service</td>
<td>10000</td>
</tr>
<tr>
<td>012</td>
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</tr>
<tr>
<td>013</td>
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</tr>
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<td>014</td>
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<td>250</td>
</tr>
<tr>
<td>016</td>
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<tr>
<td>017A</td>
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<td>In Service</td>
<td>10000</td>
</tr>
<tr>
<td>017B</td>
<td>Aboveground - in contact with impervious barrier</td>
<td>In Service</td>
<td>2000</td>
</tr>
<tr>
<td>018</td>
<td>Aboveground - in contact with impervious barrier</td>
<td>In Service</td>
<td>9800</td>
</tr>
<tr>
<td>019</td>
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<td>280</td>
</tr>
<tr>
<td>020</td>
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</tr>
<tr>
<td>021</td>
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<tr>
<td>Spill Number</td>
<td>Date Spill Reported</td>
<td>Spill Name</td>
<td>County</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------</td>
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<td>--------</td>
</tr>
<tr>
<td>0650989</td>
<td>07/06/2006</td>
<td>STAUDER RESIDENCE</td>
<td>Tioga</td>
</tr>
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</table>
## Spill Incidents Database Search Results

Record Count: 3  Rows: 1 to 3

<table>
<thead>
<tr>
<th>Spill Number</th>
<th>Date Spilled</th>
<th>Spill Name</th>
<th>County</th>
<th>City/Town</th>
<th>Address</th>
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</thead>
<tbody>
<tr>
<td>9513714</td>
<td>01/29/1996</td>
<td>SPILL NUMBER 9513714</td>
<td>Tioga</td>
<td>TIOGA CENTER</td>
<td>MAPLE AVENUE</td>
</tr>
<tr>
<td>9513772</td>
<td>01/29/1996</td>
<td>BROWN RESIDENCE</td>
<td>Tioga</td>
<td>TIOGA CENTER</td>
<td>14 MAPLE AVE</td>
</tr>
<tr>
<td>0603627</td>
<td>07/01/2006</td>
<td>PRIVATE RES</td>
<td>Tioga</td>
<td>TIOGA CENTER</td>
<td>19 MAPLE AVE</td>
</tr>
</tbody>
</table>

[Refine This Search]
Environmental Reports

U.S. EPA-permitted Facilities located on or within 3,000 feet of the Project Area and in non-compliance with the EPA permit requirements
Detailed Facility Report

Facility Summary

NYSDOT BIN 1012900
RTE 17C OVER PIPE CREEK, TIoga CENTER, NY 13845

FRS (Facility Registry Service) ID: 110008079131
EPA Region: 02
Latitude: 42.059558
Longitude: -76.345369
Locational Data Source: RCRAINFO
Industry: No description found
Indian Country: N

Enforcement and Compliance Summary

<table>
<thead>
<tr>
<th>Source</th>
<th>Reg (1 year)</th>
<th>Enf (1 year)</th>
<th>CMP (1 year)</th>
<th>OPC (1 year)</th>
<th>OPC w/ Significant Violations</th>
<th>Notice of Non-Receipt (2 years)</th>
<th>Final Enforcement Action (5 years)</th>
<th>Final Enforcement Action (7 years)</th>
<th>FP Cases (5 years)</th>
<th>FP Cases (7 years)</th>
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</thead>
<tbody>
<tr>
<td>FRS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): No Information
Resource Conservation and Recovery Act (RCRA): Inactive (Other NYD987014826)
Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

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

Facility/System Characteristics

Facility Address

<table>
<thead>
<tr>
<th>Source</th>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Facility Name</th>
<th>Facility Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>FRS</td>
<td>NYSDOT BIN 1012900</td>
<td>RTE 17C OVER PIPE CREEK, TIoga CENTER, NY 13845</td>
<td></td>
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<td>RCR</td>
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<td></td>
</tr>
</tbody>
</table>

Facility SIC, (Standard Industrial Classification) Codes

No data records returned

Facility NAICS, (North American Industry Classification System) Codes

No data records returned

Facility Tribe Information

No data records returned
Enforcement and Compliance

Compliance Monitoring History (5 years)

<table>
<thead>
<tr>
<th>Status</th>
<th>Source ID</th>
<th>Source</th>
<th>Inspection Type</th>
<th>Lead Agency</th>
<th>Date</th>
<th>Posting</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

Entries in italics are not considered inspections in official counts.

Compliance Summary Data

<table>
<thead>
<tr>
<th>Status</th>
<th>Source ID</th>
<th>Current Q3 Program Participation (FRC)</th>
<th>CMA with RCP (Program participation of 2)</th>
<th>Data Last Updated</th>
</tr>
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<tbody>
<tr>
<td>RCRA</td>
<td>NYDM565425</td>
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Three-Year Compliance History by Quarter

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<thead>
<tr>
<th>Source</th>
<th>Program</th>
<th>Program Participation</th>
<th>Q3 1</th>
<th>Q3 2</th>
<th>Q3 3</th>
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<tbody>
<tr>
<td>RCRA</td>
<td>Facility</td>
<td>Facility Status</td>
<td>2021Q1</td>
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<td>2021Q3</td>
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<td>2022Q2</td>
<td>2022Q3</td>
<td>2022Q4</td>
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Informal Enforcement Actions (5 Years)

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<thead>
<tr>
<th>Status</th>
<th>Source</th>
<th>Source ID</th>
<th>Type of Action</th>
<th>Lead Agency</th>
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Formal Enforcement Actions (5 Years)

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<th>Case No.</th>
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<th>Case Notes</th>
<th>Second Plant Date</th>
<th>Substances Abated</th>
<th>Substances Action Date</th>
<th>Fined Penalty</th>
<th>Said Local Penalty</th>
<th>IDP Case</th>
<th>Form Action Date</th>
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<tbody>
<tr>
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Environmental Conditions

Water Quality

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<th>Source</th>
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<th>CMA with RCP (Program participation of 2)</th>
<th>Data Last Updated</th>
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<tbody>
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Waterbody Designated Uses

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<tr>
<th>Source Code</th>
<th>Waterbody Name</th>
<th>Exceptional Use</th>
<th>Recreational Use</th>
<th>Aquatic Life Use</th>
<th>Shellfish Use</th>
<th>Recov Closed Within Last Year</th>
<th>Recov Closed Within Last Two Years</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
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Air Quality

<table>
<thead>
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<th>Nonmetal, ppm*</th>
<th>Pollutant</th>
<th>Applicable Nonmetal Standard</th>
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</thead>
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<td>Ozone</td>
<td></td>
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<tr>
<td>Na</td>
<td>Lead</td>
<td></td>
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<tr>
<td>Na</td>
<td>Particulate Matter</td>
<td></td>
</tr>
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<tr>
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<td>Sulfur Dioxide</td>
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</table>

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site
Demographic Profile

Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Persons (%)</th>
<th>Age Groups</th>
<th>Persons (%)</th>
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<tr>
<td>White</td>
<td>2,267 (98%)</td>
<td>Child 0 years and younger: 1,087 (49%)</td>
<td></td>
</tr>
<tr>
<td>Asian/Amer. Indian</td>
<td>7 (0.3%)</td>
<td>Minor 17 years and younger: 512 (22%)</td>
<td></td>
</tr>
<tr>
<td>Hispanic</td>
<td>2 (0.1%)</td>
<td>Adult 18 years and older: 1,184 (54%)</td>
<td></td>
</tr>
<tr>
<td>Native American</td>
<td>6 (0.3%)</td>
<td>Senior 65 years and older: 371 (17%)</td>
<td></td>
</tr>
<tr>
<td>American Indian</td>
<td>1 (0.1%)</td>
<td>Other/multiracial: 21 (1%)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education Level (Persons 21+ only)</th>
<th>Persons (%)</th>
<th>Income Bracket</th>
<th>Households (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 9th Grade</td>
<td>33 (1.57%)</td>
<td>Less than $10,000</td>
<td>8 (1.7%)</td>
</tr>
<tr>
<td>High School Diploma</td>
<td>189 (94%)</td>
<td>$10,000 - $22,500</td>
<td>73 (25%)</td>
</tr>
<tr>
<td>Some College Level</td>
<td>79 (4.13%)</td>
<td>$22,500 - $44,999</td>
<td>12 (2.5%)</td>
</tr>
<tr>
<td>B.S./B.A. in Field</td>
<td>41 (2.19%)</td>
<td>Greater than $75,000</td>
<td>13 (2.5%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key Statistics</th>
<th>Persons (%)</th>
<th>Race/Ethnicity</th>
<th>Income Bracket</th>
<th>Households (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Statistics</td>
<td>2,267 (98%)</td>
<td>White</td>
<td>Less than $10,000</td>
<td>8 (1.7%)</td>
</tr>
<tr>
<td>Native American</td>
<td>7 (0.3%)</td>
<td>Asian/Amer. Indian</td>
<td>$10,000 - $22,500</td>
<td>73 (25%)</td>
</tr>
<tr>
<td>Hispanic</td>
<td>2 (0.1%)</td>
<td>Hispanic</td>
<td>$22,500 - $44,999</td>
<td>12 (2.5%)</td>
</tr>
<tr>
<td>American Indian</td>
<td>6 (0.3%)</td>
<td>American Indian</td>
<td>Greater than $75,000</td>
<td>13 (2.5%)</td>
</tr>
<tr>
<td>Other/multiracial</td>
<td>21 (1%)</td>
<td>Other/multiracial</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Detailed Facility Report

Facility Summary

TIoga CENTRAL SCHOOLS WWTP
FIFTH AVENUE, TIoga CENTER, NY 13845

FRS (Facility Registry Service) ID: 1100000808494
EPA Region: 02
Latitude: 42.060242
Longitude: -76.353891
Locational Data Source: RCRAINFO
Industry: Educational Services
Indian Country: N

Enforcement and Compliance Summary

<table>
<thead>
<tr>
<th>Date of Last Enforcement Action</th>
<th>EPA Region</th>
<th>Status</th>
<th>Facility Name</th>
<th>Location</th>
<th>Responsible Official</th>
<th>PON</th>
<th>Enforcement Action (1 year)</th>
<th>Enforcement Action (3 years)</th>
<th>Enforcement Action (5 years)</th>
<th>EPA Region (5 years)</th>
<th>Enforcement Action (5 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/01/2019</td>
<td>02</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
<td>VOID</td>
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</table>

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Effective (NY0262315)
Resource Conservation and Recovery Act (RCRA): Inactive ( ) Other (NYD100057447)
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

Facility/System Characteristics

Facility System Characteristics

| System | Status | Identifier | Number of Employees | Code | Status | Date of Last Enforcement Action | Code | Enforcement Action (1 year) | Enforcement Action (3 years) | Enforcement Action (5 years) | EPA Region | Code | Enforcement Action (5 years) | Code | Enforcement Action (5 years) | Code | Enforcement Action (5 years) | Code |
|--------|--------|------------|---------------------|------|--------|-------------------------------|------|-----------------------------|-----------------------------|-----------------------------|------------|------|-----------------------------|------|-----------------------------|------|-----------------------------|------|-----------------------------|------|
| ICP    | VOID   | VOID       | VOID                | VOID | VOID   | VOID                          | VOID | VOID                        | VOID                        | VOID                        | 02         | VOID | VOID                        | VOID | VOID                        | VOID | VOID                        | VOID | VOID                        |

Facility Address

<table>
<thead>
<tr>
<th>System</th>
<th>Status</th>
<th>Identifier</th>
<th>Street</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
<th>Facility Name</th>
<th>Facility Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>FRS</td>
<td>VOID</td>
<td>1100000808494</td>
<td>TIoga CENTRAL SCHOOLS WWTP</td>
<td>FIFTH AVENUE, TIoga CENTER, NY 13845</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ICP</td>
<td>VOID</td>
<td>NY0262315</td>
<td>TIoga CENTRAL SCHOOLS WWTP</td>
<td>FIFTH AVENUE, TIoga CENTER, NY 13845</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RCR</td>
<td>VOID</td>
<td>Void</td>
<td>Void</td>
<td>Void</td>
<td>Void</td>
<td>Void</td>
<td>Void</td>
<td>FIFTH AVENUE, TIoga CENTER, NY 13845</td>
</tr>
</tbody>
</table>

Facility SIC (Standard Industrial Classification) Codes

<table>
<thead>
<tr>
<th>System</th>
<th>Identifier</th>
<th>SIC Code</th>
<th>SIC Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICP</td>
<td>NY0262315</td>
<td>4074</td>
<td>Elementary and Secondary Schools</td>
</tr>
<tr>
<td>RCR</td>
<td>Void</td>
<td>Void</td>
<td>Void</td>
</tr>
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</table>

Facility NAICS (North American Industry Classification System) Codes

<table>
<thead>
<tr>
<th>System</th>
<th>Identifier</th>
<th>NAICS Code</th>
<th>NAICS Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>RCR</td>
<td>Void</td>
<td>813111</td>
<td>Elementary and Secondary Schools</td>
</tr>
<tr>
<td>ICP</td>
<td>Void</td>
<td>Void</td>
<td>Void</td>
</tr>
</tbody>
</table>


## Facility Tribe Information

<table>
<thead>
<tr>
<th>Reservation Name</th>
<th>Tribe Name</th>
<th>EPA Total ID</th>
<th>Status in Tribe Point</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

No data recorded.

## Enforcement and Compliance

### Compliance Monitoring History (5 years)

<table>
<thead>
<tr>
<th>Source</th>
<th>Source ID</th>
<th>System</th>
<th>Import Type</th>
<th>Lead Agency</th>
<th>Date</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAA</td>
<td>N5F205212</td>
<td>1CP</td>
<td>Evaluation</td>
<td>New</td>
<td>06/04/2018</td>
<td></td>
</tr>
<tr>
<td>CAA</td>
<td>N5F205215</td>
<td>1CP</td>
<td>Evaluation</td>
<td>New</td>
<td>06/07/2015</td>
<td></td>
</tr>
<tr>
<td>CAA</td>
<td>N5F205218</td>
<td>1CP</td>
<td>Receptor/per Wading Sampling</td>
<td>New</td>
<td>05/28/2014</td>
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</tr>
</tbody>
</table>

Entries in italics are not considered inspections in official counts.

### Compliance Summary Data

<table>
<thead>
<tr>
<th>Entry</th>
<th>Facility ID</th>
<th>Source ID</th>
<th>Required Inspections</th>
<th>Complies w/ Inspections</th>
<th>Data Last Updated</th>
<th>QC Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAA</td>
<td>N5F205212</td>
<td></td>
<td></td>
<td></td>
<td>08/03/2019</td>
<td></td>
</tr>
<tr>
<td>RCLA</td>
<td>N5F2052429</td>
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<td></td>
<td></td>
<td>08/03/2019</td>
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### Three-Year Compliance History by Quarter

<table>
<thead>
<tr>
<th>Quarter</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
<th>***</th>
</tr>
</thead>
<tbody>
<tr>
<td>QTR 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>QTR 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>QTR 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>QTR 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

### Informal Enforcement Actions (5 Years)

<table>
<thead>
<tr>
<th>Source</th>
<th>Number</th>
<th>Source ID</th>
<th>Type of Action</th>
<th>Lead Agency</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

No data recorded.

### Formal Enforcement Actions (5 Years)

<table>
<thead>
<tr>
<th>Source</th>
<th>System</th>
<th>Early Notice</th>
<th>Source ID</th>
<th>Action Type</th>
<th>Case No</th>
<th>Local Agency</th>
<th>Case Name</th>
<th>Issued/By Date</th>
<th>Settlement Action</th>
<th>Settlement Action Date</th>
<th>Federal Penalty</th>
<th>State Local Penalty</th>
<th>BIP Cost</th>
<th>Comp Action Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Waterbody Designated Uses

<table>
<thead>
<tr>
<th>Waterbody Name</th>
<th>Exceptional Use</th>
<th>Recreational Use</th>
<th>Aquatic Life Use</th>
<th>Shellfish Use</th>
<th>Beaches Current Year</th>
<th>Beaches Within Last Two Years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Air Quality

<table>
<thead>
<tr>
<th>Narrative or Anal.</th>
<th>Latitude(s)</th>
<th>Applicable Narrative Standard</th>
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</thead>
<tbody>
<tr>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

<table>
<thead>
<tr>
<th>Facility ID</th>
<th>Total Air Discharges</th>
<th>Surface Water Discharges</th>
<th>Other Releases to Soil/Drainage System</th>
<th>Underground Discharge</th>
<th>Releases to Land</th>
<th>Total Source Releases</th>
<th>Total Off-Site Releases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

No data records entered

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records entered

Demographic Profile

Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

<table>
<thead>
<tr>
<th>Race Breakdowns</th>
<th>Persons (%)</th>
<th>Age Breakdowns</th>
<th>Persons (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>2,009 (60%)</td>
<td>Child 5 years and younger</td>
<td>164 (6%)</td>
</tr>
<tr>
<td>Asian/Pacific Islander</td>
<td>1 (0%)</td>
<td>Multi-ethnic 5-14 years</td>
<td>1 (0%)</td>
</tr>
<tr>
<td>Hispanic</td>
<td>1 (0%)</td>
<td>Male 15 years and older</td>
<td>1 (0%)</td>
</tr>
<tr>
<td>American Indian</td>
<td>1 (0%)</td>
<td>Female 15 years and older</td>
<td>1 (0%)</td>
</tr>
<tr>
<td>Other Minorities</td>
<td>1 (0%)</td>
<td>Post-Secondary Degree</td>
<td>1 (0%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Educational Level (Persons 25 and older)</th>
<th>Persons (%)</th>
<th>Income Breakdown</th>
<th>Household (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 9th Grade</td>
<td>18 (3.9%)</td>
<td>Less than $13,000</td>
<td>102 (18.9%)</td>
</tr>
<tr>
<td>9th through 12th Grade</td>
<td>257 (53.6%)</td>
<td>$13,000 - $27,000</td>
<td>113 (51.9%)</td>
</tr>
<tr>
<td>High School Diploma</td>
<td>151 (48.7%)</td>
<td>$27,000 - $55,000</td>
<td>27 (27.2%)</td>
</tr>
<tr>
<td>Some College/Associate</td>
<td>47 (21.9%)</td>
<td>$55,000 - $75,000</td>
<td>25 (25.9%)</td>
</tr>
<tr>
<td>Bachelor or More</td>
<td>28 (13.9%)</td>
<td>Greater than $75,000</td>
<td>26 (13.7%)</td>
</tr>
</tbody>
</table>
Detailed Facility Report

Facility Summary

INTERSTATE USED & NEW AUTO PARTS
3158 RTE 17C, TIoga CENTER, NY 13845

EPA Region: 02
Latitude: 42.067
Longitude: -76.342
Locational Data Source: NPDES
Industry: Motor Vehicle Parts, Used
Indian Country: N

Enforcement and Compliance Summary

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Civil Action</th>
<th>Awarded</th>
<th>Violations (3 years)</th>
<th>Violations (5 years)</th>
<th>Civil Action Awarded (3 years)</th>
<th>Civil Action Awarded (5 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CWA</td>
<td></td>
<td></td>
<td>7</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Expired (NYR00D239)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

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

Facility/System Characteristics

Facility Address

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>CWA</td>
<td>3158 RTE 17C, TIoga CENTER, NY 13845</td>
</tr>
</tbody>
</table>

Facility SIC (Standard Industrial Classification) Codes

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>3511</td>
<td>Motor Vehicle Parts, Used</td>
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</tbody>
</table>

Facility NAICS (North American Industry Classification System) Codes

<table>
<thead>
<tr>
<th>Facility NAICS Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data available</td>
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</table>

Facility Tribe Information
Enforcement and Compliance

Compliance Monitoring History (5 years)

<table>
<thead>
<tr>
<th>Status</th>
<th>Status ID</th>
<th>Source</th>
<th>Inspect Type</th>
<th>Lead Agency</th>
<th>Day</th>
<th>Result</th>
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<tbody>
<tr>
<td>No data records returned</td>
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<td></td>
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</tbody>
</table>

Entries in italics are not considered inspections in official counts.

Compliance Summary Data

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<thead>
<tr>
<th>Status</th>
<th>Status ID</th>
<th>Origin</th>
<th>Section</th>
<th>Date</th>
<th>Result</th>
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<tr>
<td>No data records returned</td>
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</table>

Three-Year Compliance History by Quarter

<table>
<thead>
<tr>
<th>Status</th>
<th>Program/Project/Location Type</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>CWA</td>
<td>Schedule: Error occurred and not reported: Other/Program Report</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>4</td>
</tr>
<tr>
<td>CWA</td>
<td>Schedule: Error occurred and not reported: Program/Project Report</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>4</td>
</tr>
<tr>
<td>CWA</td>
<td>Schedule: Error occurred and not reported: Program/Project Report</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>4</td>
</tr>
<tr>
<td>CWA</td>
<td>Schedule: Error occurred and not reported: Program/Project Report</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>4</td>
</tr>
<tr>
<td>CWA</td>
<td>Late or Missing Discharge Monitoring Report (DMX) Measurement</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>4</td>
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</table>

Informal Enforcement Actions (5 Years)

<table>
<thead>
<tr>
<th>Status</th>
<th>System</th>
<th>Source ID</th>
<th>Type of Action</th>
<th>Lead Agency</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data records returned</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

Formal Enforcement Actions (5 Years)

<table>
<thead>
<tr>
<th>Status</th>
<th>System</th>
<th>Law/Section</th>
<th>Source ID</th>
<th>Action Type</th>
<th>Class No</th>
<th>Lead Agency</th>
<th>Class Notes</th>
<th>Inspect End Date</th>
<th>Enforcement Actions</th>
<th>Federal Penalty</th>
<th>Batch Unit Penalty</th>
<th>DEP Cost</th>
<th>Comp Action Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>CWA</td>
<td>DEP</td>
<td>Littering</td>
<td>02/23/2014</td>
<td>Violation</td>
<td>Type</td>
<td>DEP</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
<td>02/23/2014</td>
</tr>
</tbody>
</table>

Environmental Conditions

Water Quality

<table>
<thead>
<tr>
<th>Permit ID</th>
<th>Contaminant Source</th>
<th>Number of CWA Programmed Sources</th>
<th>13-Hour WQI</th>
<th>Maximum Daily</th>
<th>Maximum Annual</th>
<th>Maximum Weekly</th>
<th>Maximum Daily</th>
<th>Maximum Annual</th>
<th>Maximum Weekly</th>
<th>Temperature</th>
<th>Dissolved Oxygen</th>
<th>pH</th>
<th>Other Contaminants</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data records returned</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Waterbody Designated Uses

<table>
<thead>
<tr>
<th>Permit Code</th>
<th>Waterbody Name</th>
<th>Exceptional Use</th>
<th>Recreational Use</th>
<th>Aquatic Life Use</th>
<th>Bathing Use</th>
<th>Beach Contacts Within Last Year</th>
<th>Beach Contacts Within Last Two Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data records returned</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Air Quality

<table>
<thead>
<tr>
<th>Permit ID</th>
<th>Contaminant Source</th>
<th>Pollutant(s)</th>
<th>Applicable Receptor/Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data records returned</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit ID</th>
<th>Contaminant Source</th>
<th>Pollutant(s)</th>
<th>Applicable Receptor/Enforcement</th>
</tr>
</thead>
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<tr>
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<tr>
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<table>
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<th>Pollutant(s)</th>
<th>Applicable Receptor/Enforcement</th>
</tr>
</thead>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
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<th>Contaminant Source</th>
<th>Pollutant(s)</th>
<th>Applicable Receptor/Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data records returned</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Pollutants

### Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

<table>
<thead>
<tr>
<th>Facility ID</th>
<th>Year</th>
<th>Total Air Discharges</th>
<th>Water Discharges</th>
<th>Underground Injections</th>
<th>Releases to Land</th>
<th>Total Toxic Release</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No data record received</td>
</tr>
</tbody>
</table>

### Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Total Release</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No data record received</td>
</tr>
</tbody>
</table>

## Demographic Profile

### Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Persons (%)</th>
<th>Age Ranges</th>
<th>Persons (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>2,150 (59%)</td>
<td>Child 5 years and under</td>
<td>153 (58%)</td>
</tr>
<tr>
<td>African American</td>
<td>6 (0.2%)</td>
<td>Minority in 2010-2012</td>
<td>179 (27%)</td>
</tr>
<tr>
<td>Hispanic</td>
<td>231 (7%)</td>
<td>Adult 18 years and older</td>
<td>1,488 (77%)</td>
</tr>
<tr>
<td>Asian</td>
<td>1 (0.1%)</td>
<td>Series 55 years and over</td>
<td>369 (17%)</td>
</tr>
<tr>
<td>Other</td>
<td>28 (1%)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education Level (Persons 25 &amp; Older)</th>
<th>Persons (%)</th>
<th>Income below Poverty (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 8th Grade</td>
<td>43 (1.3%)</td>
<td>41 (1.3%)</td>
</tr>
<tr>
<td>8th through 12th Grade</td>
<td>77 (1.3%)</td>
<td>124 (2.3%)</td>
</tr>
<tr>
<td>High School Degree</td>
<td>307 (3.9%)</td>
<td>256 (3.5%)</td>
</tr>
<tr>
<td>Some College or more</td>
<td>408 (4.2%)</td>
<td>372 (4.2%)</td>
</tr>
<tr>
<td>Bachelor's or above</td>
<td>120 (1.4%)</td>
<td>89 (1.1%)</td>
</tr>
</tbody>
</table>

### Additional Data

- **Median Household Income**: $40,000
- **Total Households**: 224 (2.9%)
Attachment 6

Endangered Species Compliance Documents

NYSDEC Environmental Resource Map
NYSDEC Environmental Resource Map Information
USFWS Consultation Package
The coordinates of the point you clicked on are:

<table>
<thead>
<tr>
<th>UTM 18</th>
<th>Easting: 388712.536</th>
<th>Northing: 4657212.243</th>
</tr>
</thead>
<tbody>
<tr>
<td>Longitude/Latitude</td>
<td>Longitude: -76.345</td>
<td>Latitude: 42.059</td>
</tr>
</tbody>
</table>

The approximate address of the point you clicked on is:
3062-3066 RT-17C, Barton, New York, 13734

County: Tioga
Town: Tioga
USGS Quad: OWEGO

DEC Region

Region 7:
(Central New York) Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga and Tompkins counties.
For more information visit [http://www.dec.ny.gov/about/615.html](http://www.dec.ny.gov/about/615.html).

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.
The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

**Disclaimer:** If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.
By Electronic Mail

February 20, 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 Ransom Park Improvements Project, Route 17C and Locust Street, Barton, Tioga County, New York 13734

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 Ransom Park Improvements Project, located in the Barton, Tioga County, New York (see attached figures). GOSR is acting as HUD’s non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.


Program Overview

During Tropical Storm Lee, Ransom Park was inundated with stormwater. Tropical Storm Lee produced 11 inches of rain over a 24-hour period in the Town of Tioga. These extreme rains, combined with the previous heavy rainfall from Hurricane Irene less than a month prior, led to record high water levels. In addition, Hurricane Irene and Tropical Storm Lee altered the streams, creeks, and river within the Tioga Community by eroding their banks and creating unstable riparian areas. Sediment and debris that eroded from the upslope areas of the various watersheds moved downstream and settled in areas already impounded by culverts or debris or located in “slack water” areas of the Susquehanna River. The erosion and sedimentation created flooding situations in the Tioga Community where the streams were blocked due to undersized culverts or where the waters of the Susquehanna...
were “backing up” into the stream bed.

**Area of Potential Effect and Project Description:** The Ransom Park Improvements Project (Project) located at Route 17C and Locust Street, Baron, New York 13734 will involve streambank restoration activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. The Project is located in the hamlet of Tioga Center, Town of Tioga, Tioga County, New York.

The Project will involve stream bank restoration activities in two locations. Approximately three (3) stream rock barbs will be installed along Pipe Creek upstream (west) of Ransom Park. This work will be performed on two parcels of land (Tax ID: 148.08-1-19.2 and 148.08-1-25.1). Also, berms adjacent to Pipe Creek will be removed to flood stage elevation and additional flood storage space will be provided on a parcel of land located adjacent to Ransom Park, north of Pipe Creek (Tax ID: 137.00-3-7.12). Improvements to Ransom Park will include the installation of a paved walking path, a concrete pad with an outdoor bench along the walking path, and signage along the walking path. Tree clearing will be performed as needed. It is estimated six (6) trees will need to be removed. Topsoil, seed, and mulch will be applied to all disturbed areas. Erosion and sediment controls will be installed, which will include the use of a temporary compost sock above the high water mark of Pipe Creek to prevent the discharge of sediment into Pipe Creek.

**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 that is potentially associated with the project site, the threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*) (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 requested that the NY Natural Heritage Program (NYNHP) provide any records of occurrence of NYS-listed species in the vicinity of the project site. According to the New York Natural Heritage Program mapper NYNHP on August 7, 2017, there are no records of rare or state-listed animal or plants, or significant natural communities at the project site or in its immediate vicinity (see attached map). According to geospatial data provided by USFWS there are no NLEB hibernaculum has been documented within 0.25 mile from the project site. There are currently no known maternity roost trees or hibernacula known to be occupied by NLEB within the vicinity of the project location according to geospatial information provided by the USFWS. The main impact of concern for bats is the removal of potential roost trees. GOSR will strive to remove trees between November 31 and March 1. However, due to construction limits the trees may need to be removed during the active season.

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. The project site consists of an existing fire station surrounded by low density
residential developments and open grassy areas, with forested areas and streams nearby (http://www.dec.ny.gov/animals/106090.html and https://ecos.fws.gov/ecp0/profile/speciesProfile?sId=9045).

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 (attached). All activities associated with the proposed project will not:

1) disturb hibernating north long-eared bat 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 northern long-eared bat 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.

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.

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. Trees will be removed, approximately six. GOSR will strive to have the trees removed during the inactive season of the NLEB, however, due to construction restraints, the trees may need to be removed during the active season of NLEB. There are no hibernacula within 0.25 of the project location and no known maternity roost trees near the project area. Therefore, GOSR has come to 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. 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:
4d Rule Streamlined Form
Plans
Resource Species List
NYSNHP Resource Mapper
Aerials
4d Rule Streamlined Form
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:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Does the project occur wholly outside of the WNS Zone?</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2. Have you contacted the appropriate agency to determine if your project is near known hibernacula or maternity roost trees?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>3. Could the project disturb hibernating NLEBs in a known hibernaculum?</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>4. Could the project alter the entrance or interior environment of a known hibernaculum?</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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.</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

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.

Agency and Applicant (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: Ransom Park Improvements Project

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2 See http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html
3 If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.
Ransom Park

**Project Location** (include coordinates if known): Ransom Park, Route 17 C and Locust Street, Barton, Tioga County, New York (42°03’27.14” North and 76°20’43.42” West, KMZ file attached to email.

**Basic Project Description** (provide narrative below or attach additional information):

The Project site is located at the current location of the Town of Nichols Fire Station at 106 West River Road, Nichols, NY 13812 and will include an expansion of the fire station to accommodate modern fire trucks and training and community meeting space and associated utilities such as bathrooms and updated kitchen.

<table>
<thead>
<tr>
<th>General Project Information</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the project occur within 0.25 miles of a known hibernaculum?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Does the project occur within 150 feet of a known maternity roost tree?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Does the project include forest conversion⁴ (if yes, report acreage below)</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Estimated total acres of forest conversion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If known, estimated acres⁵ of forest conversion from April 1 to October 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If known, estimated acres of forest conversion from June 1 to July 31⁶</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the project include timber harvest? (if yes, report acreage below)</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Estimated total acres of timber harvest</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If known, estimated acres of timber harvest from April 1 to October 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If known, estimated acres of timber harvest from June 1 to July 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the project include prescribed fire? (if yes, report acreage below)</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Estimated total acres of prescribed fire</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If known, estimated acres of prescribed fire from April 1 to October 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If known, estimated acres of prescribed fire from June 1 to July 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the project install new wind turbines? (if yes, report capacity in MW below)</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Estimated wind capacity (MW)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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

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⁴ 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).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.
Ransom Park
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.

Signature: _________________________________ Date Submitted: 2/20/2019
Plans
I. GENERAL REQUIREMENTS

1. FOR PROJECTS PROPOSED TO BE DISTURBED BY ANY MEANS CONSIDERED TO RESULT IN A DISTURBANCE REQUIRED TO BE COVERED BY A SWPPP, THE CONTRACTOR SHALL SUBMIT A SWPPP TO THE OWNER FOR APPROVAL AT LEAST TWO (2) DAYS PRIOR TO COMMENCEMENT OF THE PROJECT. THE CONTRACTOR SHALL CONFORM TO THE TERMS OF THE SWPPP IN ALL MATERIALS.

II. SOIL RESTORATION AND SEEDING

1. ABANDONMENT OF A WORK AREA OF CRITICAL IMPORTANCE IS REQUIRED IN ANY PROTOCOL FOR MERGE WITH OTHER PROTOCOLS FOR DISTURBANCE.

III. MULCHING

1. MULCH SHOULD NOT BE GROUND OR CHOPPED INTO SHORT PIECES. FINAL MULCH (EXCEPT SANDY SOILS, 2 INCHES).

IV. DECOMPACTATION

1. THE NYSDEC GUIDELINES FOR DECOMPACTATION ARE PUBLISHED BY NYSDEC DIVISION OF WATER (2008).

V. CONSTRUCTION SEQUENCES

1. CONSTRUCTION SEQUENCES, AND SEEDED AND MULCHED IMMEDIATELY.

VI. SEDIMENT CONTROL

1. SEDIMENT CONTROL: THE NYSDEC.

VII. OTHER SPECIFICATIONS

1. OTHER SPECIFICATIONS ARE CONFORMING TO ASTM D2487.

VIII. SCREENING

1. SCREENING: SINGLE SCREENED.

IX. STABILIZATION

1. STABILIZATION IS REQUIRED ON ALL EXPOSED LAND AND UPLIFTED SUBSOIL UNTIL ALL AREAS HAVE BEEN PERMANENTLY STABILIZED.

X. RDF AND OTHER SPECIFICATIONS

1. RDF AND OTHER SPECIFICATIONS ARE CONFORMING TO ASTM D2487.

XI. TOPSOIL

1. IMPORTED TOPSOIL ARE.

XII. LAND CLEARANCE

1. LAND CLEARANCE IS REQUIRED ON ALL EXPOSED LAND AND UPLIFTED SUBSOIL UNTIL ALL AREAS HAVE BEEN PERMANENTLY STABILIZED.

XIII. SEDIMENT CONTROL

1. SEDIMENT CONTROL: THE NYSDEC.

XIV. MULCHING

1. MULCH SHOULD NOT BE GROUND OR CHOPPED INTO SHORT PIECES. FINAL MULCH (EXCEPT SANDY SOILS, 2 INCHES).

XV. DECOMPACTATION

1. THE NYSDEC GUIDELINES FOR DECOMPACTATION ARE PUBLISHED BY NYSDEC DIVISION OF WATER (2008).

XVI. CONSTRUCTION SEQUENCES

1. CONSTRUCTION SEQUENCES, AND SEEDED AND MULCHED IMMEDIATELY.

XVII. SEDIMENT CONTROL

1. SEDIMENT CONTROL: THE NYSDEC.

XVIII. OTHER SPECIFICATIONS

1. OTHER SPECIFICATIONS ARE CONFORMING TO ASTM D2487.

XIX. SCREENING

1. SCREENING: SINGLE SCREENED.

XX. STABILIZATION

1. STABILIZATION IS REQUIRED ON ALL EXPOSED LAND AND UPLIFTED SUBSOIL UNTIL ALL AREAS HAVE BEEN PERMANENTLY STABILIZED.

XXI. RDF AND OTHER SPECIFICATIONS

1. RDF AND OTHER SPECIFICATIONS ARE CONFORMING TO ASTM D2487.

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LXXXIII. SEDIMENT CONTROL

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Resource Species List
In Reply Refer To:  
Consultation Code: 05E1NY00-2019-SLI-1108  
Event Code: 05E1NY00-2019-E-03427  
Project Name: Ransom Park Improvements 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](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/](http://www.fws.gov/windenergy/)).
Additional 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-1108

Event Code: 05E1NY00-2019-E-03427

Project Name: Ransom Park Improvements Project

Project Type: ** OTHER **

Project Description: The Project will involve stream bank restoration activities in two locations. Approximately three (3) stream rock barbs will be installed along Pipe Creek upstream (west) of Ransom Park. This work will be performed on two parcels of land (Tax ID: 148.08-1-19.2 and 148.08-1-25.1). Also, berms adjacent to Pipe Creek will be removed to flood stage elevation and additional flood storage space will be provided on a parcel of land located adjacent to Ransom Park, north of Pipe Creek (Tax ID: 137.00-3-7.12). Improvements to Ransom Park will include the installation of a paved walking path, a concrete pad with an outdoor bench along the walking path, and signage along the walking path. Tree clearing will be performed as needed. It is estimated six (6) trees will need to be removed. Topsoil, seed, and mulch will be applied to all disturbed areas. Erosion and sediment controls will be installed, which will include the use of a temporary compost sock above the high water mark of Pipe Creek to prevent the discharge of sediment into Pipe Creek.

Project Location: Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/42.05800781150617N76.34474960984431W

Counties: Tioga, 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, 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

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

No critical habitat has been designated for this species. Species profile: [https://ecos.fws.gov/ecp/species/9045](https://ecos.fws.gov/ecp/species/9045)

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
AERIALS
Attachment 7
Agricultural and NRCS Soil Resource Documents

New York State Agricultural Districts Map
USDA NRCS Soil Resource Report
USDA NRCS Farmland Classification Report
New York State Agricultural District Map (2018)

Legend

- Approximate Project Area
- NYS Agricultural District 1
- NYS Agricultural District 2

Data Sources: NYS Agricultural District Map data provided by Cornell University Geospatial Information Repository. http://cugir.mannlib.cornell.edu/datatheme.jsp?id=2

Created: 2/20/2019

Ransom Park Improvements Project
Ransom Park and Pipe Creek
Hamlet of Tioga Center
Town of Tioga
Tioga County, New York
Custom Soil Resource Report for
Tioga County, New York

United States
Department of
Agriculture

NRCS
Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

February 25, 2019
Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require
alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.
Contents

Preface........................................................................................................................................2
How Soil Surveys Are Made........................................................................................................5
Soil Map.......................................................................................................................................8
  Soil Map (Ransom Park Improvements Project)........................................................................9
  Legend.........................................................................................................................................10
Map Unit Legend (Ransom Park Improvements Project)...............................................................11
Map Unit Descriptions (Ransom Park Improvements Project)......................................................11
  Tioga County, New York.............................................................................................................13
  Tsb—Tioga silt loam, high bottom.............................................................................................13
Soil Information for All Uses..........................................................................................................15
  Suitabilities and Limitations for Use..........................................................................................15
  Building Site Development.........................................................................................................15
  Local Roads and Streets (Ransom Park Improvements Project)...............................................15
  Land Classifications...................................................................................................................19
  Farmland Classification (Ransom Park Improvements Project).................................................19
References......................................................................................................................................24
How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil
scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.
Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.
Custom Soil Resource Report

MAP LEGEND

- **Area of Interest (AOI)**
- **Soils**
  - Soil Map Unit Polygons
  - Soil Map Unit Lines
  - Soil Map Unit Points
- **Special Point Features**
  - Blowout
  - Borrow Pit
  - Clay Spot
  - Closed Depression
  - Gravel Pit
  - Gravelly Spot
  - Landfill
  - Lava Flow
  - Marsh or swamp
  - Mine or Quarry
  - Miscellaneous Water
  - Perennial Water
  - Rock Outcrop
  - Saline Spot
  - Sandy Spot
  - Severely Eroded Spot
  - Sinkhole
  - Slide or Slip
  - Sodic Spot
- **Special Line Features**
- **Water Features**
  - Streams and Canals
- **Transportation**
  - Rails
  - Interstate Highways
  - US Routes
  - Major Roads
  - Local Roads
- **Background**
  - Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:31,700.

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

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

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

**Source of Map:** Natural Resources Conservation Service

**Web Soil Survey URL:**

**Coordinate System:** Web Mercator (EPSG:3857)

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

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

**Soil Survey Area:** Tioga County, New York

**Survey Area Data:** Version 15, Sep 3, 2018

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

**Date(s) aerial images were photographed:** Aug 29, 2012—Nov 6, 2016

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

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tsb</td>
<td>Tioga silt loam, high bottom</td>
<td>6.1</td>
<td>100.0%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>6.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Map Unit Descriptions (Ransom Park Improvements Project)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the
development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.
Tioga County, New York

Tsb—Tioga silt loam, high bottom

Map Unit Setting

- National map unit symbol: 9xf
- Elevation: 600 to 1,800 feet
- Mean annual precipitation: 35 to 38 inches
- Mean annual air temperature: 43 to 48 degrees F
- Frost-free period: 100 to 170 days
- Farmland classification: All areas are prime farmland

Map Unit Composition

- Tioga, high bottom, and similar soils: 80 percent
- Minor components: 20 percent
- Estimates are based on observations, descriptions, and transects of the map unit.

Description of Tioga, High Bottom

Setting

- Landform: Flood plains
- Landform position (two-dimensional): Summit
- Landform position (three-dimensional): Rise
- Down-slope shape: Convex
- Across-slope shape: Convex
- Parent material: Loamy alluvium

Typical profile

- H1 - 0 to 18 inches: silt loam
- H2 - 18 to 36 inches: loam
- H3 - 36 to 60 inches: Error

Properties and qualities

- Slope: 0 to 3 percent
- Depth to restrictive feature: More than 80 inches
- Natural drainage class: Well drained
- Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
- Depth to water table: About 36 to 72 inches
- Frequency of flooding: Rare
- Frequency of ponding: None
- Calcium carbonate, maximum in profile: 1 percent
- Available water storage in profile: Moderate (about 8.4 inches)

Interpretive groups

- Land capability classification (irrigated): None specified
- Land capability classification (nonirrigated): 1
- Hydrologic Soil Group: A
- Hydric soil rating: No

Minor Components

Chenango

- Percent of map unit: 5 percent
- Hydric soil rating: No
Udifluvents
  Percent of map unit: 5 percent
  Hydric soil rating: No

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

Middlebury
  Percent of map unit: 5 percent
  Hydric soil rating: No
Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Building Site Development

Building site development interpretations are designed to be used as tools for evaluating soil suitability and identifying soil limitations for various construction purposes. As part of the interpretation process, the rating applies to each soil in its described condition and does not consider present land use. Example interpretations can include corrosion of concrete and steel, shallow excavations, dwellings with and without basements, small commercial buildings, local roads and streets, and lawns and landscaping.

Local Roads and Streets (Ransom Park Improvements Project)

Local roads and streets have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material; a base of gravel, crushed rock, or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete), or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity. The properties that affect the ease of excavation and grading are depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, depth to a water table, ponding, flooding, the amount of large stones, and slope. The properties that affect the traffic-supporting capacity are soil strength (as inferred from the AASHTO group index number), subsidence, linear extensibility (shrink-swell potential), the potential for frost action, depth to a water table, and ponding.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the
specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.
Custom Soil Resource Report

### MAP LEGEND

<table>
<thead>
<tr>
<th>Area of Interest (AOI)</th>
<th>Background</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Aerial Photography</td>
</tr>
</tbody>
</table>

#### Soils

- **Soil Rating Polygons**
  - Very limited
  - Somewhat limited
  - Not limited
  - Not rated or not available

- **Soil Rating Lines**
  - Very limited
  - Somewhat limited
  - Not limited
  - Not rated or not available

- **Soil Rating Points**
  - Very limited
  - Somewhat limited
  - Not limited
  - Not rated or not available

#### Water Features

- Streams and Canals

#### Transportation

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

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:31,700.

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

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

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

**Source of Map:** Natural Resources Conservation Service

**Web Soil Survey URL:**

**Coordinate System:** Web Mercator (EPSG:3857)

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

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

**Soil Survey Area:** Tioga County, New York

**Survey Area Data:** Version 15, Sep 3, 2018

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

**Date(s) aerial images were photographed:** Aug 29, 2012—Nov 6, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
Tables—Local Roads and Streets (Ransom Park Improvements Project)

<table>
<thead>
<tr>
<th>Map unit symbol</th>
<th>Map unit name</th>
<th>Rating</th>
<th>Component name (percent)</th>
<th>Rating reasons (numeric values)</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tsb</td>
<td>Tioga silt loam, high bottom</td>
<td>Somewhat limited</td>
<td>Tioga, high bottom (80%)</td>
<td>Frost action (0.50)</td>
<td>6.1</td>
<td>100.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Flooding (0.40)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>6.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rating</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Somewhat limited</td>
<td>6.1</td>
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<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td><strong>6.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Rating Options—Local Roads and Streets (Ransom Park Improvements Project)

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff: None Specified*

*Tie-break Rule:* Higher

Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Farmland Classification (Ransom Park Improvements Project)

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.
The soil surveys that comprise your AOI were mapped at 1:31,700.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Tioga County, New York
Survey Area Data: Version 15, Sep 3, 2018

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

Date(s) aerial images were photographed: Aug 29, 2012—Nov 6, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
### Table—Farmland Classification (Ransom Park Improvements Project)

<table>
<thead>
<tr>
<th>Map unit symbol</th>
<th>Map unit name</th>
<th>Rating</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tsb</td>
<td>Tioga silt loam, high bottom</td>
<td>All areas are prime farmland</td>
<td>6.1</td>
<td>100.0%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td></td>
<td><strong>6.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

### Rating Options—Farmland Classification (Ransom Park Improvements Project)

*Aggregation Method*: No Aggregation Necessary  
*Tie-break Rule*: Lower
References


Attachment 8

SHPO and THPO Documentation

SHPO Response
Letters Sent to the THPO of the Onondaga Nation
August 14, 2019

Ms. Alicia Shultz
Senior Environmental Scientist
38-40 State Street
408N, Hampton Plaza
Albany, NY 12207

Re: GOSR
   Ransom Park Improvements Project
   State Route 17C, Tioga, NY
   19PR02090

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).

We have reviewed the report entitled “Phase I Archaeological Survey, Ransom Park Improvements Project, Town of Tioga, Tioga County, New York” (August 2019). No archaeological resources were identified and SHPO concurs with the report recommendation that no additional archaeological work is necessary. It is SHPO’s opinion that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

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

cc: K. Mierisch
ANDREW M. CUOMO  
Governor

Governor's Office of  
Storm Recovery

August 16, 2019

Irving Prowless  
Chief  
RR#1 Box 319-B  
Onondaga Nation  
Onondaga Nation Via Nedrow, New York 13120

Re:  Section 106 Compliance for the Ransom Park Improvements Project, Town of Tioga, Tioga County, New York

Dear Irving Prowless,

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

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action.

Area of Potential Effect: The area of potential effect (APE) consists of three discontinuous areas encompassing a total of approximately 1,235.1 square (sq) meters (m) (13,294.5 sq feet (ft) or 0.31 acres (ac)). The three areas include the trail and amenities located within Ransom Park (Park Area) and two secondary areas of stream enhancement and stabilization located to the north of the park within Pipe Creek (Enhancement Areas) One Enhancement Area will include five in-stream rock barbs and the other area will include two. The area is characterized by woodlands and open grassy park lands. The Enhancement Areas are located within Pipe Creek stream bed.

Project Description: The Ransom Park Improvements Project (Project) will involve streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. Ransom Park is located at 3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 149.09-1-18.2) and the work on Pipe Creek will occur on a property located at 3027 State Route 17C, Tioga Center, NY (Tax ID: 148.08-1-25.1).

The Project will involve stream bank protection activities in two locations, where a total of seven (7) stream rock barbs will be installed in Pipe Creek: five (5) will be located upstream and west of Ransom Park and two (2) will be located immediately downstream and east of Ransom Park. The five (5) upstream barbs will be installed on a privately owned parcel of land (Tax ID: 148.08-1-25.1). Improvements to Ransom Park will include the installation of a paved walking path, a concrete pad with an outdoor bench along the walking path, and signage along the walking path. Tree clearing will be performed as needed, though it is estimated approximately six (6) trees will need to be removed. Topsoil, seed, and mulch will be applied to all disturbed areas. Any stockpiled soil will be stabilized with either seed or a secured impervious cover, and surrounded by silt fencing. Erosion and sediment
controls will be installed, which will include the use of a temporary compost sock above the high water mark of Pipe Creek to prevent the discharge of sediment into Pipe Creek.

**Phase I Archaeological Survey**

A Phase I Archaeological Survey was conducted for this project in May and July of 2019. The project will involve the installation of a trail within the existing Ransom Park and the installation of seven in-stream rock barbs within two separate sections of Pipe Creek for stream enhancement and stabilization. The project consists of three discontinuous areas: the Park Area and two Enhancement Areas. Together they encompass approximately 1,235.1 sq m (13,294.5 sq ft or 0.31 ac). The area is topographically situated on a floodplain/terrace above the confluence of Pipe Creek and the Susquehanna River.

A portion of the APE, involving approximately 408.1 sq m (4,392.8 sq ft or 0.1 ac), was not tested due to the presence of wet areas and previous disturbance cause by the installation of a drainage and/or utility feature and the construction of a park pavilion. Both Enhancement Areas are located entirely within the stream bed and did not require testing. The area amenable for Phase I subsurface testing encompassed approximately 827 sq m (8,901.8 sq ft or 0.2 ac) and a total of 37 shovel tests and one 1x1 m excavation unit were conducted. An area of disturbance from the installation of a drainage feature was identified in four consecutive shovel tests and the excavation unit. The area of disturbance contained a mixture of early 20th century and modern refuse within fill materials. No archaeological sites or intact archaeological features were identified.

GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. If the Area of Potential Effects encompasses historic properties of religious or cultural significance to your Nation, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

Alicia Shultz  
Senior Environmental Scientist  
New York State Homes and Community Renewal  
38-40 State Street, Hampton Plaza  
Albany NY 12207  
Alicia.Shultz@nyshcr.org  
(518) 474-0647

I am available to answer any questions that you may have regarding this action. If you have questions or require additional information regarding this request, please contact me at (518) 474-0647 or alicia.shultz@nyshcr.org. Thank you for your consideration and cooperation.

Sincerely,

Alicia Shultz  
Senior Environmental Scientist  
New York State Homes & Community Renewal
Enclosures:
Attachment 1: Project Location Map
Attachment 2: Project Area of Potential Effect (APE) Map
Attachment 3: Phase I A/B Archaeological Survey SHPO Review Letter
FIGURE 3

PROJECT NO. 19-019

PARK AREA

ENHANCEMENT AREAS

LEGEND

APE

0 60 120

1 CM = 30 METERS

REFERENCES:
Tectonic Engineering
190423 - Ransom Park Improvements.shp 4-23-19
USGS GEOGRAPHICS Aerial Imagery - 2019

Project Map - Area of Potential Effect (APE)
RANSOM PARK IMPROVEMENTS PROJECT
Town of Tioga, Tioga County, New York
August 14, 2019

Ms. Alicia Shultz
Senior Environmental Scientist
38-40 State Street
408N, Hampton Plaza
Albany, NY 12207

Re: GOSR
Ransom Park Improvements Project
State Route 17C, Tioga, NY
19PR02090

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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).

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Sincerely,

Tim Lloyd, Ph.D., RPA
Scientist - Archaeology
timothy.lloyd@parks.ny.gov

cc: K. Mierisch

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov
August 16, 2019

Ms. Thane Joyal
Attorney at Law
Counsel to Onondaga Nation
512 Jamesville Avenue
Syracuse, New York 13210

Re: Section 106 Compliance for the Ransom Park Improvements Project, Town of Tioga, Tioga County, New York

Dear Ms. Thane Joyal,

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

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**Phase I Archaeological Survey**

A Phase I Archaeological Survey was conducted for this project in May and July of 2019. The project will involve the installation of a trail within the existing Ransom Park and the installation of seven in-stream rock barbs within two separate sections of Pipe Creek for stream enhancement and stabilization. The project consists of three discontinuous areas: the Park Area and two Enhancement Areas. Together they encompass approximately 1,235.1 sq m (13,294.5 sq ft or 0.31 ac). The area is topographically situated on a floodplain/terrace above the confluence of Pipe Creek and the Susquehanna River.

A portion of the APE, involving approximately 408.1 sq m (4,392.8 sq ft or 0.1 ac), was not tested due to the presence of wet areas and previous disturbance caused by the installation of a drainage and/or utility feature and the construction of a park pavilion. Both Enhancement Areas are located entirely within the stream bed and did not require testing. The area amenable for Phase I subsurface testing encompassed approximately 827 sq m (8,901.8 sq ft or 0.2 ac) and a total of 37 shovel tests and one 1x1 m excavation unit were conducted. An area of disturbance from the installation of a drainage feature was identified in four consecutive shovel tests and the excavation unit. The area of disturbance contained a mixture of early 20th century and modern refuse within fill materials. No archaeological sites or intact archaeological features were identified.

GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. If the Area of Potential Effects encompasses historic properties of religious or cultural significance to your Nation, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

Alicia Shultz  
Senior Environmental Scientist  
New York State Homes and Community Renewal  
38-40 State Street, Hampton Plaza  
Albany NY 12207  
Alicia.Shultz@nyshcr.org  
(518) 474-0647

I am available to answer any questions that you may have regarding this action. If you have questions or require additional information regarding this request, please contact me at (518) 474-0647 or alicia.shultz@nyshcr.org. Thank you for your consideration and cooperation.

Sincerely,

Alicia Shultz  
Senior Environmental Scientist  
New York State Homes & Community Renewal
Enclosures:
Attachment 1: Project Location Map
Attachment 2: Project Area of Potential Effect (APE) Map
Attachment 3: Phase I A/B Archaeological Survey SHPO Review Letter
Project Map - Area of Potential Effect (APE)
RANSOM PARK IMPROVEMENTS PROJECT
Town of Tioga, Tioga County, New York

LEGEND

APE

ENHANCEMENT AREAS

PARK AREA

0 60 120
1 CM = 30 METERS

REFERENCES:
Tectonic Engineering
130423 - Ransom Park Improvements.shp 4-23-19
USGS GEOPHOTO
Aerial Imagery - 2019

PROJECT NO.
19-019

FIGURE 3
August 14, 2019

Ms. Alicia Shultz  
Senior Environmental Scientist  
38-40 State Street  
408N, Hampton Plaza  
Albany, NY 12207

Re:  
GOSR  
Ransom Park Improvements Project  
State Route 17C, Tioga, NY  
19PR02090

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).

We have reviewed the report entitled “Phase I Archaeological Survey, Ransom Park Improvements Project, Town of Tioga, Tioga County, New York” (August 2019). No archaeological resources were identified and SHPO concurs with the report recommendation that no additional archaeological work is necessary. It is SHPO’s opinion that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

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

cc: K. Mierisch
August 16, 2019

Anthony Gonyea
Faithkeeper-Beaver Clan
RR#1 Box 245
Onondaga Nation
Onondaga Nation Via Nedrow, New York 13120

Re:  Section 106 Compliance for the Ransom Park Improvements Project, Town of Tioga, Tioga County, New York

Dear Anthony Gonyea,

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

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action.

Area of Potential Effect: The area of potential effect (APE) consists of three discontinuous areas encompassing a total of approximately 1,235.1 square (sq) meters (m) (13,294.5 sq feet (ft) or 0.31 acres (ac)). The three areas include the trail and amenities located within Ransom Park (Park Area) and two secondary areas of stream enhancement and stabilization located to the north of the park within Pipe Creek (Enhancement Areas) One Enhancement Area will include five in-stream rock barbs and the other area will include two. The area is characterized by woodlands and open grassy park lands. The Enhancement Areas are located within Pipe Creek stream bed.

Project Description: The Ransom Park Improvements Project (Project) will involve streambank protection activities along Pipe Creek in areas that impact Ransom Park and recreational improvements to Ransom Park. Ransom Park is located at 3054 Route 17C, Hamlet of Tioga Center, Town of Tioga, NY (Tax ID: 149.09-1-18.2) and the work on Pipe Creek will occur on a property located at 3027 State Route 17C, Tioga Center, NY (Tax ID: 148.08-1-25.1).

The Project will involve stream bank protection activities in two locations, where a total of seven (7) stream rock barbs will be installed in Pipe Creek: five (5) will be located upstream and west of Ransom Park and two (2) will be located immediately downstream and east of Ransom Park. The five (5) upstream barbs will be installed on a privately owned parcel of land (Tax ID: 148.08-1-25.1). Improvements to Ransom Park will include the installation of a paved walking path, a concrete pad with an outdoor bench along the walking path, and signage along the walking path. Tree clearing will be performed as needed, though it is estimated approximately six (6) trees will need to be removed. Topsoil, seed, and mulch will be applied to all disturbed areas. Any stockpiled soil will be stabilized with either seed or a secured impervious cover, and surrounded by silt fencing. Erosion and sediment
controls will be installed, which will include the use of a temporary compost sock above the high water mark of Pipe Creek to prevent the discharge of sediment into Pipe Creek.

**Phase I Archaeological Survey**

A Phase I Archaeological Survey was conducted for this project in May and July of 2019. The project will involve the installation of a trail within the existing Ransom Park and the installation of seven in-stream rock barbs within two separate sections of Pipe Creek for stream enhancement and stabilization. The project consists of three discontinuous areas: the Park Area and two Enhancement Areas. Together they encompass approximately 1,235.1 sq m (13,294.5 sq ft or 0.31 ac). The area is topographically situated on a floodplain/terrace above the confluence of Pipe Creek and the Susquehanna River.

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GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. If the Area of Potential Effects encompasses historic properties of religious or cultural significance to your Nation, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

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Senior Environmental Scientist  
New York State Homes and Community Renewal  
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Albany NY 12207  
Alicia.Shultz@nyshc.org  
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Sincerely,

Alicia Shultz  
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New York State Homes & Community Renewal
Enclosures:
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Attachment 3: Phase I A/B Archaeological Survey SHPO Review Letter
Christine Davis Consultants
Archaeology and History
Cider Mill of Pittsburgh
560 Penn Street
Verona, PA 15147
www.ChristineDavisConsultants.com
412-826-0443

ENHANCEMENT AREAS

LEGEND

APE

PARK AREA

REFERENCES:
Tectonic Engineering
130423 - Ransom Park Improvements.shp 4-23-19
USGS GEOPHAGCS
Aerial Imagery - 2019

Project Map - Area of Potential Effect (APE)
RANSOM PARK IMPROVEMENTS PROJECT
Town of Tioga, Tioga County, New York

FIGURE 3
August 14, 2019

Ms. Alicia Shultz
Senior Environmental Scientist
38-40 State Street
408N, Hampton Plaza
Albany, NY 12207

Re: GOSR
Ransom Park Improvements Project
State Route 17C, Tioga, NY
19PR02090

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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

cc: K. Mierisch
Attachment 9

US EPA Sole Source Aquifer Documents

US EPA Sole Source Aquifer Map
US EPA SSA Consultation Response
Ms. Shultz;

We have reviewed your April 5, 2019 request regarding this proposed project. The proposed project is in the Hamlet of Tioga Center, in the Town of Tioga, NY, which is within the Clinton Street-Ballpark Sole Source Aquifer (designated 50 FR 2025, Jan. 1, 1985). One aspect of the proposal for this project is the introduction of rock barbs in Pipe Creek, a tributary of the Susquehanna River that flows eastward, just north of Ransom Park. The rock barbs would project outward from the streambank and into the stream’s central channel, redirecting water flow in order to reduce erosion of the bank and the stream bed. A paved walking path and bench set upon a concrete pad would be constructed. Based on the project description, this does not qualify as needing a sole source aquifer review, and also however we offer the following; These improvements should not pose a threat to health or the environment and the proposed project therefore complies with Section 1424(e) of the Safe Drinking Water Act.

If you have any questions concerning this matter or would like additional information, please feel free to contact Michael Poetzsch of my staff at (212) 637-4147.

Lingard Knutson, Acting Chief