DRAFT FINAL ENVIRONMENTAL ASSESSMENT CAMP SMITH ACCESS CONTROL ALTERATION AND REHABILITATION MILCON: 361103 ACCESS CONTROL BUILDING

August 2015

NEW YORK ARMY NATIONAL GUARD
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ENVIRONMENTAL ASSESSMENT ORGANIZATION

This Environmental Assessment (EA) evaluates the potential environmental, socioeconomic, and cultural effects of the New York Army National Guard's (NYARNG's) proposed construction of a permanent access control point (ACP) with an approximately 1,680 square foot (sf) control building (without visitor center) and approximately 2,950 sf of overhead cover to meet current Army and National Guard regulations and design guidelines. The project is located at the entrance of the Camp Smith Training Site in the Town of Cortlandt, New York, to meet current Army standards for safety, security, and traffic flow.

As required by the National Environmental Policy Act of 1969 (NEPA; 42 USC 4321 *et seq.*), the Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508), and 32 CFR Part 651 (*Environmental Analysis of Army Actions*, Final Rule), the potential effects of the Proposed Action are analyzed. This EA will facilitate the decision-making process by the NYARNG and the National Guard Bureau (NGB) regarding the Proposed Action and its considered alternatives, and is organized as follows:

- **EXECUTIVE SUMMARY:** Describes the Proposed Action and the No Action Alternative; summarizes environmental, cultural, and socioeconomic consequences; and compares potential effects associated with the No Action Alternative.

- **SECTION 1 PURPOSE, NEED, AND SCOPE:** Summarizes the purpose of and need for the Proposed Action, provides relevant background information, and describes the scope of the EA.

- **SECTION 2 DESCRIPTION OF THE PROPOSED ACTION & ALTERNATIVES:** Describes the Proposed Action and presents screening alternatives for implementing the Proposed Action that were considered and eliminated from further evaluation, including applied screening criteria, as well as a brief explanation of the rationale for eliminating these alternatives.

- **SECTION 3 AFFECTED ENVIRONMENT:** Describes relevant components of the existing environmental, cultural, and socioeconomic setting (within the Region of Influence [ROI]) of the Proposed Action).

- **SECTION 4 ENVIRONMENTAL CONSEQUENCES:** Identifies individual and cumulative potential environmental, cultural, and socioeconomic effects of implementing the considered alternatives; and identifies proposed mitigation and management measures, as and where appropriate.

- **SECTION 5 COMPARISON OF ALTERNATIVES AND CONCLUSIONS:** Compares the environmental effects of the Proposed Action and the No Action alternative and summarizes the significance of potential individual and cumulative effects from these alternatives.

- **SECTION 6 REFERENCES:** Provides bibliographical information for cited sources.

- **SECTION 7 LIST OF PREPARERS:** Identifies document preparers and their areas of expertise.

- **SECTION 8 AGENCIES AND INDIVIDUALS CONSULTED:** Lists agencies and individuals consulted during preparation of this EA.

- ✓ ***Funding Source:*** ***NGB***
- ✓ ***Proponent:*** ***NYARNG, Camp Smith Training Site***
- ✓ ***Fiscal Year*** ***2015 Project***

ENVIRONMENTAL ASSESSMENT SIGNATURE PAGE

LEAD AGENCY:	National Guard Bureau (NGB)
COOPERATING AGENCIES:	Federal Emergency Management Agency (FEMA)
TITLE OF PROPOSED ACTION:	Proposed Alteration and Rehabilitation of a New York Army National Guard Access Control Point at Camp Smith
AFFECTED JURISDICTION:	Town of Cortlandt, New York
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DOCUMENT DESIGNATION: Draft Environmental Assessment

ABSTRACT: The NGB and NYARNG propose an alteration and rehabilitation of an Access Control Point at Camp Smith in the Town of Cortlandt, New York, to meet current Army standards for safety, security and traffic flow. This Environmental Assessment (EA) addresses the potential environmental, socioeconomic, and cultural impacts of this proposal and its alternatives. The Proposed Action is necessary to support the NYARNG federal and state missions. The ACP will improve vehicle stacking, inspections, and rejections.

This EA evaluates the individual and cumulative effects of the Proposed Action (alteration and rehabilitation of the Camp Smith access control point) and the No Action Alternative with respect to the following focused criteria: aesthetics and visual resources, land use, geology, soils, wild & scenic rivers, water resources, biological resources, cultural resources, infrastructure, and hazardous and toxic materials/wastes.

The evaluation performed in this EA concludes that there would be no significant adverse impact, either individually or cumulatively, to the local environment or quality of life associated with the implementation of the Proposed Action, provided the mitigation and best management practices specified in this EA are implemented.

Executive Summary

Purpose of and Need for Proposed Action

The purpose of the Proposed Action is to provide a permanent ACP at the Camp Smith Training Site in the Town of Cortlandt, New York, to meet current Army standards for safety, security, and traffic flow, including UFC 4-010-01 DoD Minimum Antiterrorism Standards for Buildings and UFC 4-022-01 Security Engineering: Entry Control Facilities/Access Control Points.

Camp Smith currently does not have a permanent ACP that meets Army standards for safety, security, and traffic flow. The existing ACP consists of a single guard shack with temporary wood blockades. The location of the ACP is also in an area that frequently floods due to its elevation and proximity to the Hudson River. These conditions impact Camp Smith operations as follows:

- Long delays for deliveries and personnel due to limited facilities including only a single inbound lane for inspections.
- Lack of stacking area causing vehicles to back up into the travel lanes of Route 6.
- Limited area for vehicle turn-arounds/rejections.
- Lack of electricity, surveillance equipment, communications (other than hand-held radios)
- Inability to operate during frequent flood events.
- Increased risk for guards due to inadequate standoff distances and no facilities meeting current anti-terrorism and force protection standards.

The deficiencies of the existing ACP adversely impact the ability of Camp Smith to operate as a mission critical facility in responding to State and federal emergencies.

The proposed improvements will provide for a permanent ACP with a command and control building, overhead canopy with guard booths for checking identifications and an overwatch building. The command and control building will be designed as a fully conditioned structure, with fire protection, telecommunications, energy management control system, and energy efficient lighting.

Description of the Proposed Action

This Environmental Assessment (EA) has been prepared to comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), as amended (42 United States Code [U.S.C.] Section 4321−4347); the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500–1508); and the Army National Guard Manual for Compliance with the National Environmental Policy Act of 1969 (NEPA Handbook, October 2011 edition).

This EA analyzes the potential for significant environmental effects associated with the Proposed Action and the No Action Alternative. The Army National Guard (ARNG) proposes the rehabilitation/improvement of the existing ACP at the entrance to the Camp Smith Training Site, located in the Town of Cortlandt, Westchester County, New York.

The Proposed Action involves the construction of a permanent ACP with an approximately 1,680 square foot (sf) control building (without visitor center) and approximately 2,950 sf of overhead cover to meet current Army and National Guard regulations and design guidelines. The project also includes rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, fire protection, IT systems, conduits for low voltage wires, and a design for backup power generation will also be provided. Construction of the ACP is proposed to begin in September 2015 and be completed by August 2016.

The purpose of the Proposed Action is to modify the existing ACP to the entrance of Camp Smith Training Site to meet current Army standards for safety, security, and traffic flow. Currently the single inbound lane does not allow adequate space for vehicle stacking, inspections, and rejections. The entrance does not meet current Anti-terrorism standards or minimum stand-off distances.

Alternatives Considered

Several alternative sites and layout options were considered, along with the No Action Alternative before identifying the Preferred Alternative. The evaluation process began with the establishment of screening criteria to determine which of the several options being considered could be advanced as true alternatives.

Screening Analysis

The NYARNG conducted a screening level of analysis for several alternatives to accomplish the intended goal (purpose) of the project, which is to establish a permanent ACP to meet current Army standards for safety, security, and traffic flow. Screening criteria included the following:

- Cost – With a limited budget for this project and the intent of focusing available funding on the ACP structures and required infrastructure to meet project goals, challenging site conditions that would significantly increase costs were avoided.
- Substantially meets the purpose of the project – Provide a permanent ACP that meets current Army standards for safety, security, and traffic flow.
- Land use compatibility – both the intensity of the use (traffic volumes, truck trips) and the character of the facility (military installation) and associated safety concerns limits the acceptable locations for the ACP.
- Environmental Impact – the new ACP should avoid any significant environmental impacts to the greatest extent practicable.
- Remove ACP from flood-prone areas – the existing ACP floods frequently and therefore cannot operate as intended during these periods.

Alternative Sites

Two options have been considered to access Camp Smith from U.S. Route 9. Both access alternatives are located in the northeastern portion of the Camp Smith property. Either alternative would require a crossing of a ravine with the potential for significant impacts to a perennial stream. The site costs and the potential for significant environmental impacts that are inconsistent with the screening criteria. In addition, both alternatives would add significant traffic volume, including truck traffic, to an adjacent residential area that could result in significant land use conflicts.

Alternative Site Layout

- **Concept 1 Site Layout**

This concept would result in approximately 0.13 acre of wetland impact. The environmental impacts of this alternative are similar to those of the preferred alternative, however, wetland and floodplain impacts are slightly more and would require compensatory mitigation as part of the permitting process with the U.S. Army Corps of Engineers (USACE). This alternative is not preferred due to the lack of a bypass road, additional permitting effort, and higher costs.

- **Concept 2 Site Layout**

This alternative involved a relocation of the access road further to the west on Route 6/202 resulting in a potential significant adverse effect on floodplain and wetlands due to the extent of fill within the tidal marsh and other areas of the floodplain. It is also anticipated that a significant amount of unsuitable soil would have to be removed from the wetland for this alternative, which is known to be contaminated by lead and may also be contaminated by PCBs. Therefore, this alternative was not considered feasible.

The remaining alternatives carried through environmental impact evaluation included the Preferred Alternative (Proposed Action) and the No Action Alternative (continued use of existing ACP).

Refer to Section 2 of the EA for further details on each of the alternatives identified above. The impacts of the Proposed Action and the No Action Alternative were evaluated for each resource topic as part of this Focused EA.

Preferred Alternative

The Preferred Alternative is the redevelopment of the existing entrance to Camp Smith, as discussed in Section 2.2 of this EA. This alternative can be constructed in a manner that all necessary program requirements can be provided, substantially meeting the Army standards identified in Section 1.2, with minimal impact to the environment. This alternative would utilize existing pavement and would be almost entirely contained within previously developed lands. Since there are no significant existing structures, demolition costs will be minimal. Therefore, the costs associated with this alternative would be substantially less than that for the other alternatives considered. Additionally, by maintaining the ACP at the existing entrance, there will be no conflicts with other land uses in the vicinity.

No Action Alternative

The No Action alternative would result in the continued operation of the existing ACP at Camp Smith. The NYARNG has determined that this is an unacceptable condition. The existing single inbound lane does not allow adequate space for vehicle stacking, inspections, and rejections. Furthermore, the entrance does not meet current Anti-terrorism and force protection standards or minimum stand-off distances. As a result, this alternative does not meet the project purpose criteria. In addition, the ACP would remain in its current location and would therefore be subject to frequent flooding. As there would be no change in current operation, no construction costs and no additional environmental impacts, the screening criteria for cost, land use compatibility, and environmental impact would all be met.

Affected Environment

As agreed upon with NYARNG and National Guard Bureau (NGB), this document only focuses on environmental disciplines and respective conditions that would be potentially affected by the implementation of the Proposed Action. Therefore, it was determined that a "focused EA" will be prepared pursuant to NEPA for the Proposed Action. The focused EA (with only one 30-day comment period) will concentrate on the following disciplines:

1. Location Description
2. Land Use
3. Visual Resources
4. Geology and Soils
5. Water Resources
6. Biological Resources
7. Cultural Resources
8. Infrastructure
9. Hazardous and Toxic Materials/Wastes

Baseline conditions for the affected environment are outlined in Section 3 of this EA.

Environmental Consequences and Comparison of Alternatives

A comparative matrix of potential environmental impacts of the No Action Alternative and the Preferred Action Alternative is presented in Table ES-1.

Table ES-1 Alternative Comparison Matrix

TECHNICAL RESOURCE AREA	NO ACTION ALTERNATIVE	PREFERRED ACTION ALTERNATIVE
Location Description	Short and long-term **significant adverse** impact on facility mission and function by the continued use of a temporary ACP that fails to meet current Army standards for safety, security and traffic flow and is subject to periodic flooding.	Short and long-term **significant beneficial** impact on facility mission and function by meeting current Army standards for safety, security and traffic flow and creating a permanent ACP outside of the floodplain.
Land Use	No impact attributable to NYARNG action. NYARNG would continue to use existing ACP location, which is not located near incompatible uses.	Maintains existing access location and therefore will have no impact on land use.
Visual Resources	No impact attributable to NYARNG action. Existing small guard shack would remain.	No Short-term or long-term visual impacts will occur as a result of the project. There are no sensitive visual resources in the project vicinity that would be impacted by the ACP.
Geology and Soils	No impact attributable to NYARNG action.	Short-term, less-than-significant adverse impact to soils during construction through grading the majority of the site and improving the soils for building foundations. Erosion and sedimentation impacts would be further reduced with implementation of BMPs.
Water Resources	No impact attributable to NYARNG action. ACP would continue to flood during storm events and hinder ingress and egress.	Short-term, less-than-significant adverse impacts to offsite surface waters due to soil erosion and consequent sedimentation during construction. Would be reduced with implementation of BMPs. Potential short- and long-term significant adverse impact to the 100-year floodplain of the Hudson River by adding fill to the floodplain. Mitigation in the form of providing compensatory flood storage will result in no impact to the floodplain.
Biological Resources	No impact attributable to NYARNG action.	Potential short- and long-term **significant adverse** impact to wetlands would occur in order to construct the ACP. The impact area is less than 0.10 acre and includes highly degraded Phragmites emergent marsh. Compensatory mitigation in the form of 1:1 replacement of wetland area and functions and values will reduce this impact to less-than-significant levels. Potential short- and long-term less-than-significant adverse impact to the northern long-eared bat and Indiana bat by the removal of potential roost trees. This impact will be reduced to no impact by removal of a very limited number of trees during the winter months. Potential less-than-significant impact to migratory birds. Tree removal during non-nesting periods and continued mowing of currently mowed areas to discourage ground nesting will reduce the effects of the Proposed Action to no impact.
Cultural Resources	No impact attributable to NYARNG action.	No impact attributable to NYARNG action. The project area was previously disturbed and consists of fill material. No cultural resources are present in the project area. The NYS Office of Parks, Recreation and Historic Preservation has issued a letter of No Effect for this alternative.

TECHNICAL RESOURCE AREA	NO ACTION ALTERNATIVE	PREFERRED ACTION ALTERNATIVE
Infrastructure	The existing ACP would continue to operate with inadequate facilities and communication. The existing ACP will continue to stack vehicles into Route 6/202, resulting in a continued less-than-significant adverse impact to traffic that cannot be mitigated.	Short-term, less-than-significant adverse traffic impacts may occur during construction of the ACP. However, there will be a beneficial long-term impact to traffic by increasing the stacking distance for vehicles on-site.
Hazardous and Toxic Materials/Wastes	No impact attributable to NYARNG action.	Short- and long-term, less-than-significant adverse impacts due to construction activities within areas suspected to be contaminated with lead and possibly PCBs. Soils will be tested and managed on-site.

The Preferred Action Alternative would have a long-term positive impact on the military mission (particularly as it relates to access, traffic and safety) and no impact on land use, visual resources, wild & scenic rivers, geology & soils, cultural resources, or infrastructure. With the implementation of mitigation measures and best management practices (BMP), less-than-significant adverse impacts were identified for water resources (construction within a floodplain), biological resources (small wetland impact and removal of potential bat summer roosting trees), and hazardous and toxic materials/wastes (disturbance of soils with lead and potential PCB contamination).

The No Action Alternative would have no impact on any of the resource/impact topics. However, the No Action Alternative would have an adverse effect on the military mission to provide a safe and efficient ACP for the site.

Mitigation Measures & Best Management Practices

Mitigation measures for the Proposed Action include compensatory storage for loss of flood storage within the 100-year floodplain of the Hudson River in the form of an emergent wetland. Specific wetland mitigation will not be required by NYSDEC or USACE but is included to comply with the intent of Executive Order 11990. The mitigation will provide a minimum of 1:1 replacement of the existing, highly degraded emergent wetland and will reduce the impact below

significant levels by fully compensating for the flood storage and water quality benefits associated with the project impact area.

Tree clearing will be limited to the winter months to insure no direct adverse impacts occur to the Indiana bat and northern long-eared bat. Winter tree removal and continued regular mowing of the lawn areas will help to discourage any ground nesting of migratory birds.

Best management practices (BMPs) will be used to minimize or eliminate the minor impacts associated with construction, such as the potential for erosion and sedimentation during ground disturbance. Soil management recommendations, as described in Section 4, will minimize or eliminate any impacts associated with handling and disposal of potentially contaminated soils.

Conclusions

Based on the analysis discussed in Section 4 of this EA, the NYARNG's Proposed Action, with the mitigation measures and BMPs described above, will have less-than-significant adverse impacts or no impacts on the resources identified. This EA supports a Finding of No Significant Impact for the Proposed Action. Therefore, an Environmental Impact Statement is not required.

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List of Acronyms

ACP	Access Control Point
AIRFA	American Indian Religious Freedom Act
AMSL	Above Mean Sea Level
APE	Area of Potential Effect
ARPA	Archaeological Resources Protection Act
AVB	Active Vehicle Barrier
AADT	Annual Average Daily Traffic
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CCTV	Closed circuit television
CFR	Code of Federal Regulations
cfs	Cubic Feet Per Second
CWA	Clean Water Act
CX	Categorical Exclusion
DMNA	Division of Military and Naval Affairs
DoD	Department of Defense
EA	Environmental Assessment
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right to Know Act
FEMA	Federal Emergency Management Agency
FIRP	Flood Insurance Reimbursement Program
FMS	Field Maintenance Shop
FNSI	Finding of No Significant Impact
FWW	Freshwater Wetland
gpd	Gallons Per Day
gpm	Gallons Per Minute
HUC	Hydrologic Unit Code
HVAC	Heating, Ventilation and Air Conditioning
LF	Linear Foot
LOS	Level of Service
MGD	Million Gallons Per Day
MILCON	Military Construction

MOS	Military Occupation Specialties
MS4	Municipal Separate Storm Sewer Systems
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NEPA	National Environmental Policy Act
NFPA	National Fire Protection Agency
NGB	National Guard Bureau
NHP	Natural Heritage Program
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NPIAS	National Plan of Integrated Airport Systems
NPL	National Priorities List
NRHP	National Register of Historic Places
NRI	Nationwide Rivers Inventory
NWI	National Wetland Inventory
NYAC	New York Archeological Council
NYARNG	New York Army National Guard
NYCRR	New York Codes, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
OGS	NYS Office of General Services
OPRHP	New York State Office of Parks, Recreation and Historic Preservation
OSHA	Occupational Health & Safety Administration
Pb	Lead
PM	Particulate Matter
POV	Privately Owned Vehicle
psi	Pounds Per Square Inch
REC	Record of Environmental Considerations
SEQR	State Environmental Quality Review Act
SIP	State Implementation Plans
SF	Square Foot
SOP	Standard Operating Procedure
SPDES	State Pollutant Discharge Elimination System
SY	Square Yard
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Loads
TNW	Traditional Navigable Waters
tpy	Tons/Year
UFC	Uniform Fire Code
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
WWTP	Wastewater Treatment Plant

1 PURPOSE OF AND NEED FOR THE PROPOSED ACTION

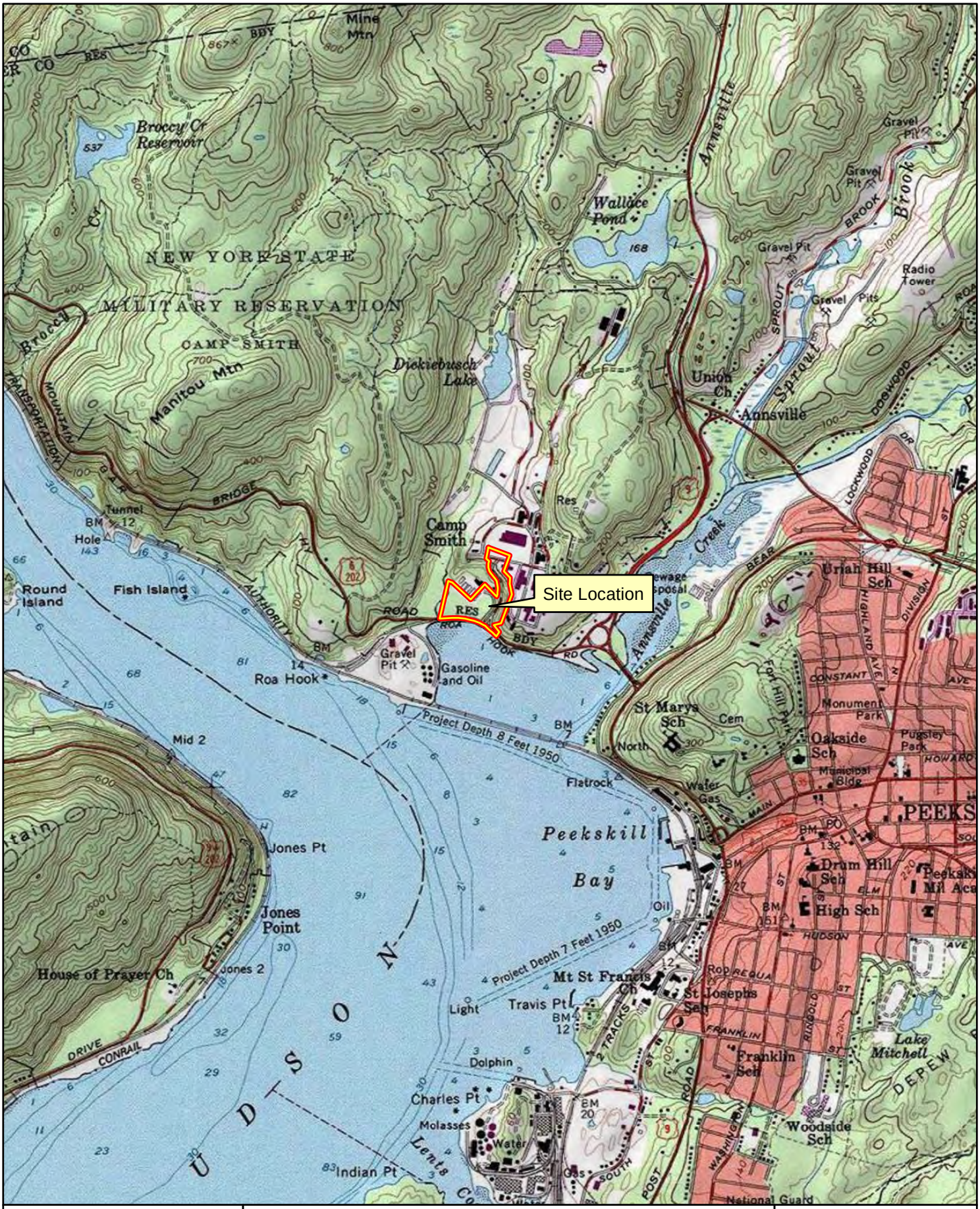
1.1 Introduction

This Environmental Assessment (EA) has been prepared to comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), as amended (42 United States Code [U.S.C.] Section 4321−4347); the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500–1508); and the Army National Guard Manual for Compliance with the National Environmental Policy Act of 1969 (NEPA Handbook, October 2011 edition).

The Proposed Action involves the rehabilitation of the existing access control point (ACP) at the entrance to the Camp Smith Training Site, located in the Town of Cortlandt, Westchester County, New York. (Figures 1-1 and 1-2). Camp Smith functions as a mission-critical facility during a state of emergency and adverse weather events. The Camp also operates as staging area for the downstate region of New York State during the time of domestic response events. The existing ACP does not provide adequate space or minimum stand-off distances to be in compliance with current anti-terrorism and force protection standards that are required by the Army. As a result of the ACP deficiencies, the ability of Camp Smith to satisfy its mission for responding to State and Federal emergencies is adversely compromised.

The existing location of the ACP is close to the intersection of the Camp Smith access road and Route 6. There is only one lane available for ingress and egress limiting the number of vehicles that can be inspected. The resulting delay and lack of stacking area causes vehicles to back up into the Route 6 travel lanes and shoulders. Due to the elevation of the existing ACP and its proximity to the Hudson River, this area floods frequently, making the ACP inoperable during flood events. The effects of major storm events, such as that experienced during Superstorm Sandy, can have longer lasting implications for facility operations.

To address current deficiencies, The New York Army National Guard (NYARNG) has proposed improvements that will bring the ACP into compliance with anti-terrorism and force protection standards (Figure 2-1). The improvements being proposed include the construction of a



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USGS Location Map

ACCESS CONTROL BUILDING
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FIGURE: 1-1

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Aerial Location Map

ACCESS CONTROL BUILDING
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DATE : FEBRUARY 2015

FIGURE: 1-2

permanent ACP, supported by a 1,680 square foot (sf) command and control building, approximately 2,950 sf of overhead canopy with guard booths for checking identifications, and an overwatch building. The improvements also include the rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, fencing, control gate, traffic control, signage and landscape. Water, sanitary sewer, storm sewer, electric, fiber, fire protection, IT systems, conduits for low voltage wires, and backup power generation are also with the improvement project.

1.2 Purpose and Need

The purpose of the Proposed Action is to provide a permanent ACP outside of frequently flooded areas at the Camp Smith Training Site in the Town of Cortlandt, New York, to meet current Army standards for safety, security, and traffic flow, including UFC 4-010-01 DoD Minimum Antiterrorism Standards for Buildings and UFC 4-022-01 Security Engineering: Entry Control Facilities/Access Control Points.

Camp Smith currently does not have a permanent ACP that meets Army standards for safety, security, and traffic flow. The existing ACP consists of a single guard shack with temporary wood blockades. The location of the ACP is also in an area that frequently floods due to its elevation and proximity to the Hudson River. These conditions impact Camp Smith operations as follows:

- Long delays for deliveries and personnel due to limited facilities/single inbound lane for inspections.
- Lack of stacking area such that vehicles back up into the travel lanes of Route 6.
- Limited area for vehicle turn-arounds/rejections.
- No electricity, surveillance equipment, communications (other than hand-held radios)
- Inability to operate during frequent flood events.
- Increased risk for guards due to inadequate standoff distances and no facilities meeting current anti-terrorism and force protection standards.

The deficiencies of the existing ACP adversely impact the ability of Camp Smith to operate as a mission critical facility in responding to State and federal emergencies.

The proposed improvements will provide for a permanent ACP with command and control building, overhead canopy with guard booths for checking identifications and an overwatch building. The command and control building will be designed as a fully conditioned structure, with fire protection, telecommunications, energy management control system, and energy efficient lighting.

1.3 Scope of the Document

This EA is an analysis of the potential environmental consequences of the Proposed Action, Alternative(s) to the Proposed Action and the No Action Alternative. In accordance with 40 CFR 1501.7(a)(3), this EA addresses the environmental resources and impact topics that could potentially be affected by the Proposed Action.

The impact analyses in this document only focuses on environmental disciplines and respective conditions that would be potentially affected by the implementation of the Proposed Action. Therefore, and as agreed upon with the National Guard Bureau (NGB), it was determined that a "focused EA" will be prepared pursuant to NEPA for the Proposed Action. Due to concerns with potential floodplain impacts and compliance with Executive Order 11988: Floodplain Management, it was also determined that the Proposed Action would not meet the requirements for a Categorical Exclusion (CE). As agreed with NGB, the focused EA (with only one 30-day comment period) will only concentrate on the following disciplines:

1. Land Use
2. Visual Resources
3. Geology and Soils
4. Water Resources
5. Biological Resources
6. Cultural Resources
7. Infrastructure
8. Hazardous and Toxic Materials/Wastes

This EA is also intended to satisfy the requirements for the New York State Environmental Quality Review Act (SEQR). The project will involve actions on the part of State agencies, including NYARNG, NYS Office of General Services (OGS), NYS Department of State, and the NYS Department of Environmental Conservation (NYSDEC). As a result, these agencies are required to determine the level of action (Type 1, Unlisted, or Type 2) and determine the significance of the action through analysis of the potential environmental impacts. The project does not appear to meet a threshold to be considered a Type 1 Action and does not meet the criteria for a Type 2 Action whereby the SEQR process ends. Therefore, the project is being progressed as an Unlisted Action and will undergo Coordinated Review with the involved agencies, with NYARNG intending to serve as the Lead Agency. A full Environmental Assessment Form (FEAF) has been prepared and provided in Attachment G. The environmental documentation provided in this EA serves as Part 3 of the FEAF (discussion of the potential environmental impacts).

Coordinated Review will occur as part of the 30-day public comment period for the EA. State agencies will have the opportunity to review the environmental documentation and either concur with or challenge the Lead Agency designation. Upon completion of the comment period, the Lead Agency will make a Determination of Significance that will either lead to a Positive Declaration (require preparation of an Environmental Impact Statement) or a Negative Declaration (no significant impacts) that would end the SEQR process.

1.4 Decision-Making

Pursuant to Department of Defense (DoD) Directive 5105.77, National Guard Bureau (NGB), dated 21 May 2008, the NGB serves as the principal advisor on matters involving the [Army National Guard, or ARNG], and is responsible for implementing DoD guidance on the structure and strength authorizations of the ARNG. The NGB is responsible for ensuring that ARNG activities are performed in accordance with applicable policies and regulations. As such, the NGB is the lead federal agency responsible for preparation of NEPA-compliant documentation on projects for which the NYARNG is the proponent. In that capacity, the NGB is ultimately responsible for environmental analyses and documentation; however, the local responsibility for NEPA document preparation falls upon the NYARNG (DoD Directive 5105.77).

This EA analyzes the potential for significant environmental effects associated with the Proposed Action and alternatives, including the No Action Alternative. If the analyses presented in this EA indicate that the Proposed Action would not result in significant environmental or socioeconomic effects, then a Finding of No Significant Impact (FNSI) will be prepared. A FNSI briefly presents the reasons why a proposed action would not have a significant effect on the human environment and why an Environmental Impact Statement (EIS) would not be necessary. If the analyses presented in this EA indicate that significant environmental effects would result from the Proposed Action that cannot be mitigated to insignificance, a Notice of Intent to prepare an EIS would be required or no action would be taken.

1.5 Agency and Public Participation

Agency and public participation in the NEPA process promotes open communications. All persons and organizations that have potential interest in the Proposed Action are encouraged to participate in the decision-making process.

Initial internal scoping for the project resulted in the identification of several technical disciplines/resources that could be eliminated/dismissed from further review in this EA since the elements of the Proposed Action would clearly have no impact on these resources. The following table provides a brief, specific rationale as to why other technical disciplines/resources were eliminated/dismissed from detailed analyses.

Table 1-1 Dismissed Technical Disciplines

Technical Disciplines/ Resources	Reasons for Dismissal
Wild & Scenic Rivers	There are no listed wild and scenic rivers in the project vicinity.
Air Quality	No operational impacts and insignificant construction impacts because of a short, low-intensity construction period
Noise	No operational impacts and insignificant construction impacts because of a short, low-intensity construction period within an area of no sensitive receptors
Socioeconomics	No change in Camp Smith demographics, no property taking
Environmental Justice and Protection of Children	No new burden to local population due rehabilitation of an existing ACP
Public Health and Safety	No proposed military/firing activities, only a modification to existing ACP; thus no hazard increase to the public

Preparation of this EA has been coordinated with the appropriate Federal, State and local agencies. Additionally, coordination has included tribal governments and other interested parties. The following federal, state and local agencies have been consulted:

- United States Fish and Wildlife Service (USFWS)
- U.S. Army Corps of Engineers, New York District (USACE)
- NYSDEC
- Stockbridge-Munsee Community Band of Mohican Indians
- Delaware Nation
- Delaware Tribe of Indians
- New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
- Town of Cortlandt

This Draft EA will be submitted for a public comment period of 30 days.

1.6 Related NEPA, Environmental, and Other Documents and Processes

There are no other projects occurring at Camp Smith that are related to the Proposed Action. However, access control is essential to the safe, secure, and efficient operation of the Camp Smith Training Site. None of the other recent or ongoing projects within the Camp Smith facility are impacting resources discussed in this EA. As a result, there are no cumulative impacts associated with the Proposed Action, either on-site or within the project vicinity.

1.7 Regulatory Framework

The Proposed Action and alternatives are subject to the following federal, State and local regulations:

- National Environmental Policy Act of 1969 (NEPA), as amended (42 United States Code [U.S.C.] Section 4321−4347);
- Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500–1508);
- Army National Guard Manual for Compliance with the National Environmental Policy Act of 1969 (NEPA Handbook, October 2011 edition);
- State Environmental Quality Review Act (SEQR) and implementing regulations 6 NYCRR 617;
- Section 404 of the federal Clean Water Act;
- Section 401 Water Quality Certification;
- Section 10 of the 1899 Rivers and Harbors Act;
- Section 106 of the National Historic Preservation Act of 1966
- Endangered Species Act Section 7 Consultation
- Executive Order 11990 Wetlands
- Executive Order 11988 Floodplain Management
- Article 15 Protection of Waters
- NYS Historic Preservation Act of 1980, Section 14.09
- Town of Cortlandt Town Code, Chapter 175 Flood Damage Prevention

2 DESCRIPTION OF THE PROPOSED ACTION & ALTERNATIVES

2.1 Introduction

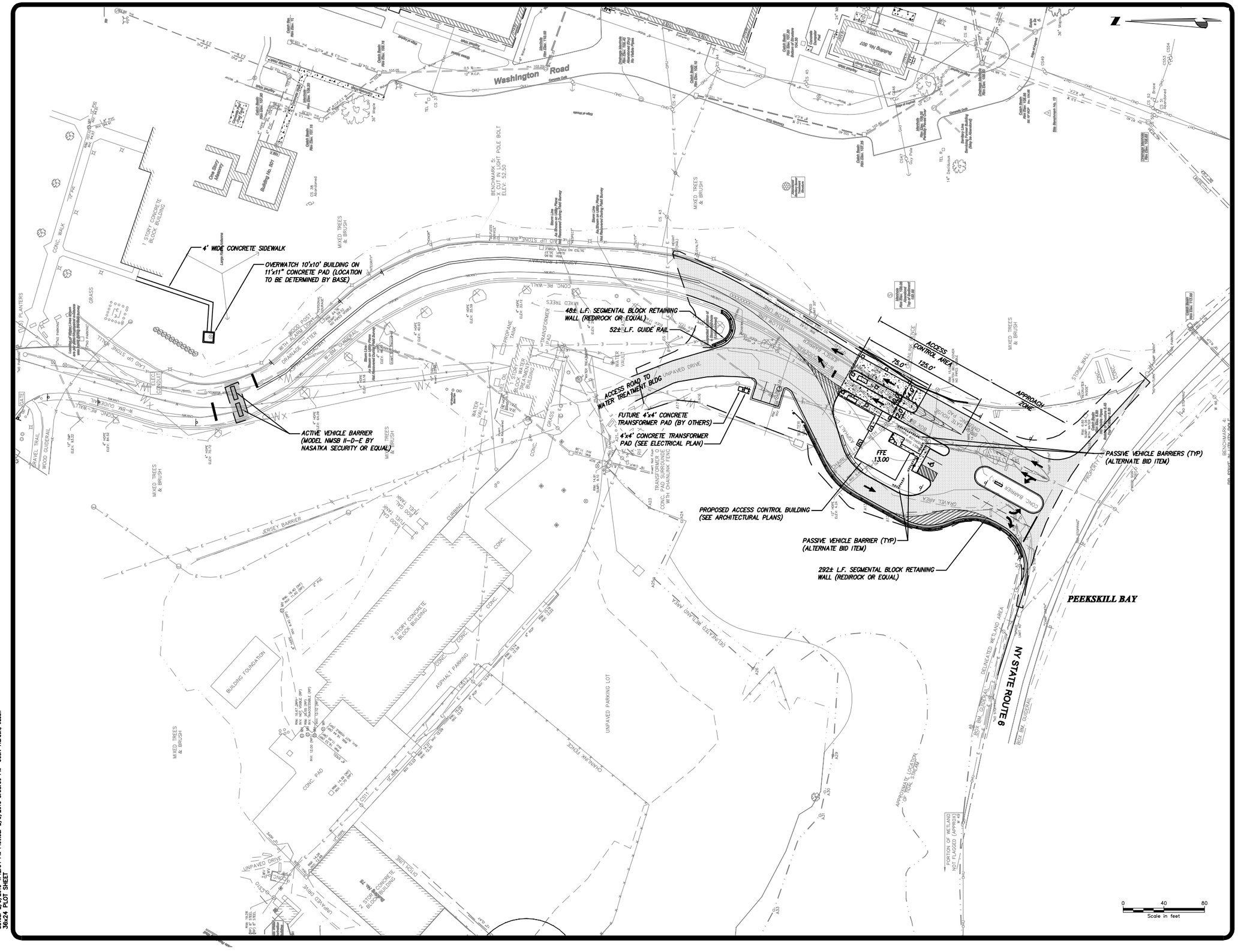
This section of the EA provides a detailed description of the Proposed Action, Camp Smith Access Control Alteration and Rehabilitation (MILCON 361103, Fiscal Year 2015 project) and identifies the alternatives considered, including the screening criteria used to evaluate feasibility of the alternatives.

2.2 Proposed Action

The proposed action will involve the construction and operation of a permanent ACP, supported by a 1,680 sf command and control building, and approximately 2,950 sf overhead canopy with guard booths for checking identifications and an overwatch building (Overall Site Layout Plan Figure 2-1). This ACP will improve vehicle stacking, inspections, and rejections. Site design will include rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and landscaping.

The rehabilitation of the ACP will be designed to be in compliance current Army and National Guard regulations and design guidelines. Critical to meeting these standards will be the incorporation of standoff distances and protective measures for antiterrorism and force protection. NYARNG has selected an Active Vehicle Barrier (AVB) safety scheme that places the final denial barrier near the top of the hill, optimizes the response zone, and provides the best flow of traffic.

The new ACP will be partially constructed in the 100-year floodplain. Justification for filling in the floodplain and associated compensatory storage is discussed in EA sections 3.6.3 and 4.6.3. The design process and alternatives analysis for the ACP was undertaken in accordance with National Guard Pamphlet 415-5 *Army National Guard Military Construction Program Execution* (July 31, 2003), Subsection 6-5f.



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NGB P.N.: 361103

TITLE: ACCESS CONTROL BUILDING

LOCATION: CAMP SMITH TRAINING SITE
11 BEAR MOUNTAIN BRIDGE ROAD
CORTLANDT MANOR, NY 10567

CLIENT: CAMP SMITH
ARMY NATIONAL GUARD

MARK	DATE	DESCRIPTION

OGS PROJECT NUMBER:	44897
DESIGNED BY:	JEC
DRAWN BY:	JEC
FIELD CHECK:	
APPROVED:	

SHEET TITLE:

OVERALL SITE LAYOUT PLAN
FIGURE 2-1

DRAWING NUMBER:
C-102

SHEET — OF

2.2.1 Construction

The project will include a new command and control building, canopy for checking identification, a reconfigured entrance, improved circulation pattern, water, sewer, electric, back-up generator, and tele-communications. Further up the hill along the access road into the Camp will be an overwatch building located adjacent to the final denial barrier. The total area of disturbance (grading, redevelopment) is 1.85 acres. This acreage includes an optional right turn lane on Route 6/202 into Camp Smith, recommended by the traffic analysis provided in Appendix F. Note that the Stormwater Pollution Prevention Plan (SWPPP) prepared for the Proposed Action does not include the right turn lane and therefore identifies a disturbance area of approximately 1.4 acres. The remaining 0.45 acre included in this EA is existing pavement. A SWPPP is typically prepared concurrently with final plans. In this case, the inclusion of the turn lane will be a bid alternate and therefore the inclusion of this project element will not be determined until after the contract is awarded. At that time, the SWPPP will be modified accordingly.

The architectural design of proposed command and control building will incorporate details that are consistent with the Camp Smith's rural character and surrounding natural environment. The exterior façade of the building will be a stone veneer with standing seam metal roof that is earth tone in color. The façade will be constructed with a cultured stone veneer on an 8" reinforced concrete masonry unit. Roofing material will be standing seam metal roof as per Army National Guard Standards.

The canopy for checking identification will be a pre-engineered metal-framed structure with metal roof truss. A minimum of 17'-6" clear height above the road surface will be incorporated to accommodate oversized vehicles. Less than 11 degrees of obstruction of vision from the command and control building will be maintained. The guard booths under the canopy used for checking identification and the overwatch structure will be designed as prefabricated metal buildings.

2.2.2 Operation

Within the command and control building, oversight of the activities of the ID check will be monitored through the use of closed circuit television (CCTV). The command and control building will be designed to allow 180 degree field of view.

Prefabricated metal guard booths will be installed on islands adjacent to each incoming lane of traffic under the canopy for checking identifications to provide protection of army personal.

The prefabricated metal overwatch building will be installed near the active barrier and provide Army personnel the ability to oversee response zone traffic and the operation at the ID check area. The overwatch building will be designed with gunports and will have a 180 degree field of view.

NYARNG has selected the "Conventional" safety scheme for the ACP. This scheme operates like a traditional signal and will include a mast arm signal with a minimum of two signal heads, a barrier signal sign, and a luminaire for lighting. The signal will always be green unless the emergency fast operating (EFO) button is pushed. Once activated, the two flashing yellow beacons located on the Stop Ahead When Flashing sign in advance of the signal will begin to flash, and the signal begins the clearance interval and changes to yellow followed by red. Once the signal is red, the active vehicle barrier (AVB) will be deployed as long as no vehicle is detected on the safety loops.

This safety scheme requires 9 seconds of response time (3 seconds for guard reaction, 4 seconds for the signal clearance interval, and 2 seconds for barrier deployment). The location of the final denial barrier was based on preliminary calculations using this scheme. As the design progresses and the concept is refined, the response zone lengths will be recalculated to ensure the AVB is properly located.

2.3 Alternatives Considered

The evaluation of alternatives is an essential component of the EA. This section begins with the screening criteria used to determine which of the alternatives considered are feasible and meet the

criteria for achieving the purpose (primary objective) of the project. Those alternatives that do not meet the screening criteria can be eliminated from further consideration. The No Action Alternative is required to be fully considered throughout the EA. For this project, the No Action Alternative is defined as the continued use of the existing ACP with no improvements.

2.3.1 Alternatives Development (Screening Criteria)

The NYARNG conducted a screening level of analysis for several alternatives to accomplish the intended goal (purpose) of the project, which is to establish a permanent ACP to meet current Army standards for safety, security, and traffic flow. Screening criteria included the following:

- Cost – With a limited budget for this project and the intent of focusing available funding on the ACP structures and required infrastructure to meet project goals, challenging site conditions that would significantly increase costs were avoided.
- Substantially meets the purpose of the project – Provide a permanent ACP that meets current Army standards for safety, security, and traffic flow.
- Land use compatibility – both the intensity of the use (traffic volumes, truck trips) and the character of the facility (military installation) and associated safety concerns limits the acceptable locations for the ACP.
- Environmental Impact – the new ACP should avoid any significant environmental impacts to the greatest extent practicable.
- Remove ACP from flood-prone areas – the existing ACP floods frequently and therefore cannot operate as intended during these periods.

Based on this criteria, the following alternatives were evaluated and eliminated them from further consideration.

2.3.1.1 Alternative Sites

Since Camp Smith is an active, mission critical facility, safe, efficient and secure access must be maintained. The current access to Camp Smith is from NYS Route 6/202 and is constrained by the presence of tidal wetlands and steep slopes.

The steep topography surrounding Camp Smith provides few options for locating new points of access. However, two alternative locations were evaluated to determine the feasibility of

relocating the main access from Route 6/202 to a new location that would provide the required space for the construction of a fully functional ACP. These alternatives are illustrated on Figure 2-2 and include a new Route 9 access and the improvement of an existing access from Jean Drive.

Route 9

Within the northeastern portion of the Camp Smith property, there is an existing access road that connects with Jean Drive and continues east to a point close to Route 9. It is within this location that an alternative access from Route 9 was considered. The topography in this location contains steep slopes that are not suitable for construction of a new access roadway. In addition, at this location, Route 9 is a divided highway that is separated by deep ravine and perennial stream. Crossing the ravine to provide safe and efficient access for northbound traffic would require a major construction effort at significant cost. The combination of steep slopes, a steep ravine on Route 9, and the need for a long stretch of new road within the Camp Smith property led to a decision to dismiss this alternative as economically not feasible, in addition to the environmental concerns.

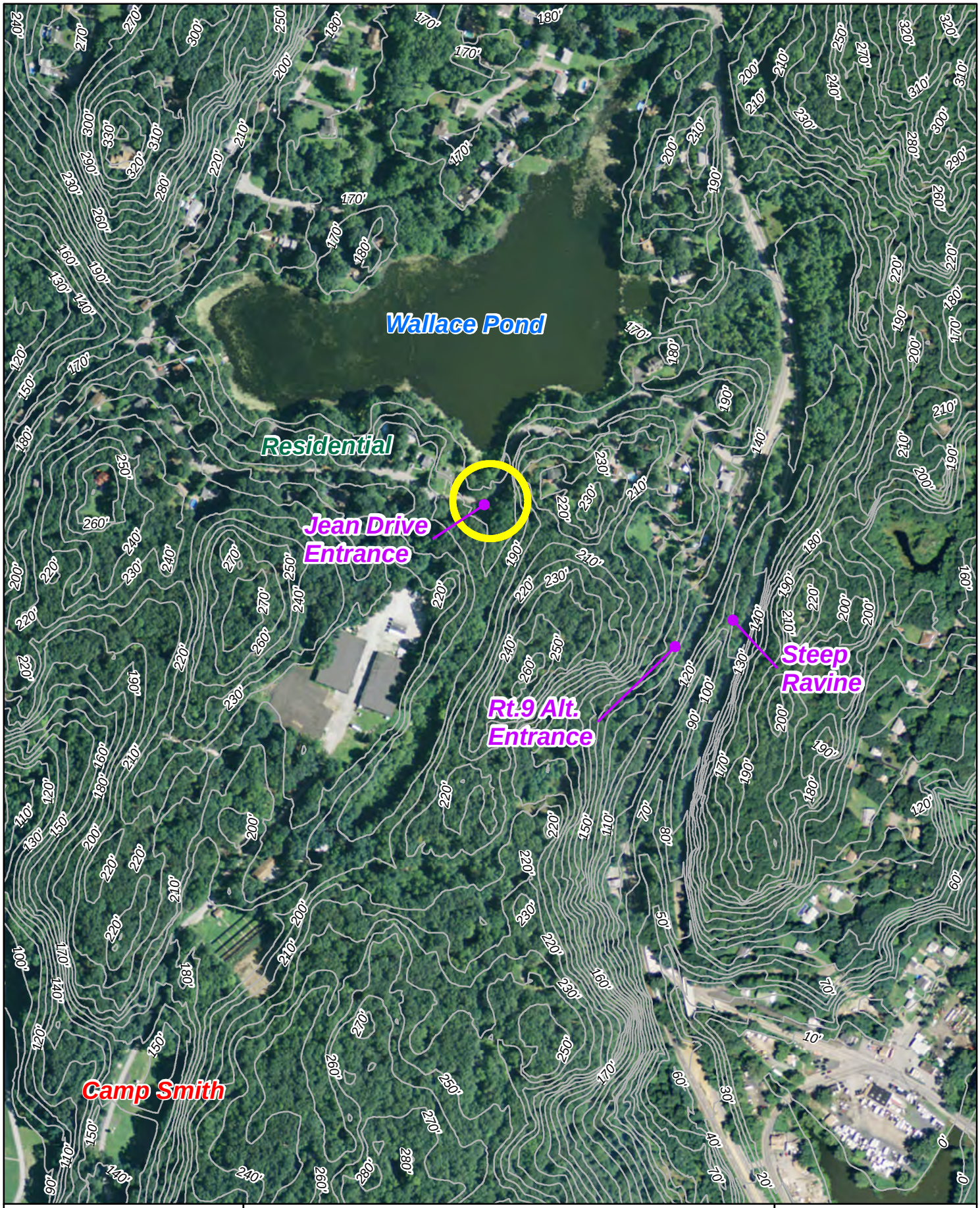
Jean Drive

Access from Jean Drive was also evaluated; however this alternative involved the same constraints associated with the Route 9 alternative regarding steep slopes and crossing the ravine on Route 9 to allow the movement of northbound traffic. In addition Jean Drive is a residential street that is not designed to accommodate truck traffic or an increase in vehicular traffic that would occur as a result of the relocation of the main entrance to Camp Smith. As a result, this alternative was dismissed from further consideration.

2.3.1.2 Alternative Design

Several alternative designs to the existing entrance were considered during the planning process, involving various configurations, ACP components, and circulation patterns. The following two alternatives are representative of the most significant differences in design from the preferred alternative.

Concept 1



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Alternate Entrance Locations

ACCESS CONTROL BUILDING
CAMP SMITH ARMY NATIONAL GUARD
11 BEAR MOUNTAIN BRIDGE ROAD
CORTLANDT MANOR, NY 10567

PROJECT NO. 29633

DATE : FEBRUARY 2015

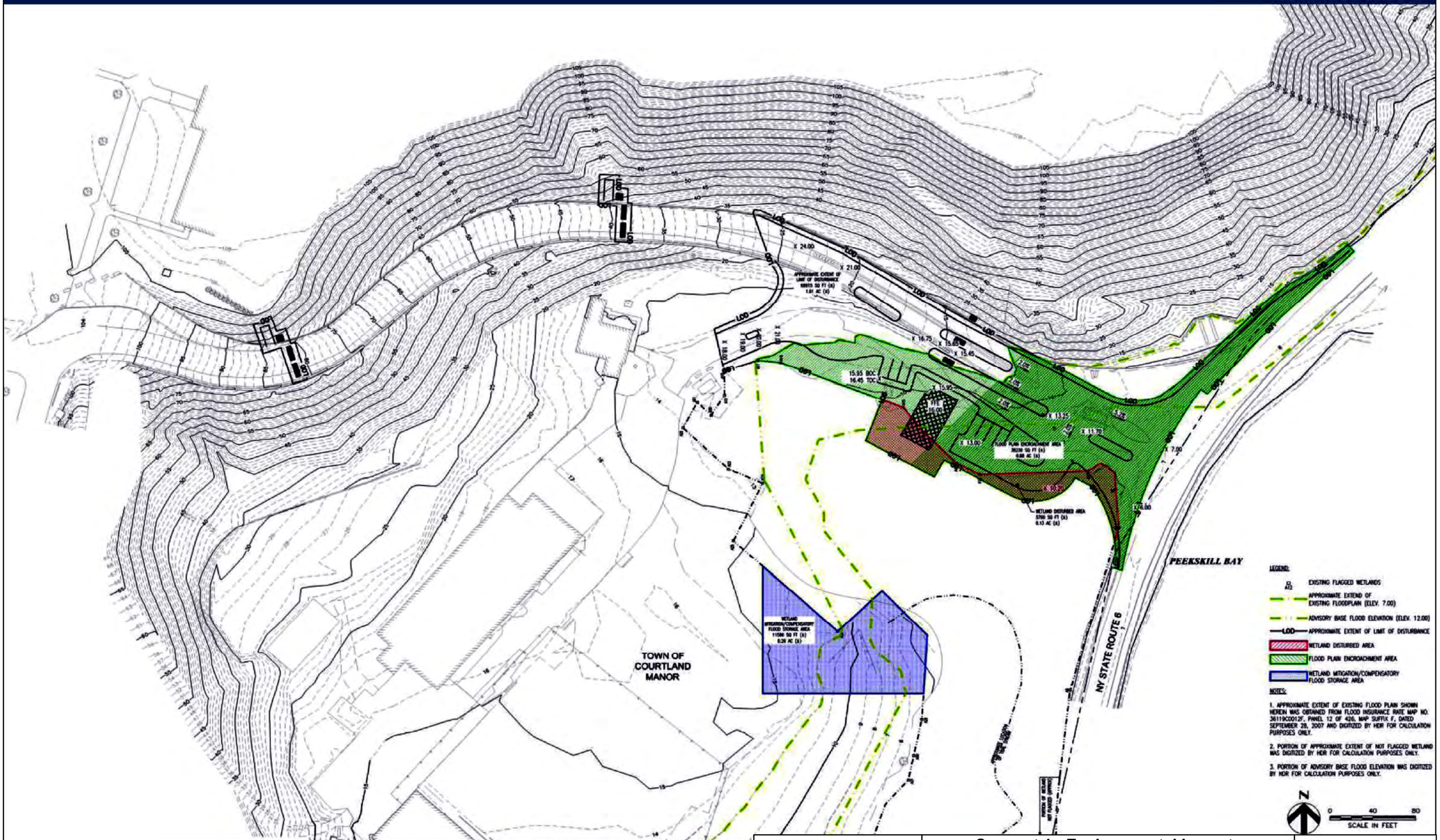
FIGURE: 2-2

Concept 1 is illustrated on Figure 2-3. This alternative included a combined access and control building and visitors center with parking. Figure 2-4 provides simulations of the new ACP. The addition of the visitors' center further limited the space between the road and wetland and did not provide room for an exit bypass road that was later deemed an essential element of the design. This concept would result in approximately 0.13 acre of wetland impact. The environmental impacts of this alternative are similar to those of the preferred alternative. However, wetland impacts are slightly more and exceed 0.10 acre, requiring compensatory mitigation as part of the permitting process with the U.S. Army Corps of Engineers (USACE). Additionally, the impacts to flood storage within the floodplain would also increase and require further compensation. Nonetheless, the primary consideration for this alternative was the lack of an exit bypass road. Including the road in this layout would have resulted in more significant wetland and floodplain impacts.

Concept 2

Concept 2 is illustrated on Figure 2-5, with simulations provided on Figure 2-6. This alternative involved a relocation of the access road to provide a longer approach, more queuing storage, a separate search/truck holding area, better site distance along Route 6, and the opportunity to eliminate conflicts between construction of the new ACP and operation of the existing ACP, among other benefits.

Despite these benefits, greater costs and much more extensive wetland and floodplain impact and associated permitting precludes further consideration of this concept as a viable project. Impacts to the tidal emergent marsh would approach 1 acre and would require an Individual Section 404 permit and compensatory mitigation for both wetland and flood storage impacts. Furthermore, the alternatives analysis required for the Section 404 permit would not support this alternative due to the existence of a feasible alternative (redevelopment of the existing entrance) with less wetland impact.



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Concept 1 - Environmental Impacts

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CORTLANDT MANOR, NY 10567

PROJECT NO. 29633

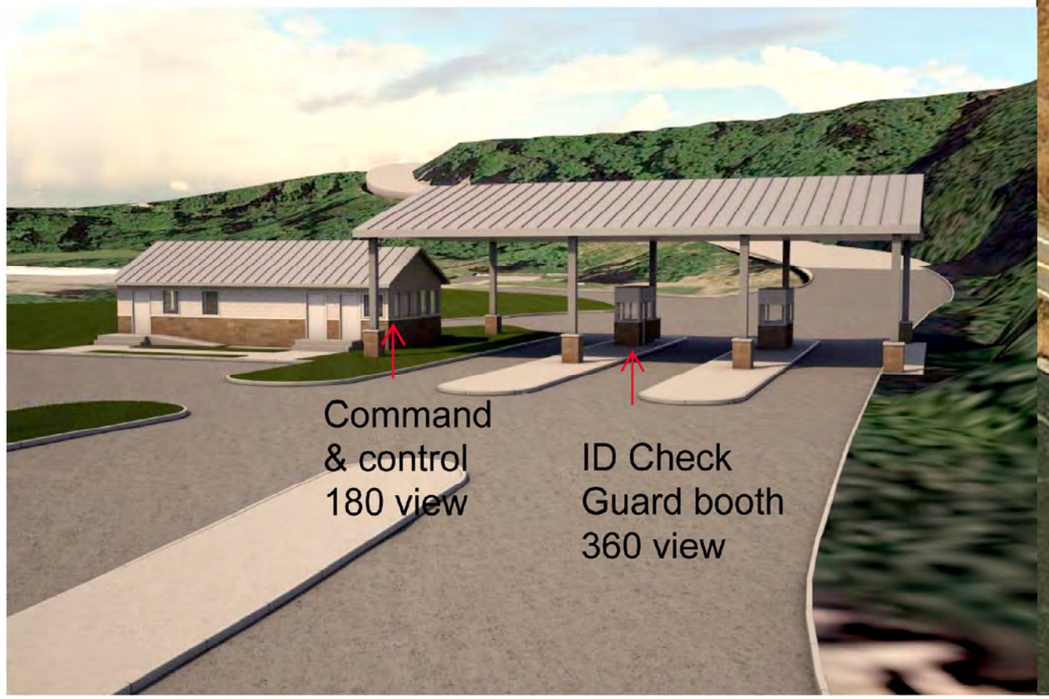
DATE : FEBRUARY 2015

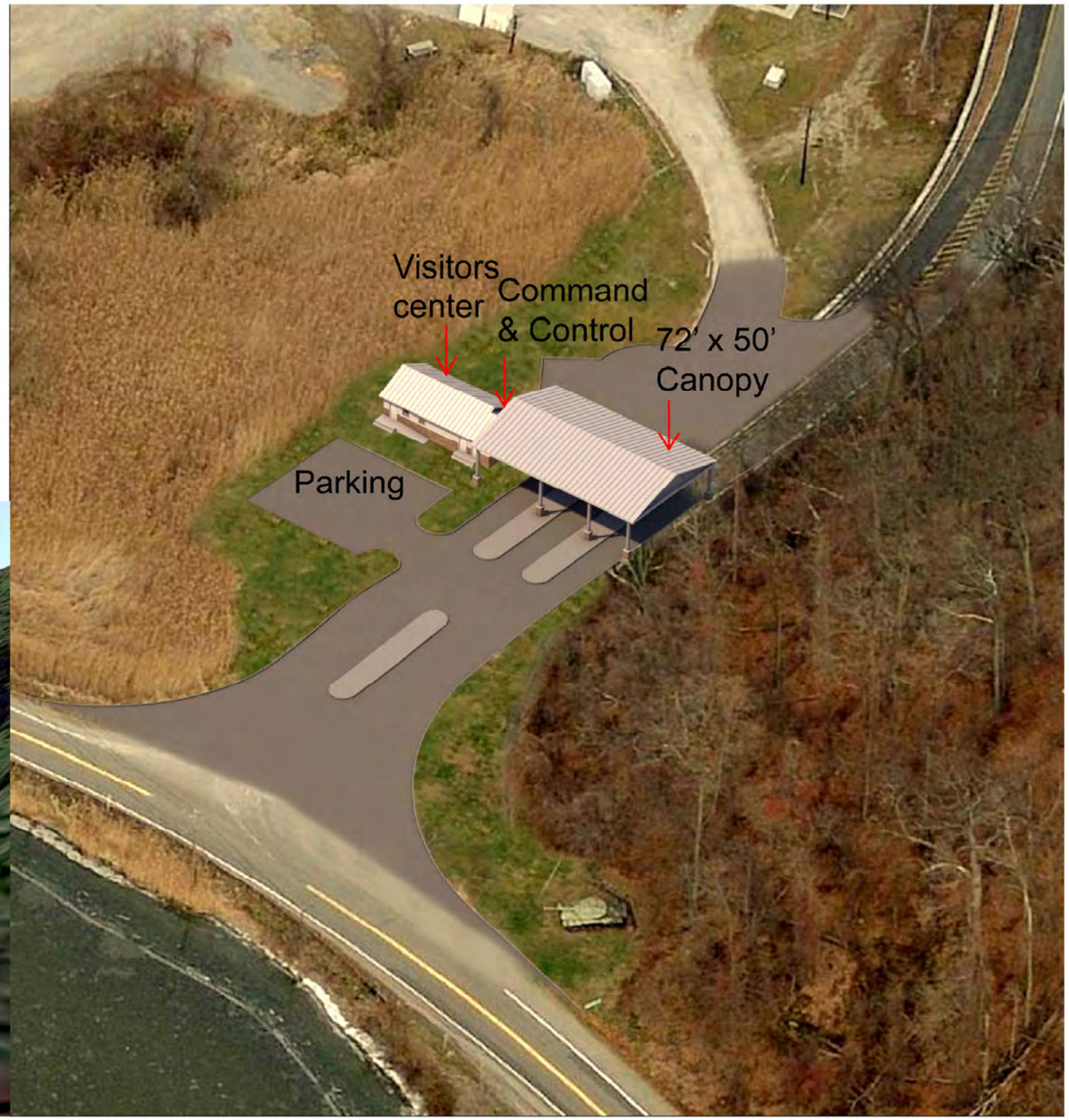
FIGURE: 2-3

Access Control Points_ Concept 1

Buildings in Access control points

- Combined Visitors center and command and control building
- Two (2)ID check guard booths
- Over watch building
- Search area shelter
- Canopy.





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Concept 1 - Simulation

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PROJECT NO. 29633

DATE : FEBRUARY 2015

FIGURE: 2-4

FLOOD PLAIN ENCROACHMENT AREA
62046 SQ FT (±)
1.42 AC (±)

WETLAND DISTURBED AREA
37064 SQ FT (±)
0.85 AC (±)

APPROXIMATE EXTENT OF
LIMIT OF DISTURBANCE
81703 SQ FT (±)
1.88 AC (±)

WETLAND MITIGATION/COMPENSATORY
FLOOD STORAGE AREA
76552 SQ FT (±)
1.76 AC (±)

NY STATE ROUTE 6

PEEKSKILL BAY

TOWN OF
COURTLAND
MANOR

LEGEND:

- EXISTING FLAGGED WETLANDS
- APPROXIMATE EXTEND OF EXISTING FLOODPLAIN (ELEV. 7.00)
- ADVISORY BASE FLOOD ELEVATION (ELEV. 12.00)
- LOD — APPROXIMATE EXTENT OF LIMIT OF DISTURBANCE
- WETLAND DISTURBED AREA
- FLOOD PLAIN ENCROACHMENT AREA
- WETLAND MITIGATION/COMPENSATORY FLOOD STORAGE AREA

NOTES:

1. APPROXIMATE EXTENT OF EXISTING FLOOD PLAIN SHOWN HEREIN WAS OBTAINED FROM FLOOD INSURANCE RATE MAP NO. 36119C0012F, PANEL 12 OF 426, MAP SUFFIX F, DATED SEPTEMBER 28, 2007 AND DIGITIZED BY HDR FOR CALCULATION PURPOSES ONLY.

2. PORTION OF APPROXIMATE EXTENT OF NOT FLAGGED WETLAND WAS DIGITIZED BY HDR FOR CALCULATION PURPOSES ONLY.

3. PORTION OF ADVISORY BASE FLOOD ELEVATION WAS DIGITIZED BY HDR FOR CALCULATION PURPOSES ONLY.

N

0 40 80
SCALE IN FEET

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Concept 2 - Environmental Impacts

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PROJECT NO.
29633

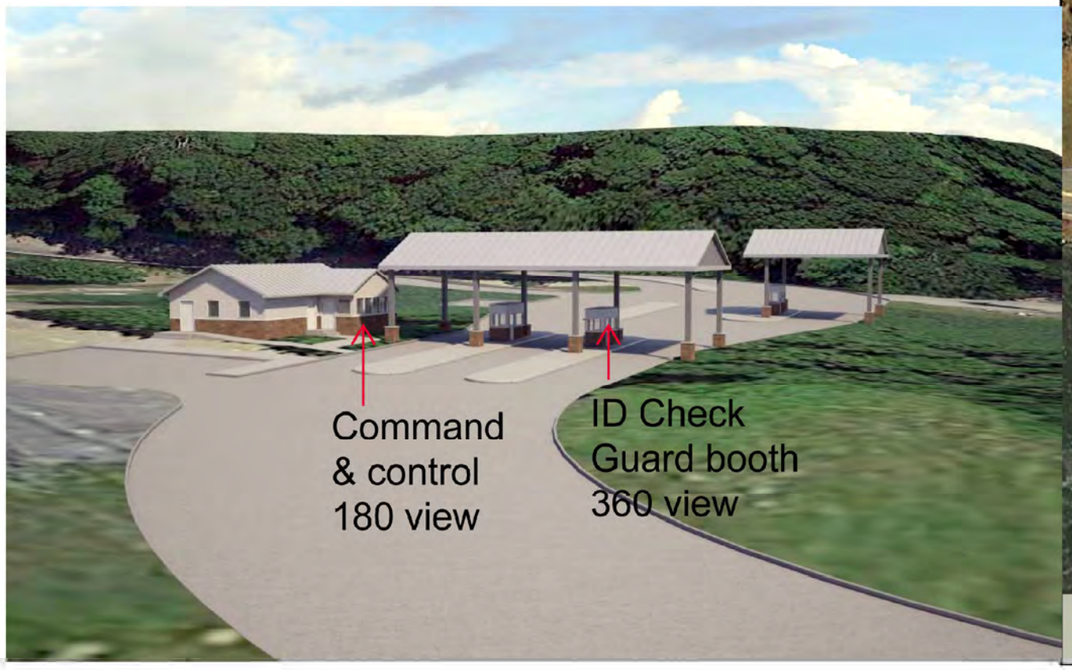
DATE : FEBRUARY 2015

FIGURE: 2-5

Access Control Points_ Concept 2

Buildings in Access control points

- Combined Visitors center and command and control building
- ID check guard booth
- Over watch building
- Search area shelter
- Two Canopies provided. Separate truck inspection canopy provided.



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Concept 2 - Simulation

ACCESS CONTROL BUILDING
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PROJECT NO. 29633

DATE : FEBRUARY 2015

FIGURE: 2-6

2.3.1.3 Preferred Alternative

The Preferred Alternative is the redevelopment of the existing entrance to Camp Smith, as discussed in Section 2.2 of this EA. This alternative can be constructed in a manner that all necessary program requirements can be provided, substantially meeting the Army standards identified in Section 1.2, with minimal impact to the environment. This alternative would utilize existing pavement and would be almost entirely contained within previously developed lands. Since there are no significant existing structures, demolition costs will be minimal. Therefore, the costs associated with this alternative would be substantially less than that for the other alternatives considered. Additionally, by maintaining the ACP at the existing entrance, there will be no conflicts with other land uses in the vicinity.

2.3.1.4 No Action Alternative

The No Action alternative would result in the continued operation of the existing ACP at Camp Smith. The NYARNG has determined that this is an unacceptable condition. The existing single inbound lane does not allow adequate space for vehicle stacking, inspections, and rejections. Furthermore, the entrance does not meet current Anti-terrorism and force protection standards or minimum stand-off distances. As a result, this alternative does not meet the project purpose criteria. In addition, the ACP would remain in its current location and would therefore be subject to frequent flooding. As there would be no change in current operation, no construction costs and no additional environmental impacts, the screening criteria for cost, land use compatibility, and environmental impact would all be met.

Table 2-1
Summary of Alternatives Screening

Screening Criteria	Preferred Alternative	Concept 1 Layout	Concept 2 Layout	Route 9	Jean Drive	No Action Alternative
Cost	✓	0	0	0	0	✓
Project Purpose	✓	✓	✓	✓	✓	0
Land Use Compatibility	✓	✓	✓	✓	0	✓
Environmental Impact	✓	0	0	0	0	✓
Flooding	✓	✓	✓	✓	✓	0

Key: ✓ = substantially meets criteria, 0 = does not meet criteria.

2.3.2 Evaluated Alternatives

As identified in Section 2.3.1, the screening analysis for several alternatives revealed that only the Preferred Alternative will meet all the screening criteria. Therefore, the Preferred Alternative and the No Action Alternative will be further evaluated in this EA. All other alternatives have been dismissed from further consideration.

2.3.2.1 Preferred Alternative

The preferred alternative is the Proposed Action. This alternative will involve the construction and operation of a permanent access control point (ACP), supported by a 1,680 sf command and control building, and approximately 2,950 sf overhead canopy with guard booths for checking identifications and an overwatch building (Overall Site Layout Plan Figure 2-1). This ACP will improve vehicle stacking, inspections, and rejections. Site design will include rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and landscaping.

The rehabilitation of the ACP will be designed to be in compliance current Army and National Guard regulations and design guidelines. Critical to meeting these standards will be the incorporation of standoff distances and protective measures for antiterrorism and force protection. NYARNG has selected an Active Vehicle Barrier (AVB) safety scheme that places the final denial barrier near the top of the hill, optimizes the response zone, and provides the best flow of traffic.

The project will include a new command and control building, canopy for checking identification, a reconfigured entrance, improved circulation pattern, water, sewer, electric, back-up generator, and tele-communications. Further up the hill along the access road into the Camp will be an overwatch building located adjacent to the final denial barrier. The total area of disturbance (grading, redevelopment) is 1.85 acres. This acreage includes an optional right turn lane on Route 6/202 into Camp Smith, recommended by the traffic analysis provided in Appendix F. Note that the SWPPP prepared for the Proposed Action does not include the right turn lane and therefore identifies a disturbance area of approximately 1.4 acres. The remaining

0.45 acre included in this EA is existing pavement. A SWPPP is typically prepared concurrently with final plans. In this case, the inclusion of the turn lane will be a bid alternate and therefore the inclusion of this project element will not be determined until after the contract is awarded. At that time, the SWPPP will be modified accordingly.

The architectural design of proposed command and control building will incorporate details that are consistent with the Camp Smith's rural character and surrounding natural environment. The exterior façade of the building will be a stone veneer with standing seam metal roof that is earth tone in color. The façade will be constructed with a cultured stone veneer on an 8" reinforced concrete masonry unit. Roofing material will be standing seam metal roof as per Army National Guard Standards.

The canopy for checking identification will be a pre-engineered metal framed structure with metal roof truss. A minimum of 17'-6" clear height above the road surface will be incorporated to accommodate oversized vehicles. Less than 11 degrees of obstruction of vision from the command and control building will be maintained. The guard booths under the canopy used for checking identification and the overwatch structure will be designed as prefabricated metal buildings.

Within the command and control building, oversight of the activities of the ID check will be monitored through the use of closed circuit television (CCTV). The command and control building will be designed to allow 180 degree field of view.

Prefabricated metal guard booths will be installed on islands adjacent to each incoming lane of traffic under the canopy for checking identifications to provide protection of army personal.

The prefabricated metal overwatch building will be installed near the active barrier and provide Army personnel the ability to oversee response zone traffic and the operation at the ID check area. The overwatch building will be designed with gunports and will have a 180 degree field of view.

NYARNG has selected the "Conventional" safety scheme for the ACP. This scheme operates like a traditional signal and will include a mast arm signal with a minimum of two signal heads, a barrier signal sign, and a luminaire for lighting. The signal will always be green unless the emergency fast operating (EFO) button is pushed. Once activated, the two flashing yellow beacons located on the Stop Ahead When Flashing sign in advance of the signal will begin to flash, and the signal begins the clearance interval and changes to yellow followed by red. Once the signal is red, the active vehicle barrier (AVB) will be deployed as long as no vehicle is detected on the safety loops.

This safety scheme requires 9 seconds of response time (3 seconds for guard reaction, 4 seconds for the signal clearance interval, and 2 seconds for barrier deployment). The location of the final denial barrier was based on preliminary calculations using this scheme. As the design progresses and the concept is refined, the response zone lengths will be recalculated to ensure the AVB is properly located.

2.3.2.2 No Action Alternative

The Council on Environmental Quality regulations and 32 CFR Part 651 indicate that the No Action Alternative must be examined to assess the environmental consequences that may happen if the Proposed Action is not constructed. While the No Action Alternative would not satisfy the purpose of or need for the Proposed Action, this alternative was retained to provide a comparative baseline against which to analyze the effects of the Proposed Action, as required under the CEQ Regulations (40 CFR Part 1502.14). The No Action Alternative reflects the status quo and serves as a benchmark against which the effects of the Proposed Action can be evaluated. The baseline conditions of the No Action Alternative are provided in Section 3.

The No Action alternative would result in the continued operation of the existing ACP at Camp Smith. The NYARNG has determined that this is an unacceptable condition. The existing single inbound lane does not allow adequate space for vehicle stacking, inspections, and rejections. Furthermore, the entrance does not meet current Anti-terrorism and force protection standards or minimum stand-off distances.

Modifications to the existing ACP will result in negligible environmental impacts as discussed in Section 4 of this EA. The total area of disturbance (area to be graded and built upon) is approximately 1.85 acres. Of this, approximately 0.492 acre is vegetated area, including 0.08 acre of highly degraded emergent marsh that will be mitigated to replace both wetland area and floodplain storage volume. The remaining area is within the existing developed ACP and roadway.

2.3.3 Alternatives Eliminated from Further Consideration

Based on the screening results discussed in Section 2.3.1, the Route 9 and Jean Drive alternatives would likely result in significant environmental impacts to forest habitats, streams, steep slopes, and associated resources. The costs to construct a new entrance would far exceed the available budget.

The alternative design options would also be more expensive than what the budget allows. Concept 1 would not provide the proper function for traffic flow and would result in greater wetland and floodplain impact. Concept 2 would result in significant impacts to the tidal wetland and floodplain and would result in significant additional cost that would likely exceed the available budget.

2.3.4 Alternatives' Impacts Comparison Matrix

TABLE 2-2: ALTERNATIVE COMPARISON MATRIX

TECHNICAL RESOURCE AREA	NO ACTION ALTERNATIVE	PREFERRED ACTION ALTERNATIVE
Location Description	Short and long-term **significant adverse** impact on facility mission and function by the continued use of a temporary ACP that fails to meet current Army standards for safety, security and traffic flow and is subject to periodic flooding.	Short and long-term **significant beneficial** impact on facility mission and function by meeting current Army standards for safety, security and traffic flow and creating a permanent ACP outside of the floodplain.
Land Use	No impact attributable to NYARNG action. NYARNG would continue to use existing ACP location, which is not located near incompatible uses.	Maintains existing access location and therefore will have no impact on land use.

TABLE 2-2: ALTERNATIVE COMPARISON MATRIX		
TECHNICAL RESOURCE AREA	**NO ACTION ALTERNATIVE**	**PREFERRED ACTION ALTERNATIVE**
Visual Resources	No impact attributable to NYARNG action. Existing small guard shack would remain.	No Short-term or long-term visual impacts will occur as a result of the project. There are no sensitive visual resources in the project vicinity that would be impacted by the ACP.
Geology and Soils	No impact attributable to NYARNG action.	Short-term, less-than-significant adverse impact to soils during construction through grading the majority of the site and improving the soils for building foundations. Erosion and sedimentation impacts would be further reduced with implementation of BMPs.
Water Resources	No impact attributable to NYARNG action. ACP would continue to flood during storm events and hinder ingress and egress.	Short-term, less-than-significant adverse impacts to offsite surface waters due to soil erosion and consequent sedimentation during construction. Would be reduced with implementation of BMPs. Potential short- and long-term significant adverse impact to the 100-year floodplain of the Hudson River by adding fill to the floodplain. Mitigation in the form of providing compensatory flood storage will result in no impact to the floodplain.
Biological Resources	No impact attributable to NYARNG action.	Potential short- and long-term **significant adverse** impact to wetlands would occur in order to construct the ACP. The impact area is less than 0.10 acre and includes highly degraded Phragmites emergent marsh. Compensatory mitigation in the form of 1:1 replacement of wetland area and functions and values will reduce this impact to less-than-significant levels. Potential short- and long-term less-than-significant adverse impact to the northern long-eared bat and Indiana bat by the removal of potential roost trees. This impact will be reduced to no impact by removal of a very limited number of trees during the winter months. Potential less-than-significant impact to migratory birds. BMPs including tree removal during non-nesting periods and continued mowing of currently mowed areas to discourage ground nesting will reduce the effects of the Proposed Action to no impact.
Cultural Resources	No impact attributable to NYARNG action.	No impact attributable to NYARNG action. The project area was previously disturbed and consists of fill material. No cultural resources are present in the project area. The NYS Office of Parks, Recreation and Historic Preservation has issued a letter of No Effect for this alternative.
Infrastructure	The existing ACP would continue to operate with inadequate facilities and communication. The existing ACP will continue to stack vehicles into Route 6/202, resulting in a continued less-than-significant adverse impact to traffic that cannot be mitigated.	Short-term, less-than-significant adverse traffic impacts may occur during construction of the ACP. However, there will be a beneficial long-term impact to traffic by increasing the stacking distance for vehicles on-site.
Hazardous and Toxic Materials/Wastes	No impact attributable to NYARNG action.	Short- and long-term, less-than-significant adverse impacts due to construction activities within areas suspected to be contaminated with lead and possibly PCBs. Soils will be tested and managed on-site.

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3 AFFECTED ENVIRONMENT

In compliance with the NEPA, CEQ Regulations, and 32 CFR Part 651, the description of the affected environment focuses on those environmental resource areas and conditions potentially subject to effects of the proposed action. Through scoping, including communications with state and federal agencies, a review of previously prepared environmental documentation for Camp Smith, and an analysis of the scope and components of the Proposed Action, the NYARNG identified, and is eliminating from detailed study, issues which are not significant or which have been covered by prior environmental review. This approach is fully consistent with the NEPA and CEQ Regulations. Through this process, the NYARNG determined that the environmental resource areas that could be dismissed from in-depth evaluation are: wild and scenic rivers, air quality, noise, socioeconomics, environmental justice and the protection of children, and public health and safety. Section 1.3 provides the rationale for dismissing these environmental resource areas in accordance with 40 CFR Part 1501.7(a)(3). The primary rationale for limiting the impact discussion is the lack of any new facilities or changes in operations that would result in an increase in facility use. Existing operations remain the same and the new ACP will result in a redevelopment of the existing access that will improve access efficiency and safety. Further detail is provided for the following resources dismissed:

Table 3-1 Dismissed Technical Disciplines

Technical Disciplines/ Resources	Reasons for Dismissal
Wild & Scenic Rivers	There are no listed wild and scenic rivers in the project vicinity.
Air Quality	No operational impacts since the project will not increase the number of vehicles entering and leaving the facility. Additionally, staffing will remain the same. Short term construction impact are insignificant because of a short, low-intensity construction period
Noise	No operational impacts since the project will not increase the number of vehicles entering and leaving the facility. Additionally, staffing will remain the same. Short term impacts are insignificant because of a short, low-intensity construction period within an area of no sensitive receptors.
Socioeconomics	No change in Camp Smith demographics, no property taking
Environmental Justice and Protection of Children	No new burden to local population due to rehabilitation of an existing ACP.
Public Health and Safety	No proposed military/firing activities, only a modification to existing ACP; thus no hazard increase to the public.

The following environmental resource areas are carried forward for evaluation: location description, land use, visual resources, geology and soils, water resources, biological resources, cultural resources, infrastructure, and hazardous and toxic materials/wastes.

3.1 Location Description

Camp Smith is located in the Hudson Highlands area of NYS along the east bank of the Hudson River (Figures 1-1 and 1-2). The facility lies within northwestern Westchester County in the Town of Cortlandt, approximately one mile northwest of the City of Peekskill and 50 miles north of New York City. Camp Smith consists of approximately 1,613 acres of land owned by DMNA. The Proposed Action would take place within Camp Smith's cantonment area that consists of approximately 350 acres in the developed southeastern part of the facility. The Proposed Action Area is approximately 1.85 acres and extends from the intersection of the Camp Smith access road and NYS Route 6, north to the location of a proposed new active vehicle barrier and overwatch building.

3.2 Land Use

3.2.1 General Land Use

Components of the Armed Forces have continuously used Camp Smith as a training facility since 1883. The facility can be generally divided into the cantonment area (approximately 22 percent) and field training areas (approximately 78 percent). A majority of the cantonment area consists of development and improved and semi-improved grounds. Land uses in the cantonment area include academic and transient housing; administrative; community; live fire small arms ranges and associated safety zones; maintenance and storage; mixed use; and open space and recreation. The training areas are primarily undeveloped, unimproved grounds. The field training areas are used for bivouac, mounted and dismounted maneuvers, land navigation, collective training, specialized training, and other types of military training activities. A portion of the Hudson River Valley Greenway Trail System (Camp Smith Trail) runs through the western portion of the training area. This trail provides passive outdoor recreational access to the general public.

Areas surrounding Camp Smith include a mix of park, commercial, industrial, and residential lands. Bear Mountain Bridge Road (Route 6/202) runs along the facility's western/southwestern boundary. State-owned park lands and the Hudson River are located west of Route 6/202. Bear Mountain State Park and Harriman State Park are located across the river from the facility. Commercial and industrial lands and Annsville Creek are immediately south of the facility. The Annsville Creek Paddlesport Center, which is part of Hudson Highlands State Park, is also located south of the facility at the Route 9 traffic circle. Route 9 and Annsville Creek generally parallel the eastern/southeastern boundary. A narrow strip of private land between the southeastern boundary and Route 9 consists of commercial development and a few residences. A steep forested slope provides a buffer between these parcels and the facility. Residential lands and Wallace Pond are located north of the cantonment area. State park lands, other undeveloped lands, and the Westchester/Putnam County line are located north of the training area.

The project cantonment area of Camp Smith, within which the proposed ACP rehabilitation is proposed, is zoned by the Town of Cortlandt as Camp Smith Reuse B and Parks, Recreation and

Open Space (PROS) district (Figure 3-1). This district recognizes the long-time use of this land by ARNG. As a federal/state facility, it is not subject to local zoning regulations. However, it is a requirement of the NEPA and SEQR processes that the actions of ARNG and OGS take into consideration the effects on the Town and adjacent land uses. Additionally, floodplain regulation has been primarily relegated to local jurisdictions in New York State. Therefore, although the project is subject to the requirements of Executive Order 11988 for floodplain impacts, it is also necessary to coordinate with the Town to ensure the project does not impact downstream conditions (i.e., protect the health, safety and welfare of the community). This is discussed further in Sections 3.6 and 4.5.

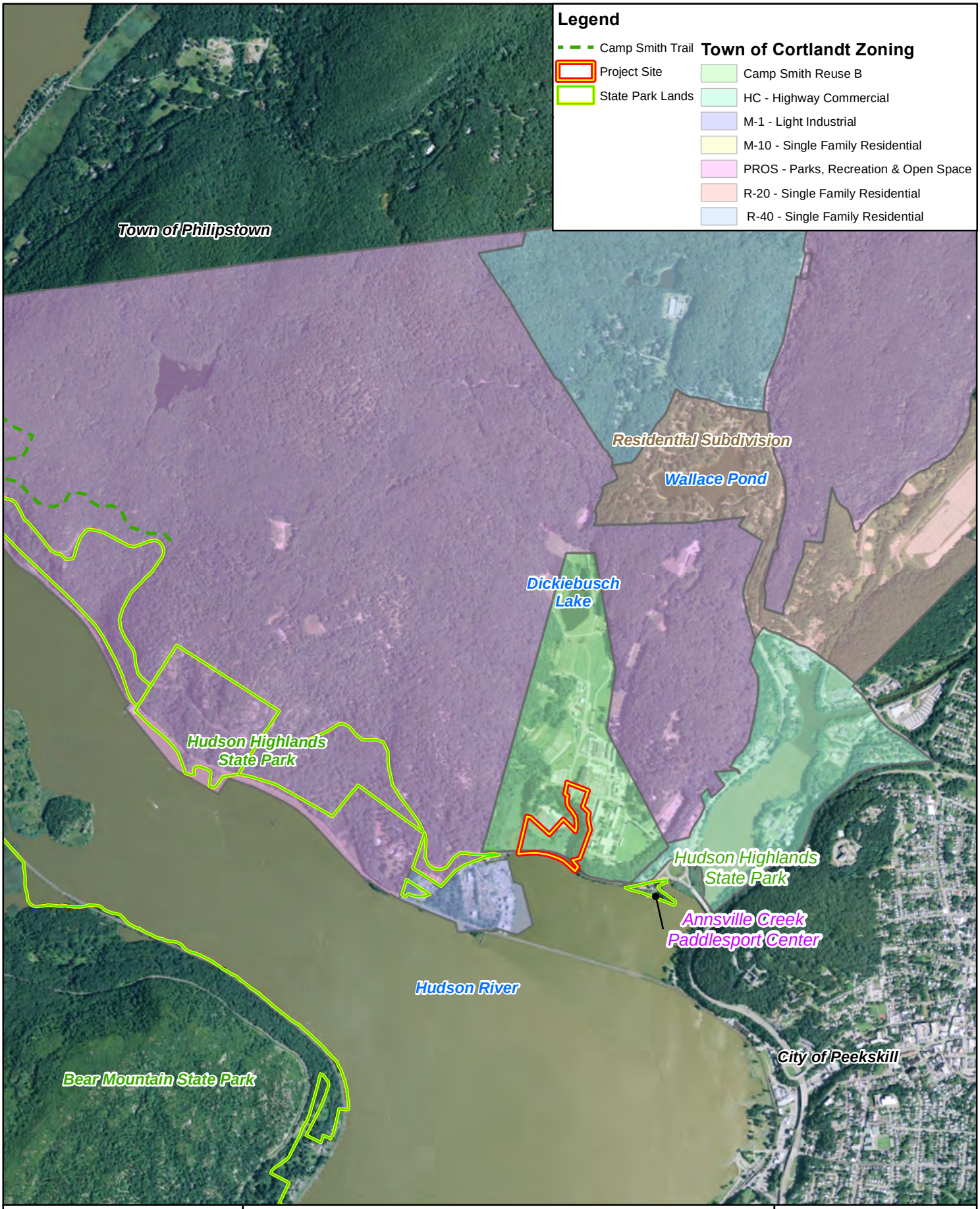
3.2.2 Coastal Zone Consistency

Camp Smith is located along the shores of the Hudson River where the river is tidal. The Proposed Action area contains a wetland that is directly influenced by the tides (Figure 3-2). Additionally, this area is mapped by DOS as a designated coastal area. Therefore, the project is subject to the New York State Coastal Management Program (CMP) as required by U.S. Department of Commerce regulations (15 CFR 930.57).

According to the NYS Coastal Boundary Map, the project location is not located within a scenic area, local waterfront revitalization area, local waterfront revitalization program community or a significant coastal fish and wildlife habitat area.

3.3 Visual Resources

Areas surrounding Camp Smith include a mix of park, commercial, industrial, and residential lands. State-owned park lands and the Hudson River are located west of Route 6/202. Bear Mountain State Park and Harriman State Park are located across the river from the facility. Commercial and industrial lands and Annsville Creek are immediately south of the facility. The Annsville Creek Paddlesport Center, which is part of Hudson Highlands State Park, is also located south of the facility at the Route 9 traffic circle. Route 9 and Annsville Creek generally parallel the eastern/southeastern boundary. A narrow strip of private land between the southeastern boundary and Route 9 consists of commercial development and a few residences. A steep forested slope provides a buffer between these parcels and the facility.



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Land Use Map

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FIGURE: 3-1

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Coastal Zone Map

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FIGURE: 3-2

There are several water resources which aid in defining the landscape. Camp Smith is located along the shores of the Hudson River, specifically the Annsville Creek impoundment, where the river is tidal. The Proposed Action Area contains a wetland that is directly influenced by the tides.

The existing guard building is a one story, 170 s.f. structure. It is constructed mostly of steel and glass with brick cladding and has a green standing seam metal roof.

A one mile view shed was defined and identified areas from which the proposed project may or may not be visible. The potential views are comprised of a list of statewide significant, scenic, and aesthetic resources derived from 15 resources including State Parks, Recreation and Historic Preservation, State Forest Preserves, National and State Wildlife Refuges and Management Areas, and National Natural Landmarks. Key user groups were identified as motorists, pedestrians, and bicyclists.

3.4 Geology and Soils

3.4.1 Topography and Bedrock Geology

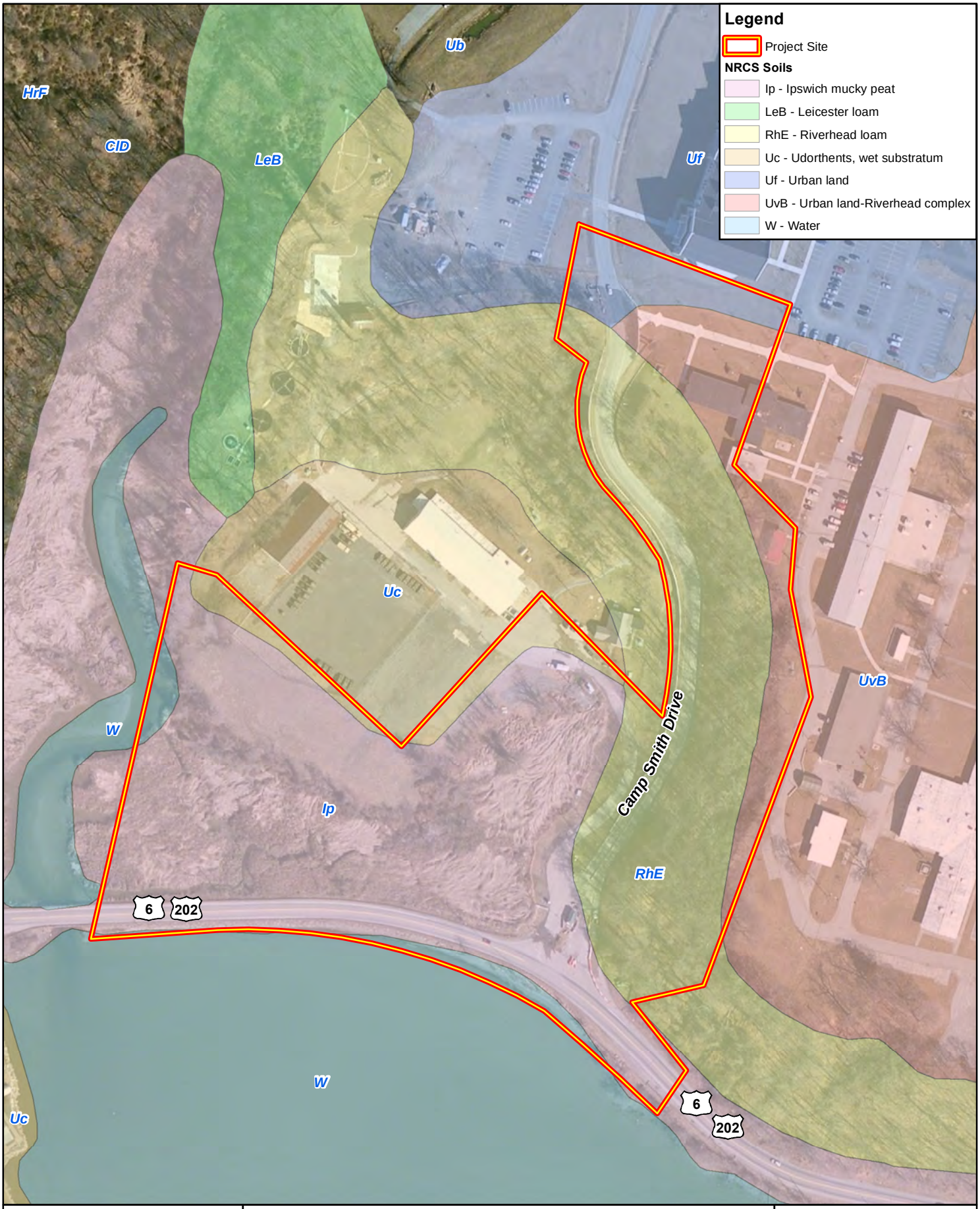
Camp Smith is located east of the Hudson River at an elevation of 105 feet above mean sea level (AMSL) within the eastern Hudson Highlands formation that forms part of the Reading Prong; an extension of the Ridge and Valley Province extending from Pennsylvania, through northern New Jersey and southern New York, reaching its northern terminus in Connecticut. The Reading Prong is composed of metamorphosed sedimentary and volcanic rocks originally formed during the Proterozoic and altered during the Grenville Orogeny, approximately 1.3 billion years ago (Isachsen et al. 1991). The metamorphic rocks in the area ostensibly date to the Middle Proterozoic period, consisting of two rock types. The first type is composed of amphibolite, pyroxenic amphibolite and hornblende gneiss (Sanderson 1996) comprises two thirds of all the rock found at Camp Smith. The other significant geologic rock type is composed of gneiss, interbedded with biotite, garnet, sillimanite, paragneiss and amphibolite. The Hudson highlands were formed as a result of periods of mountain building during the Precambrian, Ordovician and Devonian periods.

These mountains were consequently scoured and leveled by glaciation events during the Pleistocene.

According to the Surficial Geologic Map of New York State, Lower Hudson Sheet, the Proposed Action area is situated within an area identified as recent deposits and lacustrine delta, which consist of silts underlain by fine sands and gravels of variable thickness. Subsurface explorations were conducted within the Proposed Action Area in November 2014 and again in February 2015 to evaluate the suitability of on-site soils for the support of the proposed entrance and access control buildings. The findings from the subsurface investigation are consistent with the Surficial Geologic Map which indicates that subsurface material contains intermixed layers of sand, silt, and clay, with variable amounts of gravel and a variable layer of peat and organic clay. One soil sample obtained within the wetland area contained a layer of highly organic clay with peat.

3.4.2 Soils and Drainage

According to USDA Department of Agriculture, Natural Resources Conservation Service online Web Soil Survey (http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx), the Proposed Action Area consists of Ipswich mucky peat (Ip), Riverhead loam (RhE), Udorthents with wet substratum (Uc), Urban Land (Uf) and Urban Land-Riverhead complex (UvB). Table 3-2 details the extent, depth and drainage quality of the area within the Proposed Action Area. As evident in both the soil map (see Figure 3-3) and Table 3-1, over half of the Proposed Action Area is comprised of frequently flooded sediments, most of which will not be disturbed by the project or have been previously developed as part of the existing ACP. Aside from the well-drained Riverhead loam, the remaining 10-15 % of the Proposed Action Area is composed of a complex of urban land, Udorthent and Riverhead sediments that are either poorly drained or subject to considerable sheet flow, owing to the paved and graded surfaces. Udorthents are generally found in areas that have been cut to a depth of 2 feet or more or are on areas with more than 2 feet of fill. As such this variably drained portion of the Proposed Action Area suggests high fluvial action and prior sediment modification



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NRCS Soils Map

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FIGURE: 3-3

Table 3-2
Soil Survey Data

Soil Type	Drainage Class	Depth to Restrictive Feature	Farmland Classification	Percent in Proposed Action Area
Ipswich mucky peat (Ip)	Very poorly drained	>80 inches	Not prime farmland	69.9
Riverhead loam 25-50% slopes (RhE)	Well drained	>80 inches	Not prime farmland	24.8
Udorthents, wet substratum (Uc)	Somewhat poorly drained	40-60 inches to lithic bedrock		1.4
Urban land (Uf)				0.4

3.5 Water Resources

3.5.1 Groundwater

Based on review of EPA's map of Sole Source Aquifers, the project site is not located over a sole source aquifer. Based on review of NYSDEC's Map of Principal and Primary Aquifers in New York State (http://www.dec.ny.gov/lands/36164.html), the Proposed Action Area is not located over a primary aquifer (Figure 3-4).

Two wells are located within the Proposed Action Area and supply Camp Smith with water. These two supply wells, identified as Well A and Well B, are located about 215 ft from each other. Well A is 80 ft deep with a screen installed between 65 ft and 80 ft below ground surface (bgs). Well B is 100 ft deep with a screen installed between 82 ft and 100 ft bgs. Well B is located approximately 20 ft from the edge of the wetland.

The site geology documents a clay confining layer that separates the surface water from the confined aquifer from which the ground water is pumped.

During drilling activities groundwater levels were observed between two and four feet below ground surface. Soil samples below four feet were generally wet. Groundwater levels will vary with temperature, precipitation, geographic location, and other climatic factors.

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Aquifer Map

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FIGURE: 3-4

3.5.2 Surface Water

Camp Smith is located in the Lower Hudson River watershed (U.S. Geological Survey cataloging unit 02030101), which is part of the 13,300 square mile Hudson River basin. The main channel of the Hudson River is located over 1,000 feet of the facility's western and southern boundaries and forms a deep and scenic gorge through the Hudson Highlands in this area. The river is over 1,500 feet wide and is tidal, brackish to freshwater in this area. The Hudson River was designated as an American Heritage River in 1998 by President Clinton and is designated as a critical environmental area by Westchester County. In addition, the Hudson River Valley is designated by Congress as a National Heritage Area from Troy to New York City. Within less than 100 feet of the Camp Smith entrance, on the south side of Route 6, is a small bay/impoundment/tidal wetland that was artificially created by a railroad berm. Both Annsville Creek and Putnam Brook drain into this area.

Surface waters on the facility include Dickiebusch Lake and Putnam Creek in the cantonment area and Broccy Creek Reservoir and Broccy Creek in the western part of the training area (Figure 3-5). Several unnamed intermittent tributaries and numerous vernal pools and wetlands are scattered throughout the facility. All surface runoff from the facility eventually drains to the Hudson River. Surface runoff from the proposed Action Area flows to the west towards Putnam Creek.

The headwaters of Putnam Creek flow into Dickiebusch Lake, which is a seven-acre impoundment in the cantonment area with a maximum depth of 10 feet. Water from the lake's concrete spillway flows in an underground culvert for 650 feet before discharging to reform Putnam Creek. The stream then flows south through the western part of the cantonment area and into the Annsville Creek impoundment. Putnam Creek is tidal at its confluence with Annsville Creek. The stream is considered intermittent where it is not influenced by tides. During typical years Putnam Creek probably maintains flowing water except for a one or two month dry period during the summer. Scattered pools of water are likely present even during dry periods. Stream width ranges from approximately 12 to 25 feet and maximum depth is approximately 1.5 feet during typical spring flows (Parsons 1996a).

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Surface Water Features Map

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FIGURE: 3-5

A delineation of watercourses within the Proposed Action Area was performed on July 7 to 8, 2014. One watercourse (delineated Watercourse A) was identified adjacent to the Proposed Action Area and described according to *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin et al. 1979). Watercourse A has a Cowardin classification of R1UB3 (riverine, tidal, unconsolidated bottom, mud). Delineated Watercourse A is an unnamed tidal creek that is tributary to Putnam Creek. It flows from east to west into Putnam Creek, which then flows into the Annsville Creek impoundment, adjacent to the Hudson River. Delineated Watercourse A also drains to delineated Wetland A (described in Section 4.7.3). The watercourse flows approximately 140 linear feet and 0.05 acres within the review area but it does not occur within the Proposed Action Area. It occurs immediately adjacent to the Proposed Action Area. According to 33 CFR 329.4, navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Because Watercourse A is subject to the ebb and flow of the tide, it is considered a Traditional Navigable Waterbody (TNW) under Section 404 of the Clean Water Act (CWA).

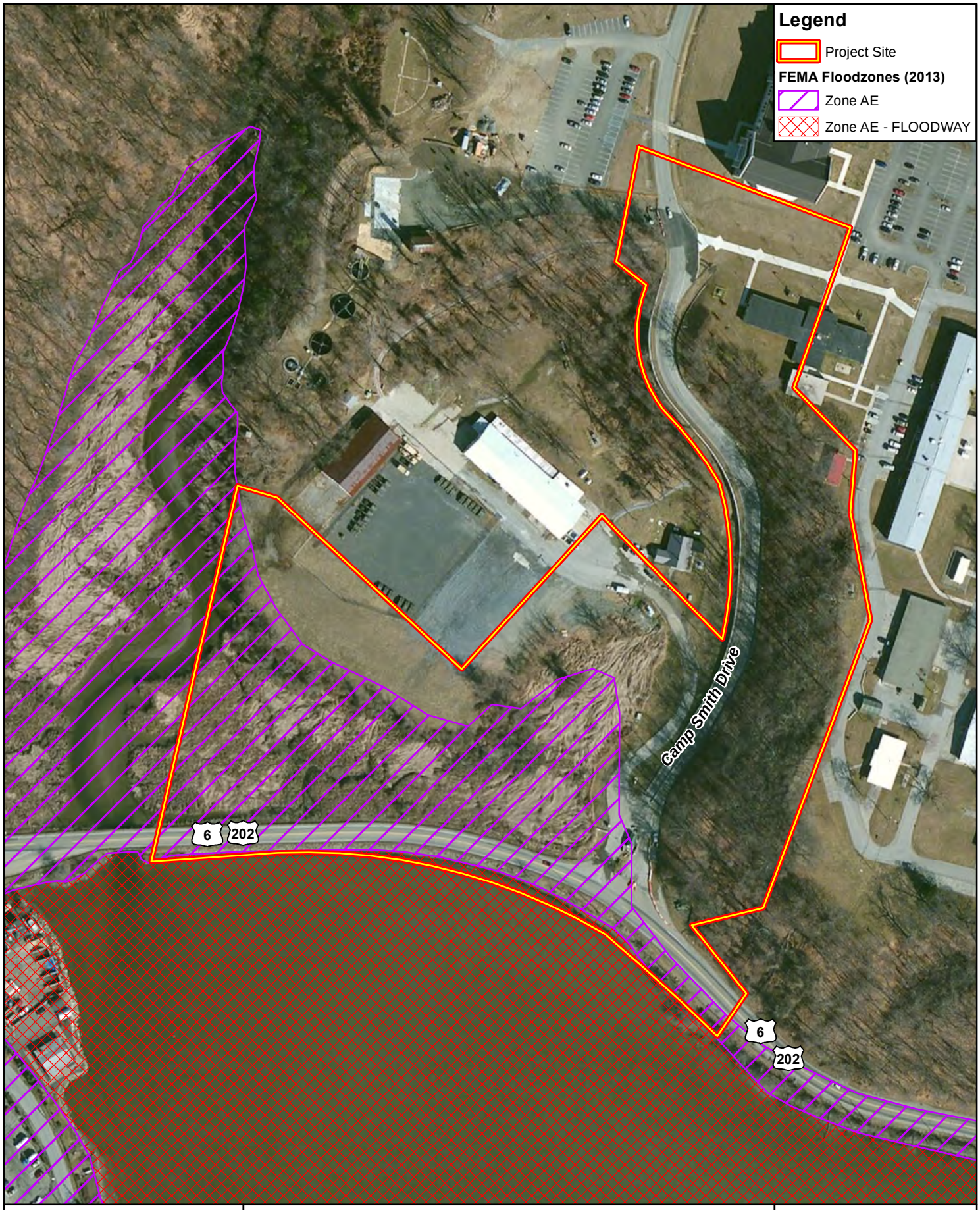
3.5.3 Floodplains

The Federal Emergency Management Agency (FEMA) floodzone map (Refer to Figure 3-6) was reviewed(http://fema.maps.arcgis.com/home/webmap/viewer.html?webmap=2f0a884bfb434d76af8c15c26541a545). The Proposed Action Area currently lies within the floodplain of the Hudson River and is known to periodically flood. The goal of the project is to provide a new facility at this location and to prevent inundation of the proposed facility, therefore the site will be raised to elevation 13 AMSL. The project will introduce fill into the floodplain to raise the grade as required by the Flood Insurance Reimbursement Program (FIRP).

3.6 Biological Resources

3.6.1 Flora/vegetation

The ecological communities of the Proposed Action Area were inventoried during field surveys conducted on July 7-9, 2014 and described according to Ecological Communities of New York State, Second Edition (Edinger et al. 2014) and as described in Cowardin et al. (1979).



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FEMA Floodzone Map

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FIGURE: 3-6

Ecological communities identified within the review area include shallow emergent marsh (Cowardin et al. (1979) classification: palustrine, emergent, persistent, saturated (PEM1B)), tidal creek (Cowardin et al. (1979) classification: riverine, tidal, unconsolidated bottom, mud (R1UB3)), floodplain forest, successional northern hardwood forest, mowed lawn and paved road/path. The ecological communities that occur within the Proposed Action Area include shallow emergent marsh, successional northern hardwood forest, mowed lawn and paved road/path. Please refer to the Natural Resources Assessment provided as Appendix E for descriptions and species compositions of these ecological communities.

Additionally, the NYSDEC Natural Heritage Program (NHP) was consulted for information on rare or protected ecological communities known to occur in the vicinity of the Proposed Action Area. The August 20, 2014 response letter from the NHP (Appendix E) indicated that the following significant natural communities have been documented at or near the project site. The NHP considers these community occurrences to have high ecological and conservation value.

- Brackish Intertidal Mudflats – (Annsville Creek) - Rare Community Type,
- Brackish Tidal Marsh – (Camp Smith Marsh) - High Quality Occurrence of Uncommon Community Type, and
- Appalachian Oak-Hickory Forest – (Camp Smith) - High Quality Occurrence.

Brackish intertidal mudflats and Appalachian oak-hickory forest do not occur within the Proposed Action Area. Brackish tidal marsh occurs immediately adjacent to the Proposed Action Area and directly abuts the shallow emergent marsh that occurs within the Proposed Action Area.

3.6.2 Fauna/animals

Various wildlife species are expected to occur within the habitats of the Proposed Action Area. Typical species likely include white-tailed deer (*Odocoileus virginianus*), gray squirrel (*Sciurus carolinensis*), muskrat (*Ondatra zibethicus*), red-winged blackbird (*Agelaius phoeniceus*), American goldfinch (*Carduelis tristis*), American crow (*Corvus brachyrhynchos*), red-tailed hawk (*Buteo jamaicensis*) and Canada goose (*Branta canadensis).*

3.6.3 Wetlands

Wetlands are those areas of land and water that support a preponderance of characteristic wetland plants that out-compete upland plants because of the presence of wetland hydrology (such as prolonged flooding) or hydric (wet) soils. Wetlands commonly include marshes, swamps, bogs, and fens. Activities in wetlands are regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. In addition, NYS regulates activities in certain wetlands under the Freshwater Wetlands Act and Tidal Wetlands Act. The Freshwater Wetlands Act protects wetlands that are larger than 12.4 acres in size.

Review of the NYSDEC Wetlands mapping identified that there are no mapped NYSDEC freshwater or tidal wetlands, adjacent areas, or check zones identified within or adjacent to the Proposed Action Area. Review of the United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) map identified that the Camp Smith Marsh is composed of estuarine and marine wetland habitats (Figure 3-7). Portions of these occur within the review area but not within the Proposed Action Area. The estuarine wetland is mapped as having a Cowardin et al. (1979) classification of estuarine, intertidal, emergent, persistent, irregularly flooded, oligohaline (E2EM1P6). The marine wetland is mapped as having a Cowardin et al. (1979) classification of estuarine, subtidal, unconsolidated bottom, subtidal, oligohaline (E1UBL6). This Camp Smith Marsh is associated with the unnamed tributary of Putnam Creek adjacent to the Proposed Action Area.

A wetland delineation of the review area was performed on July 7 to 8, 2014. One wetland (delineated Wetland A) was identified (Refer to Figure 3-8 and Appendix E). This is the Camp Smith Marsh, which is located immediately west of the facility's main entrance at the confluence of Putnam Creek and Annsville Creek. This wetland is classified as a brackish tidal marsh/intertidal mudflat, but is not mapped as a state tidal wetland. The results of the wetland delineation identified three habitat types associated with this wetland complex. These include the brackish tidal marsh (Cowardin et al. (1979) classification: estuarine, emergent, persistent, saturated (E2EM1V)), shallow emergent marsh (Cowardin et al. (1979) classification: palustrine, emergent, persistent, saturated (PEM1B)) and forested wetland (Cowardin et al. (1979) classification: palustrine, forested, broad-leaved deciduous (PFO1)).

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Wetlands Resources

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FIGURE: 3-7

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Delineated Wetlands Map

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FIGURE: 3-8

The brackish tidal marsh (E2EM1V – estuarine, emergent, persistent, saturated) is fed by brackish tidal water and is dominated by monocultures of common reed (*Phragmites australis*). Other vegetation present includes narrowleaf cattail *(Typha angustifolia),* arrowleaf *(Peltandra virginica),* sedges *(Carex* spp.), mudwort *(Limosella* sp.), and alumroot *(Heuchera americana).* Spongy arrowhead *(Sagittaria calycina* var. *spongiosa),* which is a state listed threatened plant, also occurs in this marsh. Sparsely vegetated, level mudflats within the marsh are exposed during low tide. The mudflats occur outside of the Proposed Action Area.

The shallow emergent marsh (PEM1B - palustrine, emergent, persistent, saturated) portions occur in some areas of the outer edges of the brackish tidal marsh and in the mowed lawn habitat. These areas are fed by freshwater seeps and are dominated by common reed, Canadian rush (*Juncus canadensis*), fox-tail sedge (*Carex alopecoidea*), lesser poverty rush (*Juncus tenuis*) and needle spike-rush (*Elecoharis acicularis*).

A small area of forested wetland classified as PFO1 (palustrine, forested, broad-leaved deciduous) was also present along the northwestern boundary of Wetland A. This area occurs outside of the Proposed Action Area.

3.6.4 Threatened and Endangered Species

A comprehensive list of rare, threatened and endangered species that could utilize the existing wetlands and nearby upland habitats on or adjacent to the Proposed Action Area was developed. Sources of information for this list include the NYSDEC Natural Heritage Program (NHP), USFWS Information, Planning, and Conservation (IPaC) online planning tool, 2000 – 2005 NYSDEC Breeding Bird Atlas, 1990-2000 NYSDEC Herpetological Atlas, NYSDEC Nature Explorer and New York Botanical Garden Records.

A Natural Resources Assessment with associated supporting documentation and correspondence is provided as Appendix E. A summary of the findings are as follows:

The August 20, 2014 response letter from the NYSDEC NHP indicated that the following species have been documented at or near the project site, within 0.5 mile:

- Shortnose sturgeon (*Acipenser brevirostrum*) – endangered (federal and NYS),
- Atlantic sturgeon (*Acipenser oxyrinchus*) – no open season (NYS), endangered (federal),
- Bald eagle (*Haliaeetus leucocephalus*) (nonbreeding) – threatened (NYS), Bald and Golden Eagle Protection Act (federal),
- Bald eagle (breeding), and
- Anadromous Fish Concentration Area.

The USFWS IPaC official responses (Consultation Tracking Numbers: 05E1LI00-2015-SLI-0011 & 05E1NY00-2015-SLI-0162), dated November 12, 2014, identified the following species could occur on or in the vicinity of the Proposed Action Area and should be the focus of an effects determination:

- Northern long-eared bat (*Myotis septentrionalis*) – proposed endangered (federal),
- Indiana bat (*Myotis sodalis*) – Endangered (NYS and federal), and
- New England cottontail (*Sylvilagus transitionalis*) – species of special concern (NYS), candidate (federal).

A total of 43 species of reptiles and amphibians were identified as potentially occurring within the vicinity of the Proposed Action Area based on Herpetological Atlas results. This includes the NYS listed special concern species, spotted turtle (*Clemmys guttata*), and the NYS listed threatened species, timber rattlesnake (*Crotalus horridus*). No federal listed species were identified. A total of 107 breeding bird species were identified as potentially occurring within the project vicinity based on the 2000 to 2005 Breeding Bird Atlas Program results, within block 5857C, that encompasses the Proposed Action Area. This included 8 possible, 25 probable and 74 confirmed breeding birds. Of the breeding birds, no federally listed species were identified. Several state listed bird species may occur within or in the vicinity of the Proposed Action Area but none were identified by NYSDEC NHP.

Based on the list of threatened and endangered species potentially occurring within the Proposed Action Area and agency consultation, a Phase I Summer Habitat Survey was conducted for the listed species. The results of the Summer Habitat Survey revealed that roosting habitat is present for both the Indiana bat and northern long-eared bat on large trees to the west and east of the Camp Smith entrance road. Some of these trees are located within an area proposed for wetland and floodplain mitigation. Effective May 4, 2015, the northern long-eared bat is a federally listed Threatened species.

The New England cottontail rabbit prefers dense shrublands often associated with old agricultural fields, clear-cuts, utility line right-of-ways, and scrub-shrub wetlands. Habitat survey results for this species revealed potential suitable habitat located to the west and east of the entrance road but no habitat within the Proposed Action limits of disturbance, including the mitigation area.

Bald eagles roost and nest in large trees that are typically taller than surrounding trees. The habitat survey revealed that no suitable trees occur within the Proposed Action Area limits of disturbance, including the mitigation area. Potential roosting and nesting trees may occur to the west of the project site within the forested areas adjacent to Putnam Creek but of sufficient distance from the Proposed Action Area such that no impacts would occur.

The Atlantic and short-nose sturgeon are known to occur in the Hudson River and will use tributaries of the Hudson River to spawn. The Summer Habitat Survey identified both Putnam Creek and the tributary to Putnam Creek as potential spawning areas. No instream work is proposed in either stream and these features are located outside of the Proposed Action Area.

3.6.5 Migratory Bird Treaty Act

The project has been evaluated for its potential to affect bird species of concern in accordance with the Migratory Bird Treaty Act of 1918 (MBTA, U.S.C. §§ 703-712). Specifically, the Department of Defense (DoD) Partners in Flight website was consulted for a consolidated list of bird species of concern (http://www.dodpif.org/resources/bcrmap.php). The DoD derived their lists by consolidating eight different priority lists (refer to the website). Based on review of the

Bird Conservation Region Map located on that website, the project site appears to occur in Bird Conservation Region No. 28 – Appalachian Mountains. The consolidated list for that Region identifies 84 bird species with breeding habitat requirements ranging from aquatic habitats (i.e. marshes, streams and ponds) to grasslands, shrubby areas and forests of varying successional stages and species compositions.

The methodology for evaluating the potential impact of the project on migratory birds focuses primarily on the potential for an "incidental take" during construction of the project. The remaining portions of the EA address the potential for habitat impacts of the project on threatened and endangered species and other wildlife. An incidental take can occur when a species is present during the construction or operation of a facility and is unintentionally killed. The Camp Smith facility is unlikely to have any significant potential to result in an incidental take during operation. This is more of a concern with other types of facilities such as wind turbines. However, during the initial site preparation for construction when the existing vegetation is cleared, there is a potential to directly impact birds that are nesting, roosting or foraging on the site. The implications of this project are discussed in Section 4.6.

3.7 Cultural Resources

3.7.1 Archeological Resources

Cultural resources are defined as historic properties as defined by the National Historic Preservation Act (NHPA), cultural items as defined by the Native American Graves Protection and Repatriation Act (NAGPRA), archaeological resources as defined by the Archaeological Resources Protection Act (ARPA), sacred sites as defined in EO 13007 to which access if afforded under American Indian Religious Freedom Act (AIRFA), and collections and associated records as defined in 36 CFR 79.

Section 106 of the NHPA requires a determination on whether the proposed undertaking will affect historic properties. Therefore, A Phase 1 Archeological Investigation was completed by HDR, Inc. dated December 2014. The purpose of the investigation was to identify all archaeological and historic resources within one mile of the Proposed Action Area and conduct

shovel test survey within the Proposed Action Area (Figure 3-9). The Phase I Archaeological Investigation has been prepared for compliance with Section 106 and Section 14.09 of the New York State Historic Preservation Act. The investigation adhered to the New York Archaeological Council's (NYAC) Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (NYAC 1994) as well as NYOPRHP State Historic Preservation Office *Phase 1 Archaeological Report Format Requirements (OPRHP 2005).*

The Proposed Action Area is located within previously disturbed sediments. Additionally, there are no buildings or structures within the APE (Figure 3-10). Therefore, there is low potential to encounter intact, subsurface archaeological resources and there will be no impact to buildings or structures 50 years old or older as a result of the Proposed Action.

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) indicated in a letter dated January 27, 2015, that the Proposed Action will not affect any historic properties.

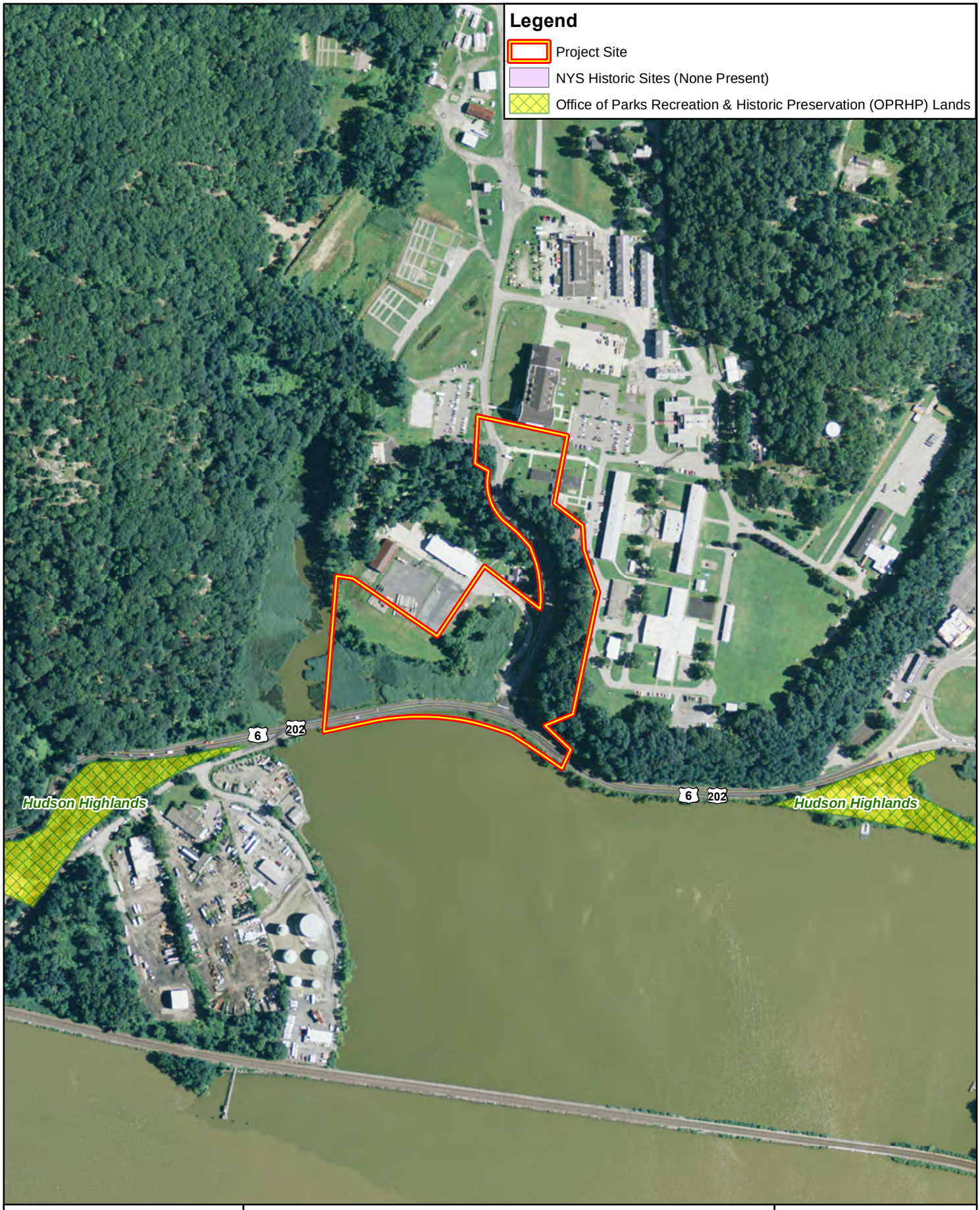
3.7.2 Native American Concerns

In accordance with EO 13175 and Department of Defense (DoD) policy, including the DoD Instruction 4710.02, regarding interactions with federally recognized tribes, the NYARNG initiated government to government consultation with the Delaware Nation, Delaware Tribe of Indians and the Stockbridge-Munsee Community Band of Mohican Indians on November 25, 2013 and submitted the archeological report on January 30, 2015 (Appendix A). Coordination is complete when the EA is provided A to the tribes and addressing any additional comments from the tribes that may arise during the public comment period.

3.8 Infrastructure

3.8.1 Water Service

Camp Smith's potable water is produced, treated, stored, and distributed by on-site systems operated and maintained by the facility management staff (Public Water Supply permit number 5902878). Fresh, raw water is collected from two on-site wells (approximately 80 feet below ground surface), treated and pumped through Building 69, and stored in a 500,000-gallon tower.



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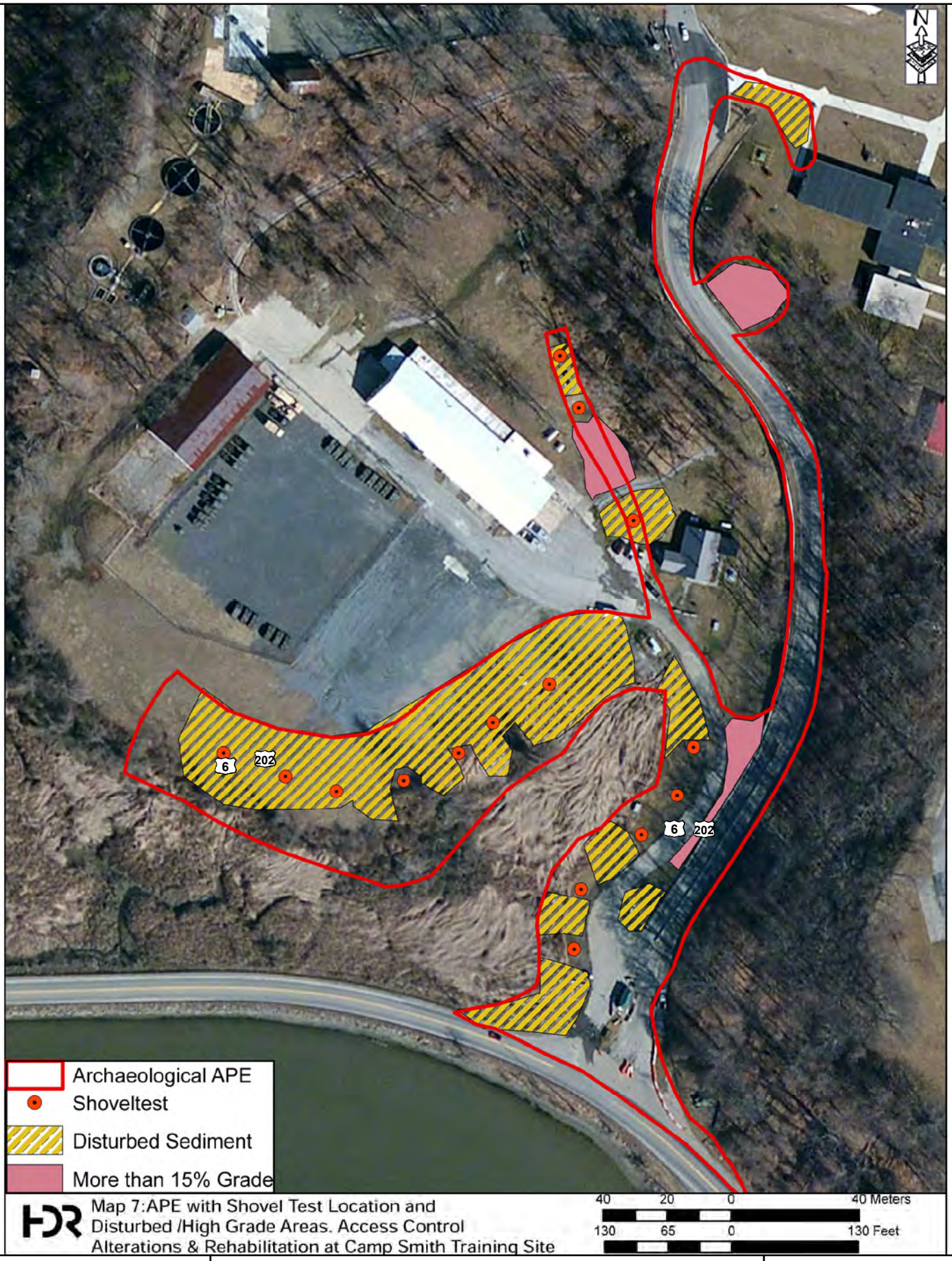
Cultural Resources Map

ACCESS CONTROL BUILDING
CAMP SMITH ARMY NATIONAL GUARD
11 BEAR MOUNTAIN BRIDGE ROAD
CORTLANDT MANOR, NY 10567

PROJECT NO. 29633

DATE : FEBRUARY 2015

FIGURE: 3-9



Map 7:APE with Shovel Test Location and Disturbed /High Grade Areas. Access Control Alterations & Rehabilitation at Camp Smith Training Site

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Project Area of Potential Effect

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FIGURE: 3-10

Only one well is used at a time and maximum production is approximately 250,000 gallons per day (gpd) (DMNA- O'Brien & Gere memo dated June 2005).

3.8.2 Fire Flow Requirements

There are no fire protection requirements for this project and therefore no changes are anticipated to the existing fire protection water mains and hydrants as a result of this project.

3.8.3 Sewer Service

Wastewater produced at Camp Smith is treated at an on-site wastewater treatment plan (WWTP) that is operated and maintained by Camp Smith's facilities management staff. Treated effluent is discharged to the lower portion of Putnam Creek in accordance with SPDES permit number 0030503. The system has a capacity for 240,000 gpd, average flow is 50,000 gpd, and maximum flow is 120,000 gpd during wet weather (DMNA 2005).

3.8.4 Traffic

Traffic studies were conducted in 2014 to evaluate current traffic conditions at the existing ACP at Camp Smith in order to properly plan the design of the new ACP. The traffic study was conducted following the standards and methods identified in the *SDDCTEA Pamphlet 55-15 Traffic and Safety Engineering for Better Entry Control Facilities (May 2014) and the USACE Army Access Control Points (ACPs) Standard Design (2013*).

Traffic at Camp Smith primarily consists of passenger cars, pickups and vans. Primary ingress/egress is provided through the ACP from Route 6/202. Camp Smith has approximately 17 miles of paved roads in the cantonment area. From the entrance, the two-lane road curves 1,000 feet up the hillside as a 15-percent grade ramp to the cantonment area (DMNA 2005).

Camp Smith is accessed via Route 6/202, which is a two-lane paved road with a posted speed of 40 mph. The estimated Annual Average Daily Traffic (AADT, total traffic volume in both directions) for this road segment (from Route 9D to Route 9) was 12,900 in 2004 (NYSDOT 2004). Correspondence with New York State Police indicate there were no accidents in this area within the previous four years. Level of service (LOS) analysis of the intersection at the ACP and

Route 6/202 indicate that the during the morning peak hours traffic experiences extended delays with volumes at or near capacity and long queues forming upstream from the intersection. During PM peak hours, there are restricted flows with regular delays. The through traffic along Route 6/202 is fairly constant and at times there are limited gaps. However, the volume of traffic exiting the facility does not meet the minimum volumes required to warrant a traffic signal.

3.9 Hazardous and Toxic Materials/Wastes

A Preconstruction Assessment (PcA) was prepared by the Army Institute of Public Health. The PcA was performed in compliance with Army Regulation (AR) 420-1, Army Facilities Management and was focused using guidance from the ASTM International Standard (D6008-96 (2005), standard Practice for Conducting Environmental Baseline Surveys. The PcA included an electronic database search and regulatory review, field investigation, and interviews. Several properties within a 1 mile radius of the Proposed Action Area were identified as being on either the National Priorities List (NPL) and Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) List, or the Resource Conservation and Recovery Act (RCRA) Corrective Action Site (CORRACTS) list. There were also several facilities identified as a RCRA Large Quantity Generator, RCRA Non-Generator List and NY Hazardous Waste Manifest, Landfill Site, Leaking Storage Tank Site, Registered Storage Tanks, having Records of Emergency Release Reports (NY Spills List), Manufactured Gas Plants, or Historic Automotive Stations. During the field investigation of the Proposed Action Area, no hazardous substances or petroleum products, USTs or ASTs, PCBs, ACMs LBP, Radiological Materials, Radon or MEC were identified within the Proposed Action Area.

Camp Smith has been an active military training site since 1883. Major training facilities at Camp Smith include seven small arms ranges, none of which are in close proximity to the Proposed Action area. Site investigations have generally concluded that munitions constituents of concern at Camp Smith, including lead, antimony, copper, zinc, and nitroglycerine at small arms firing ranges may potentially impact soil, surface water, and sediment. Secondary releases from soil could potentially impact shallow groundwater, off-range surface soils, or nearby streams. Results also confirmed the presence of a surface water pathway and indicated that a release of lead has occurred to sediments within Putnam Creek and the tidal marsh which is adjacent to the Proposed

Action area. Details of the lead contamination are provided in Appendix H in a draft report dated February 2015 and prepared by EA Engineering and its affiliate EA Science and Technology.

4 ENVIRONMENTAL CONSEQUENCES

Based on the identification of the existing environmental resources within and adjacent to the Proposed Action Area (Section 3) and the construction and operation parameters of the Proposed Action and No Action Alternatives (Section 2), environmental effects were identified and evaluated. Initial screening of several alternatives against the intended goal (purpose) of the project, which is to establish a permanent ACP to meet current Army standards for safety, security, and traffic flow, resulted in the elimination of all alternatives except for the Proposed Action and No Action Alternatives. The following sections identify the potential impacts of the Proposed Action and No Action Alternatives for each of the environmental resources discussed in Section 3. Where appropriate, mitigation measures and best management practices that will reduce or eliminate the impact are discussed.

4.1 Location Description

4.1.1 Effects of Proposed Action

Establishment of a permanent ACP will have a significant beneficial impact on facility operations and its ongoing mission of responding to State and federal emergencies by meeting current Army standards for safety, security, and traffic flow. The relocation of the ACP will eliminate the threat of frequent flooding that currently renders the ACP non-functional.

4.1.2 Effects of the No Action Alternative

Continued use of the existing ACP under the No Action Alternative will have a significant short and long term adverse impact on facility operations. Camp Smith currently does not have a permanent ACP that meets Army standards for safety, security, and traffic flow. The existing ACP consists of a single guard shack with temporary wood blockades. The location of the ACP is also in an area that frequently floods due to its elevation and proximity to the Hudson River. These conditions impact Camp Smith operations as follows:

- Long delays for deliveries and personnel due to limited facilities including only a single inbound lane for inspections.
- Lack of stacking area causing vehicles to back up into the travel lanes of Route 6.

- Limited area for vehicle turn-arounds/rejections.
- Lack of electricity, surveillance equipment, communications (other than hand-held radios)
- Inability to operate during frequent flood events.
- Increased risk for guards due to inadequate standoff distances and no facilities meeting current anti-terrorism and force protection standards.

The deficiencies of the existing ACP adversely impact the ability of Camp Smith to operate as a mission critical facility in responding to State and federal emergencies.

4.2 Land Use

4.2.1 General Land Use

4.2.1.1 Effects of Proposed Action

Currently the general land use of the area is a training facility of the Armed Forces. Rehabilitation of the ACP is fully consistent with existing surrounding uses.

Areas surrounding Camp Smith include a mix of park, commercial, industrial, and residential lands. Bear Mountain Bridge Road (Route 6/202) runs along the facility's western/southwestern boundary. State-owned park lands and the Hudson River are located west of Route 6/202. Bear Mountain State Park and Harriman State Park are located across the river from the facility. Commercial and industrial lands and Annsville Creek are immediately south of the facility. The Annsville Creek Paddlesport Center, which is part of Hudson Highlands State Park, is also located south of the facility at the Route 9 traffic circle. Route 9 and Annsville Creek generally parallel the eastern/southeastern boundary. A narrow strip of private land between the southeastern boundary and Route 9 consists of commercial development and a few residences. A steep forested slope provides a buffer between these parcels and the facility. Residential lands and Wallace Pond are located north of the cantonment area. State park lands, other undeveloped lands, and the Westchester/Putnam County line are located north of the training area.

The project cantonment area of Camp Smith, within which the proposed ACP rehabilitation is proposed, is zoned by the Town of Cortlandt as Camp Smith Reuse B and Parks, Recreation and Open Space (PROS) district (Figure 3-1). Based on existing land uses and zoning in the vicinity of the project site in the Town of Cortlandt, it is reasonable to conclude that the Proposed Action would be a compatible land use and no short- or long-term impacts are anticipated. The Proposed Action is the redevelopment of a component of the existing land use. There will be no change in the land use and therefore no impacts on land use or zoning.

4.2.1.2 Effects of the No Action Alternative

No short- or long-term impacts to land use would occur under the No Action Alternative. However, this alternative would not meet ARNG's need to provide a more efficient and safe entrance to the facility.

4.2.2 Coastal Zone Consistency

4.2.2.1 Effects of Proposed Action

The Proposed Action is within the Landward Coastal Boundary and therefore within New York State's Coastal Management Program. The Proposed Action is consistent with the State's Management Policies and will have no short- or long-term impact to Coastal Resources (See Attachment B- Federal Consistency Assessment).

The Town of Cortlandt does not have a Local Waterfront Revitalization Program.

4.2.2.2 Effects of the No Action Alternative

The No Action Alternative will continue with the existing use and location of the ACP will therefore have no short- or long-term impact to Coastal Resources.

4.3 Visual Resources

4.3.1 Effects of Proposed Action

A field verification of potential visual resources within the one mile of the Proposed Action Area was performed on January 16, 2015 (Appendix C). This investigation determined there are no potential resources within the 1 mile radius of the project site. However, it did note that during winter months there may be filtered views of the Proposed Action Area from Route 202 along the Hudson River near Jones Point. The expected number of people who would potentially have views of the project and the general view group is minimal. The investigation also determined that the actual topography combined with the vegetation in the vicinity of the resource obstructed any potential views.

The proposed project, with a height of 20 feet to the top of the roof, would be visually absorbed by the surrounding area and contrast minimally within its surroundings, thereby not affecting the inherent visual character of the area or the aesthetic resources. The cultured stone veneer, concrete masonry units and metal roof blend with the surrounding vegetation and topography. Therefore, the Proposed Action will have no short- or long-term impacts on the visual character of the area and no short- or long-term impacts on any of the aesthetic resources or other public resources within the study area.

4.3.2 Effects of the No Action Alternative

The no action alternative would result in no change in existing views. The existing small guard shack will have no short- or long-term impacts on visual resources.

4.4 Geology and Soil

4.4.1 Topography and Bedrock Geology

4.4.1.1 Effects of Proposed Action

The Proposed Action will have no short- or long-term impacts on the topography and geology of the project site. The new ACP will be developed with minimal site grading except as necessary

to lift the facility outside of the 100 year floodplain. Most of this is accomplished by taking advantage of the existing topography.

4.4.1.2 Effects of the No Action Alternative

No short- or long-term impacts to the topography and geology of the project site would occur under the No Action Alternative.

4.4.2 Soils and Drainage

4.4.2.1 Effects of Proposed Action

The Proposed Action will entail the grading and development of approximately 1.85 acres of which approximately 0.91 acres is developed (impervious) land comprised of an existing guard shack and roadway and 0.49 acres of undeveloped land that include 0.08 acres of emergent wetland. The remaining 0.45 acres is existing pavement and would be associated with the optional right turn lane being considered for the project. This area ranges in elevation from 12 ft to 102 ft above mean sea level.

The potential for erosion during construction could result in a short-term less-than-significant adverse impact as soils are disturbed by excavation and grading. Erosion and sedimentation of all exposed soils during construction would be minimized by compliance with the SPDES General Construction Permit (Appendix D) and a SWPPP. Implementation of the SWPPP (BMP) will result in no impact to sensitive environmental resources from erosion and sedimentation.

4.4.2.2 Effects of the No Action Alternative

No short- or long-term impacts to the existing conditions of the geology and soils would occur under the No Action Alternative.

4.5 Water Resources

4.5.1 Groundwater

4.5.1.1 Effects of Proposed Action

There will be no short- or long-term impacts to groundwater as a result of the proposed action. Implementation of a SWPPP (BMP) will decrease the potential for groundwater contamination during construction. The proposed action does not entail groundwater withdrawal.

Interceptor drains will be installed at the perimeter of foundations, and underdrains beneath pavements which will collect and reroute perched groundwater to storm water management structures or appropriate drainage outlet. The potable ground water supply does not meet the conditions that would characterize it as ground water under the influence of surface water. It is drawn from a confined aquifer.

Storm water management facilities will help to capture pollutants from the ACP. Some pollutants will be taken up by the vegetation. Other pollutants will be tied up in the sediment and organic material within the storm water management facilities.

4.5.1.2 Effects of the No Action Alternative

No short- or long-term impacts to groundwater would occur under the No Action Alternative.

4.5.2 Surface Water

4.5.2.1 Effects of Proposed Action

Putnam Creek and its tributary within the project vicinity will not be directly impacted by the Proposed Action. Less-than-significant short-term adverse impacts could occur as a result of sediment in stormwater from the construction site entering the creek. Implementation of the SWPPP (BMP) will result in no impact to surface waters.

4.5.2.2 Effects of the No Action Alternative

No short- or long-term impacts to surface water would occur under the No Action Alternative.

4.5.3 Floodplains

4.5.3.1 Effects of Proposed Action

The 100 year floodplain boundary is illustrated on Figure 3-6, based on a flood elevation of 11 ft. The Proposed Action will result in a potential long-term significant adverse impact to the floodplain by placing approximately 3,366 cubic yards of fill within the floodplain in order to construct the ACP. This project will also include the excavation of approximately 123 cubic yards of material from the floodplain to accommodate the water quality basin. Therefore, the net effect to the floodplain is a loss of approximately 3,243 cubic yards of floodplain storage. In order to compensate for this loss, an upland area contiguous with the tidal wetland measuring approximately 0.08 acre will be excavated to a depth of approximately 2-3+ feet. This will provide approximately 7,000 cubic yards of storage volume below the 100-year flood elevation, providing ample compensation for the storage lost at the project site. Figure 4-1 illustrates the location of the floodplain compensation area that will also serve as wetland mitigation. The proposed compensation for lost storage will ensure this project will have no short- or long-term direct or cumulative impact to the Hudson River floodplain.

The Town of Cortlandt Engineer has determined that the Town of Cortlandt will not require a floodplain development permit for the Proposed Action (correspondence dated 3/3/15 – Appendix A).

Executive Order 11988, Floodplain Management, requires federal agencies to evaluate the impacts to floodplain and evaluate alternatives to avoid impacts. The proposed ACP is a necessary component of the entrance to Camp Smith to prevent unauthorized entry and to ensure the safety and security of the facility. The existing ACP has been shown to be inefficient and ineffective and must be redeveloped. Several alternatives have been evaluated, of which a few would avoid or minimize floodplain impacts to a greater extent than the Proposed Action. However, as discussed in Section 2.0, these alternatives were rejected based on other more significant impacts. Additionally, the location of the Proposed Action provides ample opportunity to compensate for the floodplain storage loss, resulting in a net beneficial impact to the Hudson River floodplain.

Flood Storage Compensation Area
Approximately 0.08 Ac.
To be graded to approximate elevation of existing wetland

16
15
15
10
9
8
7
6
A25
A26
A31
A30
A29
N
0
40
80
Scale in feet
Existing Wetlands

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Flood Storage Compensation Area

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FIGURE: 4-1

Also in compliance with EO 11988, the NYARNG will be required to obtain a floodplain waiver from Headquarters, Department of the Army (HQDA). The waiver is necessary to allow fill to be placed in the floodplain and is granted when no other practicable alternative exists and appropriate mitigation is provided to reduce or eliminate the impact. The waiver request letter is provided in Appendix A.

4.5.3.2 Effects of the No Action Alternative

No short- or long-term impacts to floodplains would occur under the No Action Alternative.

4.6 Biological Resources

4.6.1 Flora/vegetation

4.6.1.1 Effects of Proposed Action

The proposed Action will impact a total of 0.49 acres of vegetated communities. These impacts are further broken down as follows: 0.08 acres of wetland impact, 0.41 acres of mowed lawn and 0.002 acres of successional northern hardwood forest. Part of this disturbance is to create the 0.08 acre mitigation wetland, which will account for 0.079 acres of the mowed lawn impact and the 0.002 acres of successional northern hardwood forest impact. Therefore the proposed ecological community displacement will result in a 0.411 acre reduction of flora. This is a long-term, less-than-significant impact and is relatively negligible considering that the majority of impact is to existing mowed lawn. This reduction of mowed lawn habitat will no short- or long-term impact on the flora of the region.

There will be no short- or long-term impact to brackish intertidal mudflats and Appalachian oak-hickory forest because these habitats do not occur within the Proposed Action Area and the Proposed Action is not expected to result in actions that have the potential to indirectly impact these habitats.

4.6.1.2 Effects of the No Action Alternative

The no action alternative would result in no impacts to the existing biological resources of Camp Smith.

4.6.2 Fauna/animals

4.6.2.1 Effects of Proposed Action

There will be temporary disturbance associated with construction as well as the loss of approximately 0.411 acres of vegetated land, mostly mowed lawn habitat. Since the majority of disturbance is to mowed lawn and a small amount of invasive species dominated wetland habitat, there will be no short- or long-term impact to animals, except as noted in Section 4.6.1.4.

4.6.2.2 Effects of the No Action Alternative

The No Action Alternative would result in no impacts to the existing biological resources of Camp Smith.

4.6.3 Wetlands

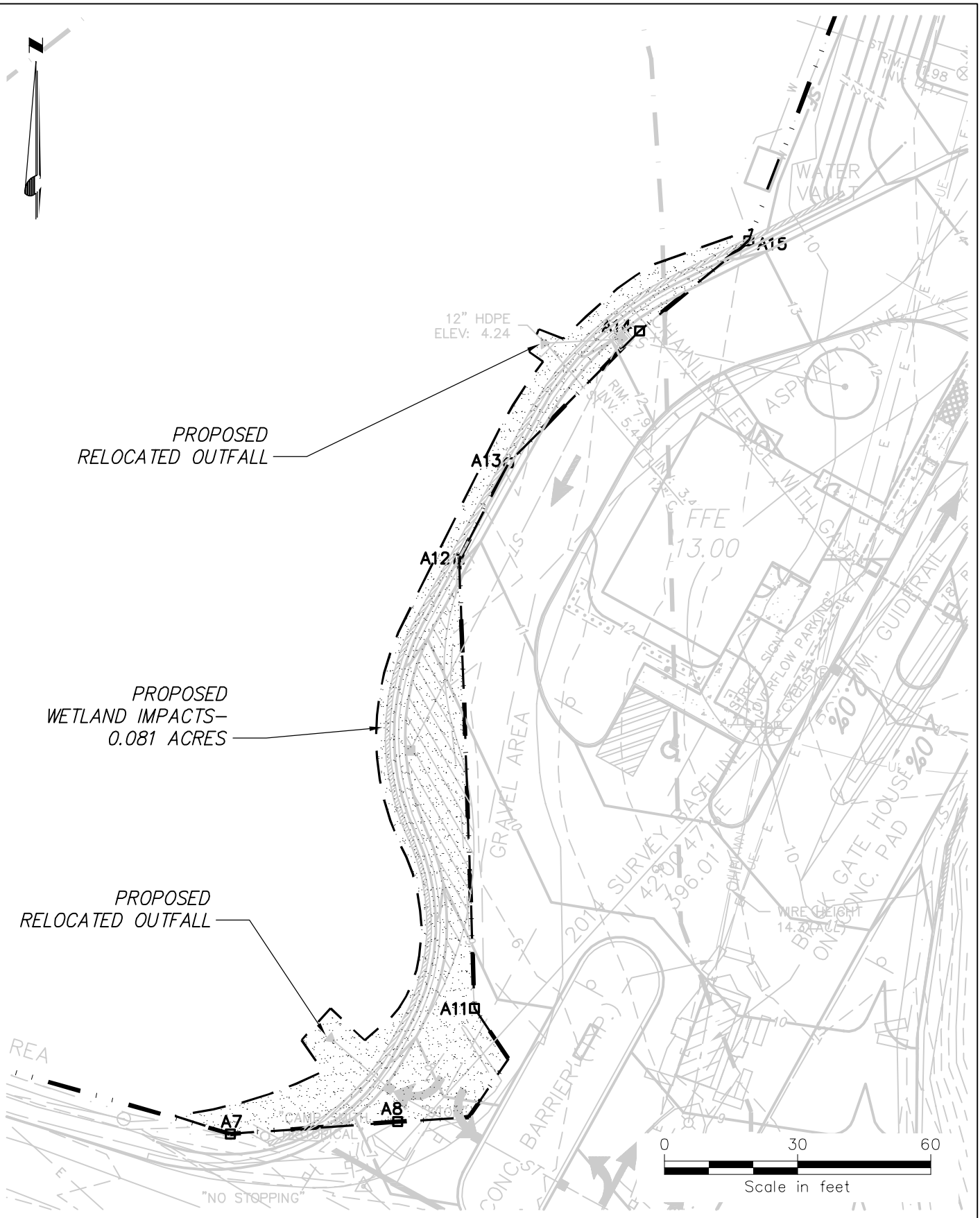
4.6.3.1 Effects of Proposed Action

Impacts and Regulatory Compliance

During a regulatory agency meeting with the NYSDEC, it was identified that the wetlands are regulated under Article 15 of the NYS Environmental Conservation Law due to their direct connection to Putnam Creek. The wetlands are also federally-regulated by USACE under Section 404 of the Clean Water Act.

There will be a short- and long-term significant adverse impact to approximately 0.08 acres of freshwater shallow emergent marsh (PEM1B) by the Proposed Action (Figure 4-2). This area is on the outer edge of the Camp Smith Marsh and is dominated by a monoculture of common reed. The impacts will result from grading and fill to provide sufficient area for the ACP and the relocation of two existing outfalls. It is expected that the nature of the project and extent of the impacts will qualify for authorization under Nationwide Permit No. 3 (Maintenance).

Compensatory wetland mitigation will not be required for the Nationwide Permit because the wetland impact does not exceed 0.10 acres. However, NYSDEC has indicated that compensatory storage will be required for the Article 15 permit and, as noted below, it is necessary to replace the wetland area and functions and values in order to meet the requirements of Executive Order



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Wetland Impact Map

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DATE: 3/16/15

Figure 4-2

11990. NYSDEC has indicated that under Article 15, the primary concern is to protect the tributary to the Hudson River and to retain the flood protection value of the impacted wetland. Therefore, mitigation to protect this resource will be focused on compensating for the volume of flood storage lost by the Proposed Action to ensure that localized flooding is not increased. Based on further discussions with NYSDEC, compensatory storage will include the creation of an approximately 0.08 acres depression situated adjacent to the Camp Smith Marsh. This depression will be hydrologically connected to the Camp Smith Marsh and will provide the desired flood protection value. Based on previous discussions with the NYSDEC it is assumed that this area does not need to be planted due to the prevalence of common reed in the adjacent wetland, which is likely to invade the mitigation area. However, a plan will be developed to stabilize the graded area to prevent erosion and sedimentation. One option is to line the excavated area with the wetland soils taken from the Proposed Action Area. Under normal circumstances, this soil would not be used due to the presence of invasive plants. However, it is highly unlikely that any plantings or seeding of native species would be successful due to the dominance of common reed in the remainder of the wetland. Use of the organic soils within the excavated depression will provide immediate erosion control and quick vegetation establishment.

Upon completion of the project a final report with an as-built plan will be submitted to NYSDEC. The report will document the existing conditions, provide a brief narrative of the project and project goals, and any corrective actions that may be required to meet the permit conditions. The location of the proposed compensatory storage is illustrated on Figure 4-1. As a result of the proposed mitigation, the significance of the impact will be reduced to less-than-significant levels.

Executive Order 11990

In addition to compliance with the regulatory agencies, the NGB must comply with Executive Order (EO) 11990. Signed into order in 1977 by President Carter, the purpose of EO 11990 is to "minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands". Under this EO, federal agencies must demonstrate that there are no practicable alternatives to impact within wetland and must further demonstrate that all practicable measures have been taken to minimize the impacts on wetlands and, if necessary, mitigate the impacts of the project.

Several alternatives were evaluated to avoid impacts to both wetland and floodplain. These are discussed in detail in Section 2.0. The design alternatives involving rehabilitation of the existing entrance all involved a similar amount of wetland impact with the preferred alternative having the least impact. Alternative entrance locations would result in either a significant increase in wetland impact (Concept 2 – relocation west along Route 6/202) or the potential for a significant impact to a perennial stream (Route 9 entrance options). As a result, it was determined that wetland impacts are unavoidable but can be minimized.

The original concept for the preferred alternative would have resulted in an impact of just under 0.10 acres. Refinement of the project plans and the use of a retention wall decreased the impact to the currently proposed 0.08 acres. The wetland area impacted by the project is highly degraded and is a monoculture of invasive common reed. The primary function of this wetland is flood storage. Therefore, to compensate for the loss of flood storage (both within the wetland and upland floodplain areas affected by the project), an area adjacent to the existing tidal marsh has been proposed for grading to provide flood storage compensation. As a result, there will be no net loss of wetland area and wetland functions and values will be fully replaced.

Based on a thorough evaluation of alternatives and design efforts to minimize wetland impact, it has been determined that there are no practicable alternatives to the preferred alternative that would avoid wetland impacts and that all measures have been taken to minimize wetland impact to the greatest extent practicable. Furthermore, the proposed floodplain compensation/wetland creation will compensate for the unavoidable wetland impacts, including replacement of wetland functions and values. Therefore, the project will be in full compliance with EO 11990.

4.6.3.2 Effects of the No Action Alternative

The No Action Alternative would result in no impacts to the existing biological resources of Camp Smith.

4.6.4 Threatened and Endangered Species

4.6.4.1 Effects of Proposed Action

The evaluation/comparison of the project site habitats with the habitat requirements of the federal and State listed (protected) species (Appendix E) indicates the presence of potential habitat for the Indiana bat and northern long-eared bat. This is based on the presence of trees with suitable roosting structure for these species.

Less-than-significant adverse impacts (tree removal) to potential Indiana bat and northern long-eared bat habitat are anticipated. Nearly all of the potential roost trees are located outside of the Proposed Action Area and therefore are not anticipated to be impacted. The trees that need to be cut will be cut between October 1 and March 31, when these bats are hibernating and not utilizing potential habitat in the area. The time of year tree cutting restriction is expected to result in no direct or indirect, short- or long-term impacts to Indiana bats or northern long-eared bats. Therefore the project may affect but is not likely to adversely affect the Indiana bat and northern long-eared bat.

Due to the lack of habitat within the Proposed Action Area, the Proposed Action will have no short- or long-term impacts and therefore will result in no jeopardy to the New England cottontail rabbit.

Shortnose sturgeon, Atlantic sturgeon and bald eagle habitat does not occur within the Proposed Action Area. Therefore the Proposed Action will have no short- or long-term impacts (no effect) on these species. It is assumed that spotted turtle and timber rattlesnake are not a concern because they were not listed in the NHP response. Therefore it is assumed that the Proposed Action will have no short- or long-term impacts (no effect) on these species.

Anadromous fish concentration area does not occur within the Proposed Action Area and the project will not result in actions that have the potential to impact the anadromous fish concentration area. Therefore the project will have no short- or long-term impacts (no effect) on the anadromous fish concentration area.

A Natural Resources Assessment with these findings has been submitted to the USFWS and NYSDEC for concurrence.

Based on the habitat assessments performed for the Proposed Action, it is NYARNG's opinion that the project may affect, but not likely to adversely affect the Indiana bat and the northern long-eared bat and although the New England cottontail rabbit is not afforded protection under the Endangered Species Act, the action will have no to minor impacts on the species and will not jeopardize the continued existence of the species. By letter dated March 23, 2015 (Appendix A), through informal consultation, USFWS concurs with this opinion. ARNG-ILE, serving as the responsible federal agency for this Action, also concurs with this opinion. Agency consultation requirements under the Endangered Species Act of 1973 have been satisfied.

It is expected that the NYSDEC will agree with the conclusions and will provide a letter concurring that the Proposed Action will not impact these species and resources.

4.6.4.2 Effects of the No Action Alternative

The No Action Alternative would result in no impacts to the existing biological resources of Camp Smith.

4.6.5 Migratory Bird Treaty Act

4.6.5.1 Effects of Proposed Action

The area of project disturbance is approximately 1.85 acres. The project site is primarily mowed lawn with areas of successional northern hardwoods, emergent wetland and developed areas. The Proposed Action will entail the grading and development of approximately 0.82 acres of developed (imperious) land comprised of an existing guard shack and roadway, 0.081 acres of emergent wetland, 0.409 acres of mowed lawn and 0.002 acres of successional northern hardwood forest. Part of this disturbance is to create the 0.081 acre mitigation wetland, which will account for 0.079 acres of the mowed lawn impact and the 0.002 acres of successional northern hardwood forest impact. Therefore the proposed ecological community displacement will result in a 0.411 acre reduction of flora.

Each bird species listed in the DoD Partners in Flight website has its own habitat requirements, which were reviewed. Some have very specific habitat requirements, such as the golden-winged warbler (*Vermivora chrysoptera*), that only nest in early successional habitats of old fields, and is

known to nest in New York. Some species only have the potential to use the project geographic locale on a migratory stopover basis because their breeding grounds occur in places far away, such as the tundra of Alaska.

Many of the listed species can be discounted from occurring on the project site because of a lack of suitable habitat or range not extending into the locale of the project. However, several species cannot be discounted because the project site contains habitats similar to what is described as their preferred habitat. For example, the American black duck (*Anas rubripes*) nests in freshwater and saltmarshes. The project will have a small impact on emergent wetland. However, the wetland is a monotypic stand of common reed that provides no or very limited habitat for this species, particularly in the upper reaches of the wetland where the impacts are to occur. No nests or ducks were identified in this area during the Summer Habitat Survey and subsequent visits to the site. The continued presence of dense common reed will likely preclude any use or nesting of the American black duck within the Proposed Action Area limits of disturbance. No other waterfowl or wetland dependent species are likely to use this area due to the limited habitat value present.

Based on the above assessment, the Proposed Action will have a short-term less-than-significant adverse impact on migratory bird species.

In order to minimize the potential project impacts on migratory or breeding birds and address concerns over potential use of forested areas by the Indiana bat and northern long-eared bat, the ARNG proposes to cut the trees needed to accommodate the project in the winter when birds will not be nesting and bats will be hibernating. Additionally, it is recommended that the mowed lawns within the Proposed Action Area continue to be mowed prior to construction to prevent vegetation from growing tall, thus deterring grassland bird nesting. Many species of grassland birds prefer taller grasses and will not nest in tightly mowed lawns, which constitute most of the vegetative community impacts. This strategy will significantly reduce the potential for an incidental take of nesting and migrating birds. These BMP measures will reduce the level of impact from less-than-significant adverse impact to no impact on migratory birds.

4.6.5.2 Effects of the No Action Alternative

The No Action Alternative would result in no impacts to the existing biological resources of Camp Smith.

4.7 Cultural Resources

4.7.1 Archeological Resources

4.7.1.1 Effects of Proposed Action

A Phase 1 Archaeological Investigation and report was completed by HDR to cover the APE. This investigation did not identify any cultural resources eligible for listing on the National Register of Historic Places that could be affected by the Proposed Action. Additionally, there are no historic structures within the APE and there are no significant archaeological or architectural resources that will be affected by the project.

As per the Final Integrated Cultural Resources Management Plan Revision (May 2010), Standard Operating Procedure (SOP) No. 5 for Inadvertent Discovery of Cultural Materials, ground disturbing activity shall cease when historical artifacts and features, human remains, or burials are observed or encountered. Any observations or discoveries should be reported immediately to the unit commander or facility manager and the discovery location(s) must be secured.

The Phase 1 Archaeological Investigation report was submitted to OPRHP for review. Response from OPRHP dated January 27, 2015 is provided in Appendix A, indicating that the project will have No Impact on any historic properties eligible for inclusion in the State and National Register of Historic Places.

4.7.1.2 Effects of the No Action Alternative

No impact to archeological resources would occur under the No Action Alternative.

4.7.2 Native American Concerns

4.7.2.1 Effects of Proposed Action

The NYARNG initiated government to government consultation with the Delaware Nation, Delaware Tribe of Indians and the Stockbridge-Munsee Community Band of Mohican Indians on November 25, 2013 and submitted the archeological report on January 30, 2015 (Appendix A). No initial significant concerns were raised. Coordination is complete when the EA is provided to the tribes and addressing any additional comments from the tribes that may arise during the public comment period.

The Proposed Action would not alter access to, or use of, tribal traditional resources.

4.7.2.2 Effects of the No Action Alternative

No impact to Native American resources would occur under the No Action Alternative.

4.8 Infrastructure

4.8.1 Water Service

4.8.1.1 Effects of Proposed Action

The NYSDEC "Design Standard for Wastewater Treatment Works" (NYSDEC 1988) is the standard for estimating water use by development type. There is no established flow rate for the proposed facility but the use is equivalent to an office building. These types of facilities on average result in a flow rate of 15 gpd per person. With a maximum of 4 people occupying the building, the maximum water use for ACP is approximately 60 gpd. Based on previous evaluation of the water system (O'Brien & Gere 2005), the existing capacity of the water supply wells is well over 200,000 gpd and the reported current use by Camp Smith is approximately 35,000-100,000 gpd. As a result, there is ample capacity in the system to support the new ACP and there will be no impact to water supply or infrastructure.

4.8.1.2 Effects of the No Action Alternative

No impact to water service would occur under the No Action Alternative.

4.8.2 Fire Flow Requirements

4.8.2.1 Effects of Proposed Action

There are no fire protection requirements for this project and therefore no changes are anticipated to the existing fire protection water mains and hydrants as a result of this project.

4.8.2.2 Effects of the No Action Alternative

No impact to fire protection would occur under the No Action Alternative.

4.8.3 Sewer Service

4.8.3.1 Effects of Proposed Action

The project will be serviced by a grinder pump which will discharge to existing sanitary sewer system in the vicinity of the water pump building. Approximately half of the maximum treatment capacity of the WWTF is being used currently. The project will require a maximum of 60 gpd and as a result, there will be no impact to the existing sanitary system.

4.8.3.2 Effects of the No Action Alternative

No impact to sewer service would occur under the No Action Alternative.

4.8.4 Traffic

4.8.4.1 Effects of Proposed Action

Projected traffic was based on the Army Standard which states that "the traffic engineering study shall be based on the largest anticipated design demand value that occurs between the current traffic volume and the projected traffic volume five (5) years in the future." Currently there is no planned development, mission growth, or anticipated mission change that would occur within the next five years that would increase the traffic volume above the existing level. Therefore, the proposed rehabilitation of the ACP is intended to manage the existing traffic utilizing the facility and, more importantly, to provide greater efficiency in processing vehicles and safety in the event of threat. The new ACP design will relocate the vehicle check point further into the facility access road, proving greater vehicle storage. As a result, this project will have no impact on the

LOS for this intersection and will have a long-term positive impact on traffic circulation and stacking in the facility, decreasing back-ups onto the highway.

4.8.4.2 Effects of the No Action Alternative

The existing traffic conditions at the entrance to Camp Smith are poor due to the location of the existing ACP and the lack of stacking area, causing back-ups onto the highway. The No Action Alternative does not change the existing traffic conditions at this intersection and the ACP would continue to fail Army standards.

4.9 Hazardous and Toxic Materials/Wastes

4.9.1 Effects of Proposed Action

A portion of the Proposed Action Area is within a Category III area which is defined as a site known to be contaminated or there is a strong suspicion that contamination will be encountered during construction. The primary concern is the known contamination by lead within Putnam Creek and the associated tidal wetland. It is also possible that PCB containing sediments originating in the Hudson River PCB site may have been deposited within the tidal marsh during flood events. These contaminants may be encountered during construction. The U.S. Army Public Health Command report (Appendix H) concludes that the materials from excavation within the Proposed Action Area should be tested for contamination and treated, if necessary, during construction. Despite the known lead contamination, it is anticipated that the excess soils can be applied to the firing ranges without concern of health impact.

The Pre-Construction Assessment Report dated December 2013 and completed by US Army Public Health Command speaks specifically to the project limits of the ACP. This report summarizes that lead contamination, due to historic and ongoing range activities, could have impacted Putnam Creek as well as the Camp Smith Tidal Marsh. The report also states that PCBs are a potential concern within the floodplain as it is connected to the Hudson River PCB Site which is a National Priority List (NPL) Site. This report, however, lacks any specific sample data to support these concerns aside from historic references.

The Draft Final Remedial Investigation Data Summary Report dated February 2015 and completed by EA Engineering PC addresses lead contamination and includes a summary of historic and current sediment sampling. The sampling is limited to the tidal marsh and Putnam Creek Channel and the report focuses on an evaluation of the risk to human and/or ecological receptors, rather than construction related concerns. The draft report concludes that lead in the tidal marsh is not bioavailable and no management actions are required.

Neither of these reports include detailed sample data from the specific areas that will be impacted by the ACP project. The Draft Final Remedial Investigation Data Summary Report does show sample locations and ranges of lead concentrations detected at those locations and indicates that the higher concentrations are located in the 0”-12” depth below ground surface near the area of the proposed construction.

As a result, the following BMP is proposed. In the area of the retaining wall within the tidal marsh limits, management of the surficial sediment/soil should include additional sampling carried out prior to construction to confirm the presence/absence of lead and PCBs and associated levels of contamination in the soil to be displaced by the project. The outcome of this effort will dictate the management requirements for the excavated materials, which could involve reuse on site.

Alternatively, 12” of soil within the wetland impact area could be stripped and stockpiled during construction for testing to determine the appropriate management or disposal requirements. This alternative would result in an unknown condition for soil management prior to bidding the project that could present some unforeseen costs and contract issues.

Regardless of when the soils are tested, the process of testing will reveal the need for and level of management necessary to properly handle the excavated soils and dispose of them. This information will ensure that the soils are disposed of properly and that the project will have no impact on hazardous materials.

Any generation of construction waste by the Proposed Action will be removed from the project site and disposed of at an approved facility. This may or may not include the soils excavated for the project, depending on the outcome of lead and PCB testing. There will be no impact on construction waste.

4.9.2 Effects of the No Action Alternative

No impact to hazardous and toxic materials/wastes would occur under the No Action Alternative.

4.10 Mitigation Measures and Best Management Practices

Mitigation measures are specific responses to predicted significant or major direct adverse effects on a given environmental resource for a specific proposed action. Mitigation measures typically include avoiding an impact by changing or stopping the action, minimizing the impact, and correcting an impact by repair, rehabilitation or restoring the affected environment. Mitigation can also include eliminating or reducing an impact over time. This can be accomplished by maintenance and preservation operations during the life of the Proposed Action or by replacing or providing appropriate substitute resources or environments.

Mitigation measures will be implemented to offset the potential adverse impacts within the 100-year floodplain and emergent wetlands. Compensatory storage/wetland creation will include the creation of an approximately 0.08 acre depression situated adjacent to the Camp Smith Marsh. This depression will be hydrologically connected to the Camp Smith Marsh and will provide the desired flood protection value. A plan will be developed to stabilize the graded area to prevent erosion and sedimentation using the wetland soils excavated from the Proposed Action Area. Under normal circumstances, this soil would not be used due to the presence of invasive plants. However, it is highly unlikely that any plantings or seeding of native species would be successful due to the dominance of common reed in the remainder of the wetland. Use of the organic soils within the excavated depression will provide immediate erosion control and quick vegetation establishment.

As discussed in Section 4, the Proposed Action would include and compensatory flood storage and wetland creation to mitigate filling within the 100-year floodplain and minor impacts to an emergent marsh.

Best management practices (BMP) will include the following:

- Erosion and sedimentation control measures and construction of a water quality basin in accordance with a Stormwater Pollution Prevention Plan.
- Time of year tree cutting restrictions to prevent impacts to the northern long eared bat, Indiana bat, and migratory bird species.
- Continued ground maintenance (mowing) to prevent suitable nesting habitat for migratory grassland birds within the Proposed Action Area.
- Testing and on-site management (or off-site removal and disposal if warranted) of excavated soils that may be contaminated with lead and PCBs.

4.11 Cumulative Effects

4.11.1 Introduction

As defined by CEQ Regulations at 40 CFR Part 1508.7, cumulative impacts are those that "result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, without regard to the agency (Federal or non-Federal) or individual who undertakes such other actions." Cumulative impact analysis captures the effects that result from the Proposed Action in combination with the effects of other actions in the Proposed Action's region of influence.

Because of the number of past, present, and reasonably foreseeable future actions within Westchester County and greater New York City metropolitan area, cumulative effects are the most difficult to analyze. The NEPA requires the analysis of cumulative environmental effects of a Proposed Action on resources that may often be manifested only at the cumulative level, such as traffic congestion, air quality, noise, biological resources, cultural resources, socioeconomic conditions, utility system capacities, and others.

Past, present, and reasonably foreseeable actions in the vicinity of the Proposed Action

Area analyzed in this EA are limited to projects within Camp Smith that include:

- Anticipated construction of a new Combined Support Maintenance Shop (CSMS) in Fiscal Year 2016. This will replace the existing CSMS on site and is being constructed on the footprint of previously developed land.
- Water tower replacement in Fiscal Year 2016.
- Improvements to the firing range in Fiscal Year 2016. These improvements involve relocation of the berm for added safety. All improvements are occurring within the existing firing range.

The above projects are maintenance/rehabilitation/redevelopment that will address existing deficiencies and will not impact undeveloped lands. The Proposed Action does not create a new land use or provide any burden on local services or those services provided directly by NYARNG. Although the Proposed Action will require the placement of fill within the 100-year floodplain of the Hudson River, the impacts are fully mitigated with compensatory storage. Additionally, the compensatory storage will also serve as wetland mitigation, providing all functions and values of the small, invasive species dominated emergent wetland impacted by the Proposed Action.

4.11.2 Cumulative Effects within the Region

The Proposed Action Area is located in the Town of Cortlandt, but is more highly influenced by the New York City metropolitan area. Review of the Westchester County Census & Statistics (http://planning.westchestergov.com/images/stories/Census/populationchangemun1940_2010.pdf) shows moderate but consistent population growth in the Town of Cortlandt between 1980 and 2010. Significant growth occurred between 1940 and 1970, at the height of suburbanization of communities in close proximity to NYC.

This growth has increased regional traffic congestion, air quality impacts, and other environmental effects, placing increased demands on services, utilities, and infrastructure, and consuming former open space areas with new development. Development of former open space

has resulted in associated natural and cultural resources impacts, and the conversion of prime and unique farmlands.

Projects within the Town of Cortlandt include the following:

- Jacobs Hill Crossing - 161 unit townhouse and condominium project on Route 6 (recently completed)
- Valeria – 147 unit townhouse development on Furnace Dock Road (under construction)
- Roundtop – 92 unit apartment development on Albany Post Road (recently completed)
- Hollowbrook Ridge – 85 unit condominium development on Oregon Road (recently completed,
- Cortlandt Ridge – 62 unit single family and townhouse development on Croton Ave (recently completed).
- Pondview – 56 unit townhouse development on Route 6 (preliminary approval).
- Mill Court Crossing – 27 lot single family home development on Mill Court and Lexington Ave (Preliminary approval for 16 lots).
- Hanover Estates - 27 lot single family home development on Croton Ave (approval pending)
- Furnace Dock – 16 lot single family home development on Furnace Dock Road (final approval received)
- Several 2-5 lot single family home developments located throughout the town.
- Cortlandt Crossing is a proposed 130,000 square foot shopping center located on Route 6 and is the only major commercial development currently proposed in the Town.

Review of the City of Peekskill's web site revealed a continued focus on redevelopment of the City's waterfront, including the Lincoln Depot Plaza, Lincoln Depot Museum, and redevelopment of an industrial site as a Peekskill Riverfront Park.

4.11.3 Cumulative Effects of the Proposed Action

The Proposed Action would result in the impacts identified throughout **Section 4.0**. These are limited to potential less-than-significant adverse impacts to soils and water resources due to potential erosion and sedimentation; northern long eared bat, Indiana bat, and migratory birds due to the removal of a few trees and small areas of mowed grass and wetland; and hazardous materials due to the potential contamination of soils excavated for the project. There would be a potential short term less-than-significant impact to traffic during construction but a beneficial impact once complete and in operation. These impacts would be further reduced through implementation of standard NYARNG BMPs as identified in **Section 4.0**. Potential significant short- and long-term impacts to floodplain and wetlands were also identified, but can be mitigated to less-than-significant levels; mitigation measures are summarized in **Section 4.10**.

Implementation of the Proposed Action is not expected to cumulatively significantly adversely impact any technical area discussed in this EA. Cumulative net positive impacts to traffic and security and safety of the facility would be realized. The Proposed Action would have no contribution to the ongoing regional decline in natural or cultural resources with implementation of the proposed mitigation measures for compensatory floodplain storage and wetland creation. No other significant resources would be affected.

Under the No Action alternative, the NYARNG would not construct the Proposed Action and the site would continue to operate with a non-functional ACP that is out of service during flood events.

4.11.4 Inter-relationship of Cumulative Effects

Continued development in the Town, as noted in Section 4.11.2, will place pressure on environmental resources such as floodplains, wetlands, and other ecological communities. When considering the Hudson River and its ecological and physiological components, the cumulative effects of regional development extend from NYC up to the City of Troy within the Hudson River estuary. At this scale, the effects of the proposed action are negligible but the cumulative effects of small, unmitigated actions over long periods of time can be significant. The Proposed Action

will result in no net loss of wetlands or floodplain storage capacity with implementation of the proposed mitigation. Additionally, the wetland impacted by the Proposed Action is a highly degraded, monotypic stand of common reed that offers very little habitat value. Replication of this community is easily achieved and more importantly, flood storage capacity will be doubled. As a result, the Proposed Action will not contribute to the cumulative loss of wetlands and floodplain storage within the Hudson River watershed and estuary.

As previously noted, there are no inter-related cumulative effects between local development projects and the redevelopment of the ACP. The ACP will not consume community-provided resources and does not occupy lands that could be used for other purposes by the Town of Cortlandt. Additionally, as a redevelopment project, the majority of land impacted by the relocation/redevelopment of the ACP is currently developed (primarily paved surfaces). Lastly, the impacts to floodplain and wetlands will be fully mitigated such that wetland area will be replicated at a 1:1 ratio and compensatory floodplain storage will be increased beyond current conditions.

5 COMPARISON OF ALTERNATIVES AND CONCLUSIONS

5.1 Comparison of the Environmental Consequences of the Alternatives

Table 5-1 provides a summary of the potential environmental consequences of the Proposed Action and the No Action Alternative. All other alternatives were dismissed from further evaluation as discussed in Section 2.0.

TABLE 5-1: ALTERNATIVE COMPARISON MATRIX

TECHNICAL RESOURCE AREA	NO ACTION ALTERNATIVE	PREFERRED ACTION ALTERNATIVE
Location Description	Short and long-term **significant adverse** impact on facility mission and function by the continued use of a temporary ACP that fails to meet current Army standards for safety,	Short and long-term **significant beneficial** impact on facility mission and function by meeting current Army standards for safety, security and traffic flow and creating a permanent ACP outside of the floodplain.
Land Use	No impact attributable to NYARNG action. NYARNG would continue to use existing ACP location, which is not located near incompatible uses.	Maintains existing access location and therefore will have no impact on land use.
Visual Resources	No impact attributable to NYARNG action. Existing small guard shack would remain.	No Short-term or long-term visual impacts will occur as a result of the project. There are no sensitive visual resources in the project vicinity that would be impacted by the ACP.
Geology and Soils	No impact attributable to NYARNG action.	Short-term, less-than-significant adverse impact to soils during construction through grading the majority of the site and improving the soils for building foundations. Erosion and sedimentation impacts would be further reduced with implementation of BMPs.
Water Resources	No impact attributable to NYARNG action. ACP would continue to flood during storm events and hinder ingress and egress.	Short-term, less-than-significant adverse impacts to offsite surface waters due to soil erosion and consequent sedimentation during construction. Would be reduced with implementation of BMPs. Potential short- and long-term significant adverse impact to the 100-year floodplain of the Hudson River by adding fill to the floodplain. Mitigation in the form of providing compensatory flood storage will result in no impact to the floodplain.

TABLE 5-1: ALTERNATIVE COMPARISON MATRIX		
TECHNICAL RESOURCE AREA	**NO ACTION ALTERNATIVE**	**PREFERRED ACTION ALTERNATIVE**
Biological Resources	No impact attributable to NYARNG action.	Potential short- and long-term **significant adverse** impact to wetlands would occur in order to construct the ACP. The impact area is less than 0.10 acre and includes highly degraded Phragmites emergent marsh. Compensatory mitigation in the form of 1:1 replacement of wetland area and functions and values will reduce this impact to less-than-significant levels. Potential short- and long-term less-than-significant adverse impact to the northern long-eared bat and Indiana bat by the removal of potential roost trees. This impact will be reduced to no impact by removal of a very limited number of trees during the winter months. Potential less-than-significant impact to migratory birds. BMPs including tree removal during non-nesting periods and continued mowing of currently mowed areas to discourage ground nesting will reduce the effects of the Proposed Action to no impact.
Cultural Resources	No impact attributable to NYARNG action.	No impact attributable to NYARNG action. The project area was previously disturbed and consists of fill material. No cultural resources are present in the project area. The NYS Office of Parks, Recreation and Historic Preservation has issued a letter of No Effect for this alternative.
Infrastructure	The existing ACP would continue to operate with inadequate facilities and communication. The existing ACP will continue to stack vehicles into Route 6/202, resulting in a continued less-than-significant adverse impact to traffic that cannot be mitigated.	Short-term, less-than-significant adverse traffic impacts may occur during construction of the ACP. However, there will be a beneficial long-term impact to traffic by increasing the stacking distance for vehicles on-site.
Hazardous and Toxic Materials/Wastes	No impact attributable to VIARNG action.	Short- and long-term, less-than-significant adverse impacts due to construction activities within areas suspected to be contaminated with lead and possibly PCBs. Soils will be tested and managed on-site.

The No Action Alternative would have a short- and long-term significant adverse impact on the military mission to provide a safe and efficient ACP for Camp Smith. Additionally, this alternative would continue to result in traffic congestion at the Camp Smith entrance and stacking onto Route 6/202.

5.2 Conclusions

The Proposed Action would have a long-term positive impact on the military mission (particularly as it relates to access, traffic and safety) and no impact on land use, visual resources, or cultural resources. With the implementation of mitigation measures and best management practices (BMP), less-than-significant adverse impacts were identified for geology and soils, water resources (construction within a floodplain), biological resources (small wetland

impact and removal of potential bat summer roosting trees), infrastructure (short term traffic delays at entrance during ACP construction, and hazardous and toxic materials/wastes (disturbance of soils with lead and potential PCB contamination).

This EA supports a Finding of No Significant Impact for the Proposed Action. Therefore, the preparation of an Environmental Impact Statement is not required.

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Town of Cortlandt
Town Hall, 1 Heady St.
Cortlandt Manor, NY 10567

Brian Yates
Deputy Commissioner for Historic Preservation
NYS Office of Parks, Recreation and Historic Preservation
Division of Historic Preservation
Peebles Island, P.O. Box 189
Waterford, NY 12188

Blair Fink
Delaware Tribe Historic Preservation Representatives
Dept. of Anthropology
Galdfelter Hall
Temple University
1115 W. Polett Walk
Philadelphia, PA 19122

Bonney Hartley
Tribal Historic Preservation Assistant – NY Office
Stockbridge-Munsee Tribal Historic Preservation
P.O. Box 718
Troy, NY 12181

Nekole Alligood
Director
Cultural Preservation Office
Delaware Nation
P.O. Box 825

Robyn Niver
U.S. Fish and Wildlife Service
3817 Luker Road
Cortland, NY 13045

Appendix A

Appendix A
Agency and Tribal Correspondence

Copies of outgoing and incoming correspondence for this EA have been provided in this Appendix. Table A-1 provides a summary of that correspondence.

Table A-1
Correspondence Summary

Date	Agency	Description
11/25/13	President, Stockbridge-Munsee Band of Mohican Indians	Outgoing tribal coordination letter
11/25/13	Tribal Historic Preservation Officer, Stockbridge-Munsee Band of Mohican Indians	Outgoing tribal coordination letter
11/25/13	Vice President, Delaware Nation	Outgoing tribal coordination letter
11/25/13	Historic Preservation Officer, Delaware Nation	Outgoing tribal coordination letter
11/25/13	Chief, Delaware Tribe of Nations	Outgoing tribal coordination letter
11/25/13	Delaware Tribe Historic Preservation Office	Outgoing tribal coordination letter
11/25/13	DMNA	Tribal consultation memorandum
12/23/13	GIS/GPR Manager, Delaware Nation	Incoming email acknowledging receipt of coordination letter
7/10/14	DMNA	Outgoing request to NHP for threatened and endangered species review.
8/11/14	HDR	Outgoing meeting minutes from USACE meeting.
8/12/14	HDR	Outgoing meeting minutes from NYSDOT meeting.
8/15/14	HDR	Outgoing meeting minutes from NYSDEC meeting.
8/20/14	NYSDEC Natural Heritage Program	Incoming response to threatened and endangered species request.
9/13/14	HDR	Outgoing email to DMNA & OGS regarding Town of Cortlandt involvement in project.
9/22/14	HDR	Outgoing minutes of meeting with NYSDEC
9/24/14	NGB	Incoming email indicating that a Focused EA is acceptable.
11/26/14	DMNA	Outgoing request to NYSDEC for a wetland jurisdictional determination
11/26/14	DMNA	Outgoing request to USACE for a wetland jurisdictional determination

Date	Agency	Description
12/9/14	DMNA	Outgoing request for USACE to consider a Nationwide Permit for the project
12/23/14	USACE	Incoming Wetland Jurisdictional Determination
1/12/15	DMNA	Outgoing Phase 1 Cultural Resources Survey transmittal letter
1/27/15	NYS Office of Parks, Recreation and Historic Preservation	Incoming Letter of No Effect
1/30/15	President, Stockbridge-Munsee Band of Mohican Indians	Outgoing tribal coordination letter
1/30/15	Tribal Historic Preservation Officer, Stockbridge-Munsee Band of Mohican Indians	Outgoing tribal coordination letter
1/30/15	Vice President, Delaware Nation	Outgoing tribal coordination letter
1/30/15	Cultural Preservation Office, Delaware Nation	Outgoing tribal coordination letter
1/30/15	Chief, Delaware Tribe of Indians	Outgoing tribal coordination letter
1/30/15	Delaware Tribe Historic Preservation Representative	Outgoing tribal coordination letter
2/23/15	DMNA	Outgoing habitat assessment submittal to NYSDEC
2/23/15	DMNA	Outgoing habitat assessment submittal to USFWS
3/3/15	Dept. of Technical Services, Town of Cortlandt	Incoming correspondence related to floodplain jurisdiction
3/5/15	Delaware Tribe Historic Preservation Representatives	Incoming concurrence with project
3/9/15	DMNA	Outgoing effect determination submittal to USFWS
3/23/15	Stockbridge-Munsee Tribal Historic Preservation	Incoming concurrence with project.
3/23/15	USFWS	Incoming concurrence on threatened and endangered species determinations.
8/13/15	ARNG-ILI	Floodplain Waiver Request

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

25 NOV 2013

Honorable Wallace Miller
President
Stockbridge-Munsee Community
Band of Mohican Indians
PO Box 70
Bowler, Wisconsin 54416

Dear President Miller:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York. In the coming months we will provide you with copies of the draft and final environmental assessments for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

25 NOV 2013

Ms. Sherry White
Tribal Historic Preservation Officer
Stockbridge-Munsee Community
Band of Mohican Indians
W13447 Camp 14 Road
Bowler, Wisconsin 54416

Dear Ms. White:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York. In the coming months we will provide you with copies of the draft and final environmental assessments for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

25 NOV 2013

Honorable C.J. Watkins
Vice President
Delaware Nation
PO Box 825
Anadarko, Oklahoma 73005

Dear Vice President Watkins:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York. In the coming months we will provide you with copies of the draft and final environmental assessments for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

25 NOV 2013

Ms. Tamara Francis-Fourkiller
Historic Preservation Officer
Delaware Nation
PO Box 825
Anadarko, Oklahoma 73005

Dear Ms. Francis-Fourkiller:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York. In the coming months we will provide you with copies of the draft and final environmental assessments for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Jensen, Carle Peter (Pete) NFG NG NYARNG (US)

From: Corey Smith [CSmith@delawarenation.com]
Sent: Monday, December 23, 2013 11:08 AM
To: Jensen, Carle Peter (Pete) NFG NG NYARNG (US)
Subject: Planning Project for Access Control, Alteration and Rehabilitation of the Main Entrance to the Camp Smith Training Site

Delaware Nation

Corey Smith

GIS/GPR Manager

Dear Mr. Jensen,

This e-mail is in regards to the Planning Project for Access Control, Alteration and Rehabilitation of the Main Entrance to the Camp Smith Training Site. The Delaware Nation would like to thank you for the update. The Delaware Nation looks forward to a continued positive working relationship between the NYARNG and the Delaware Nation.

Have a great day.

Thank You,

Corey Smith

GIS/GPR Manager

Delaware Nation Cultural Preservation

P.O. Box 825

Anadarko, OK 73005

Phone: (405) 247-2448 Ext. 1405

Fax: (405) 247-8905

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

25 NOV 2013

Honorable Paula Pechonick, Chief
Delaware Tribe of Nations
170 NE Barbara
Bartlesville, Oklahoma 74006

Dear Chief Pechonick:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York. In the coming months we will provide you with copies of the draft and final environmental assessments for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

25 NOV 2013

Mr. Brice Obermeyer, Director
Delaware Tribe Historic Preservation Office
Roosevelt Hall, Room 212
1200 Commercial Street
Emporia, Kansas 66801

Dear Mr. Obermeyer:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York. In the coming months we will provide you with copies of the draft and final environmental assessments for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

MEMORANDUM FOR RECORD

SUBJECT: Native American Consultation, Camp Smith Training Site Access Control, Alteration and Rehabilitation, Environmental Assessment

DATE: 25 November 2013

1. The New York Army National Guard (NYARNG) consulted with the New York State Historic Preservation Office (SHPO) to determine which tribes to contact for this project. These tribes included the Delaware Nation, Delaware Tribe of Indians and the Stockbridge-Munsee Community Band of Mohican Indians. Consultation efforts related to previous projects at this site were also useful in this determination.

2. The initial tribal consultation/scoping letters were sent to the tribes via certified mail on 25 November 2013. The Delaware Nation acknowledged receipt of the scoping letters.

3. The phase 1 archaeological survey was sent to the tribes on 4 February 2015.

4. The draft and final environmental assessment (EA) and consultation letters will be sent to the tribes. This memorandum will be updated at that time.

5. Point of contact for this action is Peter Jensen at 518 786 4548 or carle.p.jensen.nfg@mail.mil.

Peter Jensen
Branch Chief
Environmental Compliance

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

July 10, 2014

Environmental Compliance

New York State Natural Heritage Program - Information Services
New York State Department
of Environmental Conservation
625 Broadway, 5th Floor
Albany, NY 12233-4757

Dear Sir/Madam:

On behalf of the New York Army National Guard and the New York State Office of General Services (OGS), Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR) is preparing environmental documentation for the Camp Smith Training Site Access Control Point improvements, described below, pursuant to the National Environmental Policy Act (NEPA). The National Guard Bureau (NGB) will serve as the NEPA lead agency. As part of this effort, we are requesting a search of the Natural Heritage Database records for rare or endangered species and natural communities on or near the above-referenced project site. A USGS topographic map depicting the project location is enclosed (Figure 1).

The Camp Smith Training Site is located in Cortlandt Manor, Westchester County, New York, adjacent to Annsville Creek (Figure 1). The Site is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. OGS, representing the Division of Military and Naval Affairs (DMNA), has proposed to provide access control alteration and rehabilitation to the entrance of the facility. The project consists of a permanent access control point with an approximately 1,400 sf control building and 3,600 sf of overhead cover to meet current Army and National Guard regulations and design guidelines.

The existing Camp Smith Training Site entrance does not comply with Army standards in regards to safety, security, and traffic flow. The existing entrance does not provide adequate space to satisfy security functional requirements, meet current anti-terrorism and force protection standards, or meet minimum stand-off distances required by the Army.

As a result of these deficiencies, the existing access control and entrance layout compromises the mission of the facility and negatively impacts their ability to respond to State and Federal emergencies.

Design work related to the Access Control Alteration and Rehabilitation of the Camp Smith Training Site will be completed in the second quarter of 2015, the procurement process will occur in the third quarter of 2015, and construction will begin by end of 2015.

We request information on state-listed threatened, endangered species, and special concern species, as well as significant habitats within and near the project area (Figure 1). Specific information on the location of sensitive species or habitats provided by the NHP will not be published unless permission is granted by the State.

If you have any questions please contact Peter Jensen at (518) 786 4548 or carle.p.jensen.nfg@mail.mil or Barbara Barnes at (845) 735-8300 or via email at Barbara.Barnes@hdrinc.com.

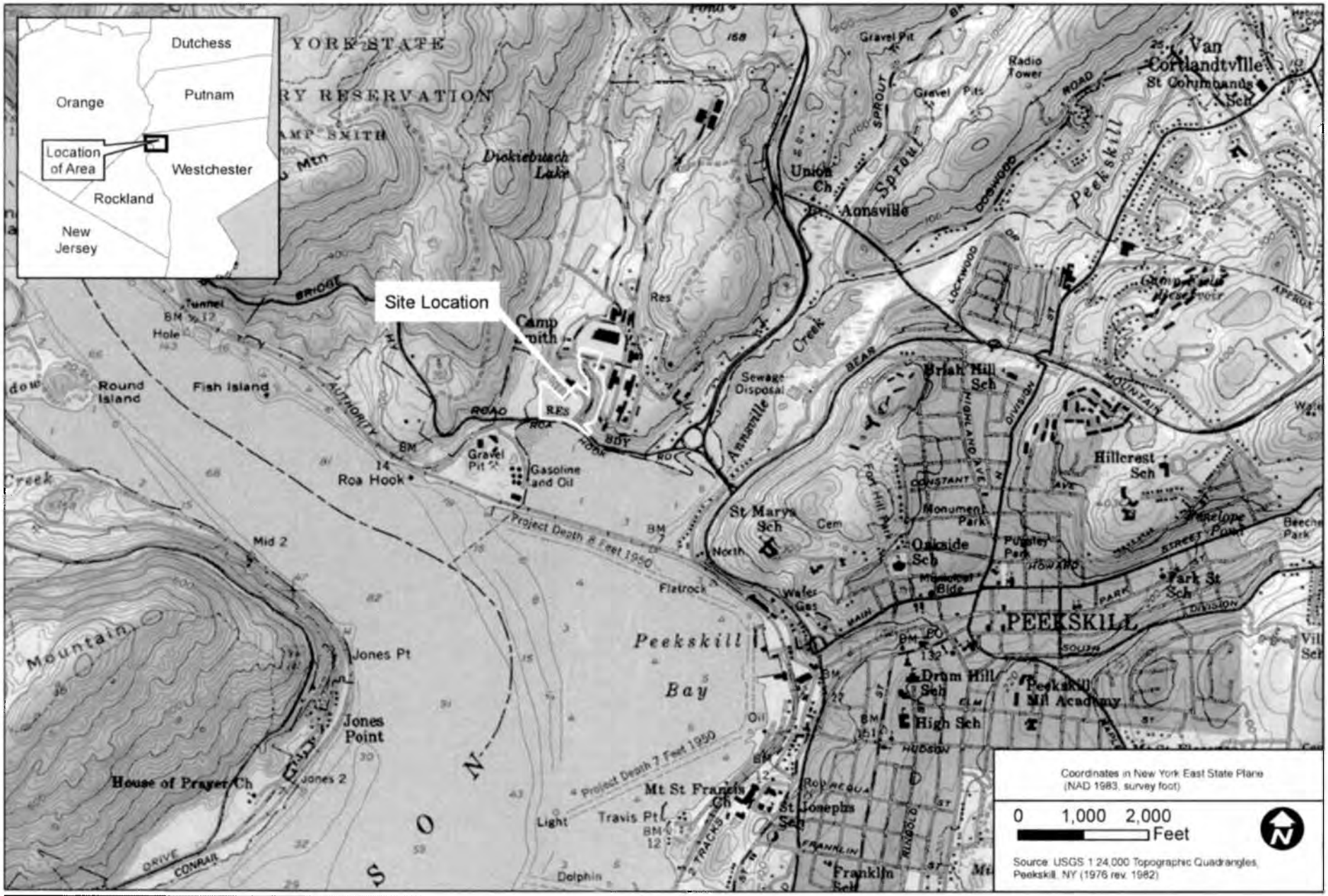
Sincerely,

Mark R. Warnecke
Acting Director of Facilities Management
and Engineering

Enclosure:

Copy furnished:

John Pokines (OGS)
Bridget Morey (OGS)
Mark Gregory (DMNA)
Chad Clark (DMNA)
Michael Pucci (HDR)
Pratik Desai (HDR)
Elena Barnett (HDR)



US Army and NYS OGS
Camp Smith
Cortlandt, Westchester County, NY

Figure 1
USGS Topographic Quadrangles
6/27/2014

\\prl-srv3\GIS_Projects\MiscMapping\147_234672_Camp_Smith_Design_Charrette\GIS\Map_Docs\Draft\Fig1_CampSmith_USGS_20140626.mxd

Meeting Minutes

Project:	**Camp Smith Access Road Alteration & Rehabilitation**	
Subject:	USACE Regulatory Agency Meeting	
Date:	Monday, August 11, 2014	
Location:	USACE Office, Manhattan, NY	
Attendees:	Pratik Desai	Barbara Barnes
	Peter Jensen	Kurt Kronsberg
	Steve Ryba, USACE	Jun Yan, USACE

1. USACE requested clarification on who will act as the lead federal agency and who will be the applicant for the NEPA process. The National Guard Bureau will act as both.
2. When the NEPA Environmental Assessment is issued for public review USACE will comment on the draft. USACE will particularly be looking at the discussion on Section 404 regulations and the alternatives analysis. It is assumed at this time Section 10 regulations would not apply.
3. Indiana & Northern Long-eared Bat. US Fish and Wildlife Service will be looking closely at any impacts to protected bat species. Any lighting should be downward facing to limit impacts on night feeding by bats.
4. Nationwide Permit 39 would not be applicable to this project, as the site is subject to the ebb and flow of the tide. USACE to review Nationwide Permit 14 for applicability to the project. As impacts are anticipated to remain under 0.50 acres a Nationwide Permit will likely be applicable for this project.
5. For impacts less than 0.10 acres no mitigation is required, once 0.10 acres of impacts anticipated mitigation will be required for the entire anticipated quantity of impacts.
6. For the existing habitat type, Phragmites dominated freshwater wetland; mitigation would not exceed 2:1. This assumes wooded wetland habitats found onsite would not be disturbed.

7. Mitigation, if owed, can be completed following construction of the primary scope of work as long as it is started concurrently. Meaning that there is no time-lapse between the roadway/building phase and the wetland mitigation phase.
8. Invasive species control will be a concern for any wetland mitigation. At this time the USACE did not state a preference for enhancement verses creation, but did state that excavation of the Phragmites root mat has been more effective at control than other methods.
9. Wetland delineation for the project site was completed July 7-8, 2014. The jurisdictional determination request will be submitted prior to the permit application.

711 Westchester Avenue, White Plains, NY 10604
T 914.993.2000

Meeting Minutes

Project:	**Camp Smith Access Road Alteration & Rehabilitation**	
Subject:	NYSDOT Regulatory Agency Meeting	
Date:	Tuesday, August 12, 2014	
Location:	Camp Smith Site, Cortlandt Manor, NY	
Attendees:	Pratik Desai	Einah Pelaez
	Rich Dillmann	Major Clark
	Mark Gregory (via teleconference)	Jay Pokines (via teleconference)
	Mark Tuch (via teleconference)	

1. Background of the Project was provided by Pratik Desai.
2. Provided attendees with the detailed preferred alternative plans.
3. Discussed the plans.
4. Discussion on potential no left turn sign—R. Dillman stated that if the sign is installed then it would be difficult to uninstall the signs. He also agreed that the no left turn sign would not be necessary due to low left turn volume entering the site during peak hours.
5. MPT Plans and Specifications would be submitted to NYSDOT for review and allow approximately 1 month of review time.
6. Rich Dillmann indicated that an 8 foot shoulder on the northeast side of the driveway is not necessary. (2-4 feet similar to the northwest side would be sufficient).
7. Discussion on ROW and potential moving the ROW boundary.
8. HDR to send accident request letters to R. Dillman and he'll follow up with the request.

Meeting Minutes

Project:	**Camp Smith Access Road Alteration & Rehabilitation**	
Subject:	NYSDEC Regulatory Agency Meeting	
Date:	Friday, August 15, 2014	
Location:	NYSDEC Office, New Paltz, NY	
Attendees:	Pratik Desai	Barbara Barnes
	Peter Jensen	Kurt Kronsberg
	Heather Gierloff, NYSDEC	Joseph A. Murray, NYSDEC

1. Wetlands will be regulated under Article 15 only.
2. Coastal consistency will be required.
3. Structural / Archaeological Assessment Form not required as part of application, but SHPO concurrence will be required prior to approval by DEC.
4. Under Article 15 primary concern is to protect the tributary to the Hudson and retain flood protection value of the wetlands.
5. Mitigation may be lower than a 2:1 ratio. Mitigation will be focused on retaining the same volume of water capacity so that localized flooding is not increased.
6. The Project Team should understand what the Town of Cortland will be requesting so that NYSDEC can align themselves with the requests of the local municipality.
7. NYSDEC recommends looking at retaining walls as a way to reduce floodplain and wetland impacts.
8. Consultation with the NYS Natural Heritage Program will likely result in Bald Eagle being notated as in the area. A take permit will not be required if there is no blasting within a ¼ mile of the nest site.
9. Site has been mapped as a state superfund site and DER approval will be required; contact George Hitzman – 518-402-9675.
10. If a clean-up is occurring then the project would be exempt from Articles 15, 24, and 25. DER will ensure the goals of these regulations are met, but it does remove additional approvals.
11. The boundary of the superfund site is generally the wetland; therefore excavation activities (including mitigation site location) may be driven by DER.

12. Application to DEC will need to include a narrative regarding why the project is reasonable and necessary, including discussion on steps taken to reduce fill and impacts.
13. OGS as the lead agency for SEQR will contact DEC.

711 Westchester Avenue, White Plains, NY 10604
T 914.993.2000

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

August 20, 2014

Mark R. Warnecke
State of New York, Division of Military and Naval Affairs
330 Old Niskayuna Rd
Latham, NY 12110

Re: Camp Smith Training Site Access Control Point Improvements
Town/City: Cortlandt. County: Westchester.

Dear Mark R. Warnecke :

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

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

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

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

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

691

The following state-listed animals have been documented at your project site, or in its vicinity.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing. The list may also include significant natural communities that can serve as habitat for Endangered or Threatened animals, and/or other rare animals and rare plants found at these habitats.

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

The following species and habitats have been documented at or near the project site, within 0.5 mile. Potential onsite and offsite impacts from the project may need to be addressed.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Fish				
Shortnose Sturgeon *Freshwater*	*Acipenser brevirostrum*	Endangered	Endangered	1091
Atlantic Sturgeon *Freshwater*	*Acipenser oxyrinchus*	No Open Season	Endangered	11464
Birds				
Bald Eagle *Nonbreeding*	*Haliaeetus leucocephalus*	Threatened		43
Bald Eagle *Breeding*	*Haliaeetus leucocephalus*	Threatened		12958

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

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

Information about many of the rare plants and animals, and natural community types, in New York are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NatureServe Explorer at http://www.natureserve.org/explorer.

New York Natural Heritage Program

Report on Rare Animals, Rare Plants, and Significant Natural Communities

The following rare plants, rare animals, and significant natural communities have been documented at your project site, or in its vicinity.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Animal Assemblages

Anadromous Fish Concentration Area

Hudson River Mile 44-56, 1986: The habitat is a 12 mile section of deep turbulent narrow river. 9586

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Wetland/Aquatic Communities

Brackish Intertidal Mudflats — Rare Community Type

Annsville Creek: Poor quality, but has good recovery potential with management. 4655

Brackish Tidal Marsh — High Quality Occurrence of Uncommon Community Type

Camp Smith Marsh: This is a low diversity example with Phragmites australis and Lythrum salicaria. 2980

Upland/Terrestrial Communities

Appalachian Oak-Hickory Forest — High Quality Occurrence

Camp Smith: This is a small- to medium-sized occurrence in moderate condition within a very good landscape for the region. 8606

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at http://www.natureserve.org/explorer, and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to http://www.dec.ny.gov/animals/29384.html and click on Draft Ecological Communities of New York State.

From: Desai, Pratik <Pratik.Desai@hdrinc.com>
Sent: Saturday, September 13, 2014 9:22 AM
To: Clark, Chad J MAJ USARMY NG NYARNG (US); Pokines, John A (OGS)
Cc: Gregory, Mark W NFG NG NYARNG (US); Jensen, Carle Peter (Pete) NFG NG NYARNG (US); Kronsberg, Kurt R SFC USARMY NG NYARNG (US); Pucci, Michael
Subject: RE: Meeting with Town of Cortlandt (UNCLASSIFIED)
Attachments: RE: Need guidance on Floodplain Development Permit

Good morning Major Clark,

Sorry for slight delay in my response but I was out of the office for past couple days in training.

As mentioned earlier in my email to Pete, we had a phone conversation with the Town Engineer of Town of Cortlandt and we were told that since the project is in the State of New York property, no permits are required from the Town. We then followed up with Bill Nechamen who is chief of Floodplain Management Section of NYSDEC and we received some guidance from him as indicated in the attached email.

He agrees that if we are not proposing any fill in the floodway or not changing the BFEs, we do not need any permits or variances.

As a part of our fee proposal for 30% thru 100% design for Camp Smith ACP that we submitted this past Wednesday, we are proposing to perform desktop wave analysis to evaluate any adverse impacts that this project may have on both Camp Smith site and on neighbors. We do not anticipate any adverse impacts associated with floodplain as a result of our work. We have also proposed to send a technical memorandum to OGS summarizing our findings of the desktop analysis. We can send a copy of the same technical memorandum to Town of Cortlandt and NYSDEC for their records.

Please let us know if this will suffice your request.

Thank you,

Pratik Desai, P.E., CFM, ENV SP
D 914.993.2017 M 914.217.7038

hdrinc.com/follow-us

-----Original Message-----
From: Clark, Chad J MAJ USARMY NG NYARNG (US) [mailto:chad.j.clark.mil@mail.mil]
Sent: Thursday, September 11, 2014 8:37 AM
To: Pokines, John A (OGS); Desai, Pratik
Cc: Gregory, Mark W NFG NG NYARNG (US); Jensen, Carle Peter (Pete) NFG NG NYARNG (US); Kronsberg, Kurt R SFC USARMY NG NYARNG (US)
Subject: FW: Meeting with Town of Cortlandt (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Gentlemen,

Would like to have something in writing from the Town of Cortlandt to that affect for our project file. Good news though thanks.

R,

CHAD J. CLARK
MAJ, EN, NYARNG
FACILITY ENGINEER/CSTS

☎: 914-788-7393
Fax: 914-788-7376
chad.j.clark.mil@mail.mil

"What you leave behind is not what is engraved on stone monuments, but what is woven into the lives of others."
- Pericles

-----Original Message-----
From: Jensen, Carle Peter (Pete) NFG NG NYARNG (US)
Sent: Thursday, September 11, 2014 8:25 AM
To: Gregory, Mark W NFG NG NYARNG (US); Clark, Chad J MAJ USARMY NG NYARNG (US)
Subject: FW: Meeting with Town of Cortlandt (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

FYI, I sent this to Mark Warnecke.

-----Original Message-----
From: Desai, Pratik [mailto:Pratik.Desai@hdrinc.com]
Sent: Wednesday, September 10, 2014 10:42 AM
To: Barnes, Barbara; Jensen, Carle Peter (Pete) NFG NG NYARNG (US)
Cc: John.Pokines@ogs.ny.gov; Pucci, Michael
Subject: RE: Meeting with Town of Cortlandt (UNCLASSIFIED)

Barbara and Pete,

Based on our initial coordination with the Town Engineer and NYSDEC, we do not have to apply for floodplain development permit. We are neither proposing fill in the floodway nor we are increasing the BFE due to our project and hence CLOMR is also not required.

We do not see any need for meeting with the Town of Cortlandt at this time.

As part of our next task order we will be performing a desktop wave analysis to make sure that there are no adverse impacts on either Camp Smith site or any of the neighbors as a result of coastal flooding. We will then prepare a technical memorandum of our findings from this desktop analysis and send it to OGS for their records.

Please let me know if you have any questions.

Thank you,

Pratik Desai, P.E., CFM, ENV SP

D 914.993.2017 M 914.217.7038

hdrinc.com/follow-us <http://hdrinc.com/follow-us>

From: Barnes, Barbara
Sent: Tuesday, September 09, 2014 6:11 PM
To: Jensen, Carle Peter (Pete) NFG NG NYARNG (US)
Cc: Desai, Pratik
Subject: RE: Meeting with Town of Cortlandt (UNCLASSIFIED)

Hi Pete,

I'm just getting back from vacation and will differ to Pratik regarding a meeting with the Town of Cortlandt. I did have a response from DEC DER, they are still coordinating internally regarding the meeting location (Albany or New Paltz).

Thanks,

Barbara

Barbara Barnes, RLA LEED AP

D 845.735.8300 Ext. 356

hdrinc.com/follow-us <http://hdrinc.com/follow-us>

From: Jensen, Carle Peter (Pete) NFG NG NYARNG (US) [mailto:carle.p.jensen.nfg@mail.mil]
Sent: Monday, September 08, 2014 3:55 PM
To: Barnes, Barbara
Subject: Meeting with Town of Cortlandt (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Hi Barbara, Just thought if you had any dates for a meeting with the Town of Cortlandt? Thanks, Pete

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Meeting Minutes

Project:	**Camp Smith Access Road Alteration & Rehabilitation**	
Subject:	NYSDEC DER Regulatory Agency Meeting	
Date:	Monday, September 22, 2014	
Location:	NYSDEC Office, New Paltz, NY	
Attendees:	JP Magron, HDR	Barbara Barnes, HDR
	Peter Jensen, DMNA	Kurt Kronsberg, DMNA
	Mark Gregory, DMNA	Bridget Morey, OGS
	Randy Whitcher, NYSDEC DER	Jennifer Dawson, NYSDEC DER
	Heather Gierloff, NYSDEC Region 3	

1. HDR confirmed with Town Engineer that the project will not require a floodplain development permit. Therefore input from the Town of Cortlandt regarding flood mitigation will not be required. OGS requested written confirmation be provided from the Town of Cortlandt. This confirmation should be included in the DEC permit application.
2. OGS confirmed that the construction contract will need to be awarded by September 2015, based on the funding source. This award date will drive the schedule.
3. DEC confirmed that mitigation drawings can be submitted prior to the 100% construction drawing package completion. The limit of the impacts and the proposed mitigation would need to be provided. Minor modifications can occur after the permit is issued, however this is not ideal and will take time to process. HDR plans on submitting drawings at 60%, which will include existing conditions plan, proposed ACP with limit of disturbance noted, mitigation plan, planting plan with plant schedule, and mitigation details.
4. After the permit application has been deemed complete, DEC anticipates a 30 day review or less.
5. When submitting the permit application, include the anticipated length of construction and justification for permit duration of up to 5yrs. An approved permit can be renewed up to 10 yrs.

6. Recontamination of the mitigation area is possible, as the source of contamination will not be resolved. It may be necessary for National Guard to perform remedial actions within the mitigation area in the future. Positioning the mitigation area as far from Putnam Creek as possible may reduce this risk until a cleanup/remediation program is implemented.
7. In light of upland re-use of excavated materials (e.g. future construction of earthen berm(s) at the firing range) DEC recommends completing an herbicide application prior to excavation activities, during the active growing season. Additional herbicide applications of the stockpile may be required if Phragmites rhizomes (roots) exhibit regrowth. The stockpile should be located in an upland area, outside of the bed and banks of Putnam Creek. If located within the existing ballistics range a BUD will not be required or additional testing of the placement location. If excavated soils are to be re-used onsite, within the ballistics range, then no Beneficial Upland Determination (BUD) will be required from DEC.
8. It is unlikely that post excavation testing will be required, as the project is not part of a remedial action. DER to provide any additional testing parameters and construction reporting that may be required.
9. As this site is not under a hazardous waste or superfund program, many of the requirements of these programs will not apply to this project. DER to confirm their desired role in the Access Control Point Project.
10. The mitigation area will need to demonstrate the recurrence interval of flooding. The interval will need to be similar to that of the area filled. A two year interval may be acceptable.
11. Tree removal will need to occur between October 15th and March 31st, due to potential occurrence of Indiana and northern long-eared bat habitat on-site.
12. Mitigation ratio – 1:1
13. A Monitoring Plan will not be required. Upon completion of the project a Final Report with an As-Built Plan will be submitted. The Report will document the existing conditions; provide a brief narrative of the project and project goals, and any corrective actions that may be required to meet the permit conditions.

HDR

Agenda

Project: Camp Smith Access

Subject: Potential USACE Wetland Permitting

Date: Monday, September 22, 2014

Location: DEC Region 3, New Paltz

I. Introductions

II. Identification of Project Scope and Goals

- Purpose of Project:
  Construct an access control point and upgrade facility entrance

- Project Goals
  ACP to meet Army Standards
  New ACP to reduce flood risk
  New ACP to provide better traffic circulation

III. Review of Conceptual Plan

- ACP
- Potential Impacts and Mitigation

IV. Discussion of Mitigation and DER

V. Schedule and Permitting Process

HDR

Meeting Attendance

Project: Camp Smith Access Control Point

Subject: NYSDEC DER

Date: Monday, September 22, 2014

Location: DEC Region 3, New Paltz

Attendee	Organization	Phone Number	Email Address
JP MAGRON	HDR	212 671 0180	jp.magron@hdrinc.com
Rondy Whitcher	DEC DER	518 402 9669	Rondy.Whitcher@DEC.NY.gov
Kurt Kronsberg	Camp Smith NYS DMNA	914-788-7377	kurt.r.kronsberg.mil@mail.mil
Pete Jensen	DMNA	518 786 4548	carl.p.jensen.nfg@mail.mil
Mark Gregory	DMNA	518 728-9417	mark.w.gregory4.nfg@mail.mil
Heather Gierloff	DEC Habitat	845 256-3086	heather.gierloff@dec.ny.gov
Bridget Morey	OGS	518-474-2006	bridget.morey@ogs.ny.gov
BARBARA BARNES	HDR	845 835-8300	barbara.barnes@HDRinc.com

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

November 26, 2014

Environmental Compliance

Mr. Joseph R. Murray
Environmental Analyst 1
New York State
Department of Environmental Conservation
Division of Environmental Permits
1 South Putt Corners Road
New Paltz, New York 12561

Dear Mr. Murray:

The New York Army National Guard (NYARNG) is proposing a project for Access Control Alternation and Rehabilitation at the Camp Smith Training Site (CSTS) in Westchester County in Cortlandt Manor, New York. In coordination with the New York State Office of General Services (OGS), the NYARNG is requesting an approved jurisdictional determination for wetlands delineated within the approximately 9.46 acre project review area encompassing the CSTS. In anticipation of future development, OGS seeks to better understand the unique development constraints pertaining to the project review area, which is bound to the south by New York State Route 6, an access roadway to the east, a gravel storage yard to the north, and Putnam Creek to the west.

The wetland boundaries within the project review area were delineated on July 7-8, 2014 by HDR using the three-parameter methodology described in the January 2012 Regional Supplement to the USACE Delineation Manual: North central and Northeast Region. A 3.12 acre wetland was identified and flagged on the westerly side of the project review area as Wetland A and extends to the west and north, outside of the project review area. This wetland directly abuts Putnam Creek, a traditionally navigable waterway (TNW). It also directly abuts an unnamed tributary to Putnam Creek within the project review area, along its southern border. The unnamed tributary to Putnam Creek is a tidal watercourse (Watercourse A) and TNW that is approximately 0.05 acres in size within the project review area.

We have included the following materials for your review:

- Approved jurisdictional determination form
- Overview map with center point of the project site
- Map of National Wetland Inventory (NWI) wetlands in the vicinity of the project site
- Map of NYSDEC wetlands and streams in the vicinity of the project site
- Map of FEMA flood zones in the vicinity of the project site
- Soil map and custom soil survey report for the project review area generated from the NRCS Web Soil Survey
- Site photographs of representative wetland locations
- Description of wetland and tributary connections to a TNW for aquatic resources
- Completed wetland delineation data sheets following the North central and Northeast Regional Guidance
- Site plan depicting existing conditions with site topography (one-foot contours), delineated wetland boundaries and observation points

We would like to coordinate a meeting time and place with a staff member from the NYSDEC, Region 3 office, for a field inspection, if deemed necessary by your office. The wetland boundaries have been marked in the field with consecutively numbered flagging tape and our consultant will be available to accompany the field crew during the field inspection.

If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Enclosures

Copies Furnished:

Heather Gierloff, NYSDEC Bureau of Habitat
John Pokines (OGS)
Barbara Barnes (HDR)

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

November 26, 2014

Environmental Compliance

Mr. Steve Ryba
Chief, Eastern Permits Section
US Army Corps of Engineers
NY District
26 Federal Plaza, Room 1937
New York, New York 10278

Dear Mr. Ryba:

The New York Army National Guard (NYARNG) is proposing a project for Access Control Alternation and Rehabilitation at the Camp Smith Training Site (CSTS) in Westchester County in Cortlandt Manor, New York. The reference code, NAN-2014-00777-EYA, is currently assigned for this project. In coordination with the New York State Office of General Services (OGS), the NYARNG is requesting an approved jurisdictional determination for wetlands delineated within the approximately 9.46 acre project review area encompassing the CSTS. In anticipation of future development, OGS seeks to better understand the unique development constraints pertaining to the project review area, which is bound to the south by New York State Route 6, an access roadway to the east, a gravel storage yard to the north, and Putnam Creek to the west.

The wetland boundaries within the project review area were delineated on July 7-8, 2014 by HDR using the three-parameter methodology described in the January 2012 Regional Supplement to the USACE Delineation Manual: North central and Northeast Region. A 3.12 acre wetland was identified and flagged on the westerly side of the project review area as Wetland A, and extends to the west and north, outside of the project review area. This wetland directly abuts Putnam Creek, a traditionally navigable waterway (TNW). It also directly abuts an unnamed tributary to Putnam Creek within the project review area, along its southern border. The unnamed tributary to Putnam Creek is a tidal watercourse (Watercourse A) and TNW that is approximately 0.05 acres in size within the project review area.

We have included the following materials for your review:

- Approved jurisdictional determination form
- Overview map with center point of the project site
- Map of National Wetland Inventory (NWI) wetlands in the vicinity of the project site
- Map of NYSDEC wetlands and streams in the vicinity of the project site
- Map of FEMA flood zones in the vicinity of the project site
- Soil map and custom soil survey report for the project review area generated from the NRCS Web Soil Survey
- Site photographs of representative wetland locations
- Description of wetland and tributary connections to a TNW for aquatic resources
- Completed wetland delineation data sheets following the North central and Northeast Regional Guidance
- Site plan depicting existing conditions with site topography (one-foot contours), delineated wetland boundaries and observation points

We would like to coordinate a meeting time and place with a staff member from the US Army Corps of Engineers (USACE) Eastern Permits Section office for a field inspection, if deemed necessary by your office. The wetland boundaries have been marked in the field with consecutively numbered flagging tape and our consultant will be available to accompany the field crew during the field inspection.

If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Enclosures

Copies Furnished:

Jun Yan, NY District USACE, Project Manager, Eastern Section
John Pokines (OGS)
Barbara Barnes (HDR)

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

December 9, 2014

Mr. Jun Yan, P.E.
Project Manager, Eastern Section
Regulatory Branch
NY District US Army Corps of Engineers
26 Federal Plaza, Room 1937
New York, New York 10278

Dear Mr. Yan:

As you are aware the New York State Office of General Services (OGS), in coordination with the Division of Military and Naval Affairs (DMNA), is preparing environmental documentation for the Camp Smith Access Control Point improvements (NAN-2014-00777-EYA). During our August 11, 2014 meeting, the applicability of a Nationwide Permit (NWP) was discussed in relationship to this project. Based on our conversation, we request that your office consider the use of NWP #3 (Maintenance) for the proposed roadway and support facilities modernization and safety upgrades to the Camp Smith facility. A key element of the proposed work is to improve the safety, security, and traffic flow of the primary egress to this mission-critical facility to comply with Army standards.

The Camp Smith Training Site (CSTS) is located adjacent to Annsville Creek in Westchester County in Cortlandt Manor, New York. The CSTS is a mission-critical facility during adverse weather events and states of emergency, as well as a staging area to the downstate region during domestic response events. The existing site entrance does not provide adequate space to satisfy security functional requirements, meet current anti-terrorism and force protection standards, or meet minimum stand-off distances required by the Army. As a result of these deficiencies, the existing access control and entrance layout compromises the mission of the facility and negatively impacts the ability to respond to State and Federal emergencies.

Additionally, the current drainage system is under review. At least one existing culvert, which is located under the current access control point and drains directly into the wetland, is not functioning properly. The existing drainage system may need to be maintained, modified, or removed and replaced as part of the scope of work to reduce localized flooding during storm events.

The preamble to the 2012 NWP #3 cites that "Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make repair, rehabilitation, or replacement are authorized." Reasons supporting the use of NWP #3 consist of the following:

- NWP #3 allows safety-driven modifications;
- A robust alternative analysis was completed, resulting in the selection of the alignment that would meet Army standards while minimizing impact to the largest extent possible;
- Wetland disturbance has been limited to less than one-tenth of an acre, see attached figure;
- There is no proposed change in use or owner as a result of the activity;
- Coordination with the New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program has been conducted;
- Coordination with the New York State Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) is in the process of being completed, copies of correspondence will be provided in the Preconstruction Notification;
- There are no fish passage issues associated with the proposed work; and
- Potential Indiana and long-eared bat summer habitat has been identified adjacent to the project area and any necessary tree removals will occur during the NYSDEC approved seasonal window of October 1st to March 31st. No additional endangered or threatened species issues have been identified in association with the proposed work. Final consultation with the US Fish and Wildlife Service (USFWS) is in the process of being completed, copies of correspondence will be provided in the Preconstruction Notification.

As the project is adjacent to a tidally influenced area and contains a seaward expansion component, we acknowledge that the project will require both a Preconstruction Notification and an accompanying Coastal Zone Consistency assessment to the NYS Department of State. The project is also subject to the NYSDEC Protection of Waters Program (Article 15), therefore, an application will also be filed with NYSDEC Region 3. The project will be published in the NYSDEC Environmental Notice Bulletin (ENB) and thus be subject to public comment as part of the review process. Thus the agencies will maintain a review capacity over the project; including a site-specific floodplain protection and enhancement program, to be carried out concurrently with the proposed work.

Pre-application meetings were held with USACE and with NYSDEC Region 3 on August 11 and 15, 2014, respectively. We will copy furnish your office on the Article 15 application package to NYSDEC. We request that your office provide acknowledgement on the applicability of NWP #3 for the proposed work; the Preconstruction Notification will follow in the first quarter of 2015.

If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil.

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Attachment

Copies Furnished:

Mr. Steven Ryba, USACE- NY District, Eastern Section Chief
Mr. John Pokines (OGS)
Ms. Barbara Barnes (HDR, Inc.)

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

DEC 23 2014

Regulatory Branch

SUBJECT: Permit Application Number NAN-2014-01374-WOM
by New York Army National Guard, Town of Cortlandt Manor, Westchester County, New York

New York Division of Military and Naval Affairs
C/o Mr. W. Frank Wicks
330 Old Niskayuna Road
Latham, New York 12110-3514

Dear Mr. Wicks:

On December 3, 2014, the New York District of the U.S. Army Corps of Engineers received a request for a Department of the Army jurisdictional determination for the above referenced project. The review area consists of approximately 9.46 acres in the Hudson River watershed, in the Town of Cortlandt Manor, Westchester County, New York. The proposed project would involve access control point improvements for the Camp Smith Training Site.

In the submittal received on December 3, 2014, your office submitted a proposed delineation of the extent of waters of the United States within the review area boundary. A site inspection was conducted by representatives of this office on December 10, 2014 in which it was determined that USACE concurred with the delineation report prepared by Henningson, Durham & Richardson Architecture & Engineering, P.C. (HDR), and dated October 31, 2014.

Based on the material submitted and the observations of the representatives of this office during the site visit, this site has been determined to contain jurisdictional waters of the United States based on: the presence of wetlands determined by the occurrence of hydrophytic vegetation, hydric soils and wetland hydrology according to criteria established in the 1987 "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1 that are either adjacent to or part of a tributary system; the presence of a defined water body (e.g. stream channel, lake, pond, river, etc.) which is part of a tributary system; and the fact that the location includes property below the ordinary high water mark, high tide line or mean high water mark of a water body as determined by known gage data or by the presence of physical markings including, but not limited to, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter or debris or other characteristics of the surrounding area.

These jurisdictional waters of the United States are shown on the drawing entitled "Delineated Wetlands & Watercourses", prepared by HDR, dated August 4,

2014. This drawing accurately indicates that there is one (1) principal wetland area and one (1) unnamed tributary on the review site. The tributary is tidally influenced by its connection to the Hudson River via Putnam Creek. The wetland is contiguous with the tributary. Both the tributary and the wetland are considered to be waters of the United States. The wetland is approximately 3.12 acres within the review area and extends outside the area to the north and west, where it is contiguous with Putnam Creek. The tributary is approximately 0.05 acres (140 linear feet) within the review area and continues outside the area to the west where it connects to Putnam Creek.

This determination regarding the delineation shall be considered valid for a period of five years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This determination was documented using the Approved Jurisdictional Determination Form, promulgated by the Corps of Engineers in June 2007. A copy of that document is enclosed with this letter, and will be posted on the New York District website at:
http://www.nan.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations/RecentJurisdictionalDeterminations.aspx

This delineation/determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a combined Notification of Appeal Process (NAP) and Request For Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the North Atlantic Division Office at the following address:

James W. Haggerty, Administrative Appeals Review Officer, CENAD-PD-OR
North Atlantic Division, U.S. Army Engineer Division
Fort Hamilton Military Community
General Lee Avenue, Building 301
Brooklyn, New York 11252-6700

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Park 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by FEB 2 3 2015. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should

request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

It is strongly recommended that the development of the site be carried out in such a manner as to avoid as much as possible the discharge of dredged or fill material into the delineated waters of the United States. If the activities proposed for the site involve such discharges, authorization from this office may be necessary prior to the initiation of the proposed work. The extent of such discharge of fill will determine the level of authorization that would be required.

In order for us to better serve you, please complete our Customer Service Survey located at http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx.

If any questions should arise concerning this matter, please contact Melanie O'Meara, of my staff, at (917) 790-8417.

Sincerely,

Christopher S. Mallery, Ph.D.
Deputy Chief, Regulatory Branch

Enclosures

Cf:
NYSDEC – Region 3
Town of Cortlandt Manor
Peter Jensen - New York Division of Military and Naval Affairs
Barbara Barnes - Henningson, Durham & Richardson Architecture & Engineering, P.C.

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 23-Dec-2014
B. DISTRICT OFFICE, FILE NAME, AND NUMBER: New York District, NAN-2014-01374-JD1
C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State :	NY - New York
County/parish/borough:	Westchester
City:	
Lat:	41.29988
Long:	-73.94214
Universal Transverse Mercator	Folder UTM List *UTM list determined by folder location* • NAD83 / UTM zone 18N Waters UTM List *UTM list determined by waters location* • NAD83 / UTM zone 18N

Name of nearest waterbody:
Name of nearest Traditional Navigable Water (TNW):
Name of watershed or Hydrologic Unit Code (HUC):

☐ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc¿) are associated with the action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION:

☐ Office Determination Date:

☑ Field Determination Date(s): ☐ 10-Dec-2014

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION

There are"navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

☑ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain: The unnamed tributary is tidally influenced by the Hudson River via it's connection through Putnam Creek and Peekskill Bay. The wetland is contiguous with the Unnamed Tributary and Putnam Creek.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.
a. Indicate presence of waters of U.S. in review area:[1]

Water Name	Water Type(s) Present
Abutting Wetland	Wetlands adjacent to TNWs
Unnamed Tributary	TNWs, including territorial seas

b. Identify (estimate) size of waters of the U.S. in the review area:
Area: (m^2)
Linear: (m)

c. Limits (boundaries) of jurisdiction:
based on:
OHWM Elevation: (if known)

2. Non-regulated waters/wetlands:[3]
Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1.TNW

TNW Name	Summarize rationale supporting determination:
Unnamed Tributary	The Unnamed Tributary flows into Putnam Creek, which flows into the Hudson River. Both Putnam Creek and the Unnamed Tributary are tidally influenced by the Hudson River.

2. Wetland Adjacent to TNW

Wetland Name	Summarize rationale supporting conclusion that wetland is "adjacent":
Abutting Wetland	Wetland is contiguous with the Unnamed Tributary.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:
Watershed size:
Drainage area:
Average annual rainfall: inches
Average annual snowfall: inches

(ii) Physical Characteristics
(a) Relationship with TNW:

☐ Tributary flows directly into TNW.

☐ Tributary flows through [ ] tributaries before entering TNW.

:Number of tributaries

Project waters are river miles from TNW.

Project waters are river miles from RPW.

Project Waters are aerial (straight) miles from TNW.

Project waters are aerial(straight) miles from RPW.

☐ Project waters cross or serve as state boundaries.

Explain:

Identify flow route to TNW:[5]

Tributary Stream Order, if known:
Not Applicable.

(b) General Tributary Characteristics:

Tributary is:
Not Applicable.

Tributary properties with respect to top of bank (estimate):
Not Applicable.

Primary tributary substrate composition:
Not Applicable.

Tributary (conditions, stability, presence, geometry, gradient):
Not Applicable.

(c) Flow:
Not Applicable.

Surface Flow is:

Not Applicable.

Subsurface Flow:
Not Applicable.

Tributary has:
Not Applicable.

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction:

High Tide Line indicated by:
Not Applicable.

Mean High Water Mark indicated by:
Not Applicable.

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality;general watershed characteristics, etc.).
Not Applicable.

(iv) Biological Characteristics. Channel supports:
Not Applicable.

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:
(a) General Wetland Characteristics:
Properties:
Not Applicable.

(b) General Flow Relationship with Non-TNW:

Flow is:
Not Applicable.

Surface flow is:
Not Applicable.

Subsurface flow:
Not Applicable.

(c) Wetland Adjacency Determination with Non-TNW:
Not Applicable.

(d) Proximity (Relationship) to TNW:
Not Applicable.

(ii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Not Applicable.

(iii) Biological Characteristics. Wetland supports:
Not Applicable.

3. Characteristics of all wetlands adjacent to the tributary (if any):

All wetlands being considered in the cumulative analysis:
Not Applicable.

Summarize overall biological, chemical and physical functions being performed:
Not Applicable.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Significant Nexus: Not Applicable

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

1. TNWs and Adjacent Wetlands:

Wetland Name	Type	Size (Linear) (m)	Size (Area) (m^2)
Abutting Wetland	Wetlands adjacent to TNWs	-	12626.19072
Unnamed Tributary	TNWs, including territorial seas	-	202.3428
Total:		**0**	**12828.53352**

2. RPWs that flow directly or indirectly into TNWs:
Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

3. Non-RPWs that flow directly or indirectly into TNWs:[8]
Not Applicable.

Provide estimates for jurisdictional waters in the review area:

Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.
Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:
Not Applicable.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:
Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:
Not Applicable.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs:
Not Applicable.

Provide estimates for jurisdictional wetlands in the review area:
Not Applicable.

7. Impoundments of jurisdictional waters:[9]
Not Applicable.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS:[10]
Not Applicable.

Identify water body and summarize rationale supporting determination:

Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS

☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements:

☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce:

☐ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based soley on the "Migratory Bird Rule" (MBR):

☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (Explain):

☐ Other (Explain):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (ie., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment:
Not Applicable.

Provide acreage estimates for non-jurisdictional waters in the review area, that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.
Not Applicable.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD
(listed items shall be included in case file and, where checked and requested, appropriately reference below):

Data Reviewed	Source Label	Source Description
--Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant	-	Submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report."
--Data sheets prepared/submitted by or on behalf of the applicant/consultant	-	-
----Office concurs with data sheets/delineation report	-	Included in the submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report."
--U.S. Geological Survey Hydrologic Atlas	-	-
----USGS NHD data	-	-
--USDA Natural Resources Conservation Service Soil Survey.	-	"USDA NRCS Web Soil Survey Custom Soil Reousrce Report" included in the submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report."
--National wetlands inventory map(s).	-	Included in the submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report."
--State/Local wetland inventory map (s):	-	Included in the submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report."
--FEMA/FIRM maps	-	Included in the submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report."
--Photographs	-	-
----Other	-	Included in the submittal entitled "Camp Smith Access Control Alteration and Rehabilitation, Wetland and Watercourse Delineation Report." Photos taken August 1, 2014.

B. ADDITIONAL COMMENTS TO SUPPORT JD:
Not Applicable.

[1]-Boxes checked below shall be supported by completing the appropriate sections in Section III below.

[2]-For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

[3]-Supporting documentation is presented in Section III.F.

[4]-Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

[5]-Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

[6]-A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

[7]-Ibid.

[8]-See Footnote #3.

[9]-To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

[10]-Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

January 12, 2015

Environmental Compliance

Mr. Brian Yates
Archaeologist
New York State
Office of Parks, Recreation
and Historic Preservation
Peebles Island - PO Box 189
Waterford, New York 12188-0189

Dear Mr. Yates:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site located in Westchester County in the Town of Cortlandt Manor, New York. The project involves widening the existing entrance and upgrades to the existing security building.

We have conducted the background research, consultation and archaeological surveys pursuant to Section 800.4(a) and (b) of the regulations, in order to identify properties that may be affected by our proposed project. As a result of our efforts to identify and evaluate historic properties, we have determined pursuant to 36 CFR 800.4(d)(1), that there are no historic properties affected as a result of our proposed project.

Enclosed please find the Phase I report prepared by HDR, Inc. Shovel testing conducted by HDR, Inc. within the area of potential effects (APE) confirmed present and previous assessments of extensive prior disturbance throughout this portion of Camp Smith. Stratigraphy within most of the tests exhibited evidence of grading and filling, likely from construction and reconstruction activities associated with the operation of Camp Smith. The items encountered and collected were remnants of redeposited fill and represent deposits with no archaeological significance. Therefore, we recommend no further work for this proposed project since there were no significant cultural resources or deposits were identified within the APE.

If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil.

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Enclosure

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks,
Recreation and Historic Preservation

Division for Historic Preservation
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

January 27, 2015

Mr. Peter Jensen
NYS Division of Military & Naval Affairs
330 Old Niskayuna Road
Latham, NY 12110

Re: DOD
Camp Smith Access Control, Alteration & Rehabilitation
Camp Smith
, NY
15PR00265

Dear Mr. Jensen:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project 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 potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, the New York SHPO has determined that no historic properties will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Deputy Commissioner for Historic Preservation

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

30 JAN 2015

Honorable Wallace Miller
President
Stockbridge-Munsee Community
Band of Mohican Indians
PO Box 70
Bowler, Wisconsin 54416

Dear President Miller:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York.

Based upon the enclosed Phase 1 Archaeological Investigation, the proposed project will have no effect on archaeological or architectural resources. In the coming months we will also provide you with copies of the environmental assessment for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Enclosure

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

3 0 JAN 2015

Ms. Sherry White
Tribal Historic Preservation Officer
Stockbridge-Munsee Community
Band of Mohican Indians
W13447 Camp 14 Road
Bowler, Wisconsin 54416

Dear Ms. White:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York.

Based upon the enclosed Phase 1 Archaeological Investigation, the proposed project will have no effect on archaeological or architectural resources. In the coming months we will also provide you with copies of the environmental assessment for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Enclosure

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

30 JAN 2015

Honorable C.J. Watkins
Vice President
Delaware Nation
PO Box 825
Anadarko, Oklahoma 73005

Dear Vice President Watkins:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York.

Based upon the enclosed Phase 1 Archaeological Investigation, the proposed project will have no effect on archaeological or architectural resources. In the coming months we will also provide you with copies of the environmental assessment for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Enclosure

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

30 JAN 2015

Ms. Nekole Alligood
Director
Cultural Preservation Office
Delaware Nation
PO Box 825
31064 State Highway 281
Anadarko, Oklahoma 73005

Dear Ms. Alligood:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York.

Based upon the enclosed Phase 1 Archaeological Investigation, the proposed project will have no effect on archaeological or architectural resources. In the coming months we will also provide you with copies of the environmental assessment for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Enclosure

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

30 JAN 2015

Honorable Chester L. Brooks, Chief
Delaware Tribe of Indians
170 NE Barbara
Bartlesville, Oklahoma 74006

Dear Chief Brooks:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York.

Based upon the enclosed Phase 1 Archaeological Investigation, the proposed project will have no effect on archaeological or architectural resources. In the coming months we will also provide you with copies of the environmental assessment for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Enclosure

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

30 JAN 2015

Ms. Blair Fink
Delaware Tribe Historic
Preservation Representative
Department of Anthropology
Gladfelter Hall
Temple University
1115 West Polett Walk
Philadelphia, Pennsylvania 19122

Dear Ms. Fink:

The New York Army National Guard (NYARNG) is planning a project for access control, alteration and rehabilitation of the main entrance to the Camp Smith Training Site in Westchester County, 11 Bear Mountain Bridge Road in Cortlandt Manor, New York.

Based upon the enclosed Phase 1 Archaeological Investigation, the proposed project will have no effect on archaeological or architectural resources. In the coming months we will also provide you with copies of the environmental assessment for consultation purposes.

We appreciate your attention to this matter. If you have any questions or concerns regarding this action, you may contact the NYARNG's Environmental Branch Chief, Mr. Peter Jensen at (518) 786-4548 or e-mail him at carle.p.jensen.nfg@mail.mil.

Sincerely,

Patrick A. Murphy
Major General, New York Army
National Guard
The Adjutant General

Enclosure

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

February 23, 2015

Environmental Compliance

Mr. Joseph R. Murray
Environmental Analyst 1
New York State
Department of Environmental Conservation
Division of Environmental Permits
1 South Putt Corners Road
New Paltz, New York 12561

Dear Mr. Murray:

The New York Army National Guard is proposing a project for the permanent access control point at the Camp Smith Training Site located in Westchester County in Cortlandt Manor, New York (Figure 1 of the enclosed report).

The Camp Smith Training Site is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. The project consists of the reconstruction of a permanent access control point with an approximately 1,400 square foot (SF) control building and 3,600 SF of overhead cover to meet current Army and National Guard regulations and design guidelines.

The project involves increasing the size of the control building and expanding the entrance road to ensure compliance with current Army safety standards and requirements for a secure entry. Additional site work includes tree removal and clearing activities adjacent to the existing roadways within the eastern portion of the action area to accommodate roadway expansion and realignment, as well as the western portion of the action area to accommodate sightlines and construction of compensatory wetland mitigation. Following tree removal and clearing, the proposed access roads would be graded and paved to meet design specifications. Tree removal activities may result in potential impacts to Indiana and northern long-eared bats. In order to avoid impacts to these species, tree clearing activities would be conducted within the appropriate work window from October 1 to March 31.

The total area of disturbance associated with the project is 1.85 acres. The proposed project will impact a total of 0.492 acres of vegetated communities. These impacts are dissected as follows: 0.081 acres of emergent tidal wetland impact, 0.409 acres of mowed lawn and 0.002 acres of successional northern hardwood forest. Part of this disturbance is to create the 0.081 acre mitigation wetland, which will account for 0.79 acres of the mowed lawn impact and the 0.002 acres of successional northern hardwood forest impact. Therefore, the proposed ecological community displacement will result in a 0.411 acre reduction of flora. The project is expected to be completed in July 2020.

We are requesting concurrence on the findings of the enclosed report. If you have any questions about this request, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil.

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Enclosures

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

February 23, 2015

Environmental Compliance

Ms. Robyn A. Niver
Endangered Species Biologist
United States Fish and Wildlife Service
Northeast Region
Endangered Species Program
3817 Luker Road
Cortland, New York 13045

Dear Ms. Niver:

The New York Army National Guard is proposing a project for the permanent access control point at the Camp Smith Training Site located in Westchester County in Cortlandt Manor, New York (Figure 1). We reviewed the project using the USFWS's New York Field Office's online project review process and completed the review on January 21, 2014.

The Camp Smith Training Site is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. The project consists of the reconstruction of a permanent access control point with an approximately 1,400 square foot (SF) control building and 3,600 SF of overhead cover to meet current Army and National Guard regulations and design guidelines. The total area of disturbance associated with the project is 1.85 acres.

The existing Camp Smith Training Site entrance floods during storm events and does not comply with Army standards in regards to safety, security, and traffic flow. The existing entrance does not provide adequate space to satisfy security functional requirements, meet current anti-terrorism and force protection standards or meet minimum stand-off distances required by the Army. As a result of these deficiencies, the existing access control and entrance layout compromises the mission of the facility and negatively impacts the ability to respond to state and federal emergencies. The proposed project is anticipated to bring the Camp Smith entrance into compliance with military standards and improve the Army's response during emergencies.

Proposed work activities include the rehabilitation of the entrance road (re-alignment and widening), drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, fire protection, information technology systems, electrical conduits, and a design for backup power generation would also be provided. The project limit of disturbance for the proposed work activities and larger action area potentially affected by the work activities are depicted in Figure 6 of the enclosed report.

The project involves increasing the size of the control building and expanding the entrance road to ensure compliance with current Army safety standards and requirements for a secure entry. In order to meet these requirements, the roadway expansion would require 0.08 acres of fill to be placed within wetlands under US Army Corps of Engineers (USACE) jurisdiction. Additional site work includes tree removal and clearing activities adjacent to the existing roadways within the eastern portion of the action area to accommodate roadway expansion and realignment, as well as the western portion of the action area to accommodate sightlines and construction of compensatory wetland mitigation. Following tree removal and clearing, the proposed access roads would be graded and paved to meet design specifications. Tree removal activities may result in potential impacts to Indiana and northern long-eared bats. In order to avoid impacts to these species, tree clearing activities would be conducted within the appropriate work window from October 1 to March 31.

The proposed project will impact a total of 0.492 acres of vegetated communities. These impacts are dissected as follows: 0.081 acres of wetland impact, 0.409 acres of mowed lawn and 0.002 acres of successional northern hardwood forest. Part of this disturbance is to create the 0.081 acre mitigation wetland, which will account for 0.79 acres of the mowed lawn impact and the 0.002 acres of successional northern hardwood forest impact. Therefore, the proposed ecological community displacement will result in a 0.411 acre reduction of flora. The project is expected to be completed in July 2020.

File search request letters were sent to the New York State Natural Heritage Program (NYSNHP) and the New York State Department of Environmental Conservation (NYSDEC) Region 3 Office. Responses were received from NYSNHP on August 20, 2014 and from NYSDEC Region 3 on January 7, 2015 (Appendix A). Field surveys conducted on July 7, 8, and 9, 2014, which included wetland and watercourse delineation, New England Cottontail Habitat Assessment and an Indiana Bat Phase 1 Summer Habitat Assessment (Appendix D of the enclosed), as well as agency responses and Official Species List (Appendix A of the enclosed) were used to develop the Habitat Impact Summary Tables (pages 11 and 17 of the enclosed).

This project review is required to complete the regulatory compliance review process, and information will be used in preparation of National Environmental Policy Act (NEPA) documentation and permit applications to support the Access Control Point Alteration and Rehabilitation Project. The project will receive federal funding and federal permits will be required from USACE to complete the project. Therefore, we request that USFWS complete this review pursuant to Section 7 of the Consultation of the Endangered Species Act (87 Stat. 884, as amended; 16 USC 531 et seq.), and that USFWS provide technical assistance with project planning to avoid the potential for a "take."

We are requesting concurrence on the findings provided in the summaries and Tables 3 and 4 of the enclosed report. If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil.

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Enclosures

TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
ENGINEERING DIVISION

Edward Vergano, P.E.
Director – D.O.T.S

Michael Preziosi, P.E.
Deputy Director – D.O.T.S

Arthur D'Angelo, Jr., P.E.
Deputy Director
D.O.T.S – Engineering

Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567
Main #: 914-734-1060
Fax #: 914-734-1066

Tuesday March, 3, 2015

Joseph M. Cetta
LT. CEN, NYARNG
Installation Manager
Building 501
11 Bear Mountain Rd.
Cortlandt Manor NY 10567

RE: Camp Smith Entrance Rehabilitation

Dear LT. CEN Joseph M. Cetta,

The Town of Cortlandt acknowledges receipt of email correspondence which outlines Camp Smith's intention to rehabilitate and widen the entrance driveway along with relocating a security booth. We understand the proposed action may involve work within the 100-year floodplain.

A local floodplain development permit is not required by the Town of Cortlandt. However you must follow Executive Order 11988 and the Town of Cortlandt shall be kept apprised of the progress of this project.

Sincerely,

Edward F. Vergano, P.E.
Director, Dept. of Technical Services

Cc: Pratik Desai, P.E., CFM, ENV SP – HDR Inc.
Tom Wood, ESQ. – Town Attorney
Michael Preziosi, P.E. – Deputy Director, Department of Technical Services
Martin Rogers, P.E. – Director of Code Enforcement

Delaware Tribe Historic Preservation Representatives
Department of Anthropology
Gladfelter Hall
Temple University
1115 W. Polett Walk
Philadelphia, PA 19122
temple@delawaretribe.org

March 5, 2015

Departments of the Army and the Air Force
Joint Force Headquarters – New York
Attn: Peter Jensen
330 Old Niskayuna Road
Latham, NY 12110-3514

Re: Alteration and Rehabilitation of the Main Entrance to the Camp Smith Training Site, Westchester County

Dear Peter Jensen,

Thank you for notifying the Delaware Tribe of the plans for the above referenced project and providing the Phase I Archaeological Investigation. Our review indicates that there are no religious or culturally significant sites within the selected project area and we have no objection to the proposed project. We defer further comment to your office.

We ask that if any archaeological remains (artifacts, subsurface features, etc.) are discovered during the construction process that construction be halted until an archaeologist can view and assess the finds. Furthermore, we ask that if any human remains are accidentally unearthed during the course of the project that you cease development immediately and inform the Delaware Tribe of Indians of the inadvertent discovery. If you have any questions, feel free to contact this office by phone at (609) 220-1047 or by e-mail at temple@delawaretribe.org.

Sincerely,

Blair Fink

Blair Fink
Delaware Tribe Historic Preservation Representatives
Department of Anthropology
Gladfelter Hall
Temple University
1115 W. Polett Walk
Philadelphia, PA 19122

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

March 9, 2015

Environmental Compliance

Ms. Robyn A. Niver
Endangered Species Biologist
United States Fish and Wildlife Service
Northeast Region
Endangered Species Program
3817 Luker Road
Cortland, New York 13045

Dear Ms. Niver:

The New York Army National Guard submitted an assessment of findings in relation to impacts to federally-listed threatened and endangered species for the access control and rehabilitation project at the Camp Smith Training Site located in Westchester County in Cortlandt Manor, New York on February 23, 2015.

Please accept this letter identifying our Endangered Species Act determination that the project may affect, but is not likely to adversely affect the Indiana Bat. The project will have no jeopardy on the Northern Long-eared Bat and the New England Cottontail. We request your concurrence on this finding.

If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil.

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Stockbridge-Munsee Tribal Historic Preservation

Main Office
W13447 Camp 14 Rd
Bowler, WI 54416

New York Office
P.O. Box 718
Troy, NY 12181

Patrick Murphy
Major General, New York Army National Guard
Departments of the Army & The Air Force
Joint Force Headquarters- New York
330 Old Niskayuna Road
Latham, NY 12110-35214
Via email only

March 23, 2015

RE: Comment on Camp Smith Training Site main entrance rehabilitation
Cortlandt Manor, Westchester County NY

Dear Mr. Murphy:

We are in receipt of materials for the above-referenced project received 2/30/15 sent for our Section 106 cultural resources review.

From additional information requested and received from Mr. Peter Jensen via email on 3/16/15, we better understand the extent of previous disturbance in the area and soil history of the site. Based on this information, we have found that we do not have significant concerns. We also do not know of cultural sites within the project APE.

However, as always, should any cultural materials inadvertently be discovered during project construction, we request that the project is stopped and that we are notified.

In addition, moving forward please note that I conduct Section 106 reviews for our tribe and am based out of a satellite office in New York State to better carry out site visits. Please update your distribution list to send future projects to me at the address in the upper right of the letterhead. Materials sent to Wisconsin are forwarded to me in New York, so sending directly to me by mail or email would expedite the process.

Thank you & Kind regards,

B. Hartley

Bonney Hartley
Tribal Historic Preservation Assistant- NY Office

Cc: Sherry White, Stockbridge-Munsee *via email only*
Peter Jensen, NYARNG *via email only*

(518) 326-8870 *Email: bonney.hartley@mohican-nsn.gov*

United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, NY 13045

March 23, 2015

Mr. W. Frank Wicks
Director of Facilities Management and Engineering
State of New York Division of Military and Naval Affairs
330 Old Niskayuna Road
Latham, NY 12110-3514

Dear Mr. Wicks:

This responds to your March 9, 2015, letter regarding a proposed access control and rehabilitation project located at the Camp Smith Training Site located in Cortlandt Manor, Westchester County, New York.

Pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the New York Army National Guard (NYANG) has determined that the proposed project may affect, but is not likely to adversely affect the federally-listed endangered Indiana bat (*Myotis sodalis*). Given the project location, extent of tree removal (<0.5 acre), and the proposed conservation measures (e.g., conducting tree removal between October 1 and March 31), we concur with your determination.

The NYANG has also determined the project will result in no effects to the New England cottontail (*Sylvilagus transitionalis*), a candidate for federal listing, as no suitable habitat for those species occurs in the vicinity of the project. We have no further comments on this species.

The NYANG has also considered the potential for impacts to the northern long-eared bat (*Myotis septentrionalis*). As you are aware, the northern long-eared bat is currently proposed for listing as an endangered species under the ESA and a final listing decision is expected in April 2015. At this time, no critical habitat has been proposed for the species. Pursuant to Section 7(a)(4) of the ESA, federal action agencies are required to confer with the Service if their proposed action is likely to jeopardize the continued existence of the northern long-eared bat. Action agencies may also voluntarily confer with the Service if the proposed action may affect a proposed species. We appreciate NYANG's efforts to consider the northern long-eared bat while it is proposed for listing. The NYANG has determined that the proposed project is not likely to jeopardize the continued existence of the northern long-eared bat. The U.S. Fish and Wildlife Service (Service) agrees with this determination.

Species proposed for listing are not afforded protection under the ESA; however, as soon as a listing becomes effective, the prohibition against jeopardizing its continued existence and "take"[1] applies regardless of an action's stage of completion. If the NYANG retains any discretionary involvement or control over on-the-ground actions that may affect the species after listing, Section 7 consultation procedures apply. Additional information regarding the northern long-eared bat and conference procedures can be found (http://www.fws.gov/midwest/endangered/mammals/nlba/index.html).

No further coordination or consultation under the ESA is required with the Service at this time. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally-listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you check our website every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.*

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the ESA. This response does not preclude additional Service comments under other legislation.

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

Thank you for your time. If you require additional information or assistance please contact Robyn Niver at (607) 753-9334. Future correspondence with us on these projects should reference project file 150529.

Sincerely,

for Patricia Cole

David A. Stilwell
Field Supervisor

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

cc: NYSDEC, New Paltz, NY (Env. Permits, Wildlife)

[1] Take is defined in Section 3 of the ESA as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

NATIONAL GUARD BUREAU
111 SOUTH GEORGE MASON DRIVE
ARLINGTON, VA 22204-1373

ARNG-ILI

13 AUG 2015

MEMORANDUM FOR Deputy Assistant Secretary of the Army (Installations, Housing and Partnerships)

SUBJECT: Request For Authority Under Executive Order 11988 to Execute Military Construction Within Known Floodplain

1. Purpose: To obtain the necessary approval under Executive Order 11988, 24 May 77, to construct Access Control Point (ACP) located within the 100-year floodplain. The ACP will provide for a permanent command and control building, overhead canopy with guard booths for checking identifications and an over-watch building. The ACP project supports security for Camp Smith Training Facility for the New York Army National Guard (NYARNG) Cortlandt Manor, New York.

2. Discussion: The New York Adjutant General has requested authority to construct the ACP to support the NYARNG at Camp Smith, Cortlandt Manor, New York. The proposed facility is required to meet current Army standards. The new ACP will replace inadequate and substandard facilities that do not meet current safety, security and traffic flow standards. A copy of Documentation of Compliance with Executive Order 11988 dated August 2015 prepared by CHA is enclosed.

3. The design of this ACP has been reviewed by local government agencies. The public review and public notice for compliance with EO 11988 for the proposed action is in the process of being completed as part of the public notice requirements for the EA under NEPA.

4. Portions of the ACP, including the command and control building are sited within the 100-year floodplain. The Architect and Engineer of record included flood mitigation measures in the design that protect the facility from a 100 year flood. Finished floor elevation of the command and control building is set at a minimum of 2 feet above the base flood elevation to prevent impacts to the building during a 100-year flood. In addition to improving site access and improving stand-off distances, the ACP will implement compensatory floodplain storage mitigation, providing approximately 4.3 acre-feet of flood storage capacity. The compensatory floodplain storage mitigation will also provide wetland mitigation at a ratio of 1:1 replacement for the impact to approximately 0.08 acre of degraded (invasive species-dominated) emergent wetland, thereby also complying with EO 11990. Movement of the ACP upslope and placement of fill is a mission-critical component of the proposed action as it will allow the ACP to function during flood events.

ARNG-ILI
SUBJECT: Request For Authority Under Executive Order 11988 to Execute Military Construction Within Known Floodplain

5. In accordance with National Guard Pamphlet 415-5, para 6-5f (1), alternate sites were examined for the location of the ACP. Due to mission requirements, location, economic feasibility, and the potential for significant environmental impact, there are no practical alternatives to locating the proposed action outside the 100-year floodplain.

6. Recommendation: That under Sections 2 and 3, Executive Order 11988, the authority for construction in a known floodplain for the ACP project, Camp Smith, Cortlandt Manor, New York, be granted under Major Construction provisions of the Army National Guard program.

7. The point of contact is LTC Daymone A. Simmons, Construction Branch Chief, Installations Division, National Guard Bureau at daymone.a.simmons.mil@mail.mil or 703-607-7941.

Encl
as

ERIK T. GORDON
LTC, IN
Chief, Installations Division

Appendix B

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT (please print)

1. Name: New York Army National Guard, Division of Military and Naval Affairs

2. Address: 330 Old Niskayuna Road, Latham, NY 12110-3514

3. Telephone: Area Code (518) 786-4548

B. PROPOSED ACTIVITY

1. Brief description of activity:

An access control alteration and rehabilitation of the permanent access control point (ACP) is proposed at the Camp Smith Training Site (Project Site) located in the Town of Cortlandt, Westchester County, New York. The Project involves modifying the existing ACP to ensure compliance with current Army and National Guard safety standards and requirements for a secure entry. In order to meet the federal safety requirements, the existing ACP would need to be both widened and elevated.

2. Purpose of activity:

Currently, the inbound lane does not allow adequate space for vehicle stacking, inspections, and rejections, nor does the entrance meet current anti-terrorism standards or minimum stand-off distances. The project will improve these conditions.

3. Location of activity:

Westchester	Cortlandt	11 Bear Mountain Bridge Road
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: USACE Nationwide Permit #3 - Maintenance

5. Federal application number, if known: NAN-2014-01374-WOM, NAN-2014-00777-EYA

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

New York State Department of Environmental Protection - Article 15: Protection of Waters

C. COASTAL ASSESSMENT Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following:	YES	NO
a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43)	☐	☒
b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44)	☐	☒
c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)	☐	☒
d. Reduction of existing or potential public access to or along coastal waters? (19, 20)	☐	☒
e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10)	☐	☒
f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29)	☐	☒
g. Siting of a facility essential to the generation or transmission of energy? (27)	☐	☒
h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35)	☒	☐
i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35)	☐	☒
j. Draining of stormwater runoff or sewer overflows into coastal waters? (33)	☒	☐
k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39)	☐	☒
l. Adverse effect upon land or water uses within the State's small harbors? (4)	☐	☒

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following:	YES	NO
a. State designated freshwater or tidal wetland? (44)	☐	☒
b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17,)	☒	☐
c. State designated significant fish and/or wildlife habitat? (7)	☒	☐
d. State designated significant scenic resource or area? (24)	☒	☐
e. State designated important agricultural lands? (26)	☐	☒
f. Beach, dune or barrier island? (12)	☐	☒
g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3)	☐	☒
h. State, county, or local park? (19, 20)	☐	☒
i. Historic resource listed on the National or State Register of Historic Places? (23)	☐	☒

3. Will the proposed activity require any of the following:	YES	NO
a. Waterfront site? (2, 21, 22)	☐	☒
b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)	☐	☒
c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)	☒	☐
d. State water quality permit or certification? (30, 38, 40)	☒	☐
e. State air quality permit or certification? (41, 43)	☐	☒

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local program document)	☐	☒

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.

2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: New York Army National Guard, Division of Military and Naval Affairs

Address: 330 Old Niskayuna Road, Latham, NY 12110-3514

Telephone: Area Code (518) 786 4548

Applicant/Agent's Signature: Pete Lunn Date: 3/18/15

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, 1 Commerce Plaza, 99 Washington Avenue - Suite 1010, Albany, New York 12231.**

a. Copy of original signed form.
b. Copy of the completed federal agency application.
c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

Coastal Management Program
Federal Consistency Assessment

The New York State Office of General Services (OGS), representing the New York Army National Guard (NYARNG) and New York State Division of Military and Naval Affairs (NYARNG), proposes the Camp Smith Access Control Alterations and Rehabilitation Project (Project) to upgrade the permanent access control point (ACP) at the Camp Smith Training Site (Project Site) located in Cortlandt Manor, Westchester County, New York (Figure 1). Camp Smith is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area for the downstate region during domestic response events.

Currently, the inbound lane does not allow adequate space for vehicle stacking, inspections, and rejections, nor does the entrance meet current anti-terrorism standards or minimum stand-off distances. Additionally, egress to and from the facility is limited due to frequent flooding. The Project involves modifying the existing ACP to ensure compliance with current Army and National Guard safety standards and requirements for a secure entry.

Following Army and National Guard regulations and design guidelines, the Project consists of:

A. Work occurring in upland areas with no associated wetland impacts:

1. The reconstruction of a permanent ACP with an approximately 1,680 square foot (sf) control building and 2,950 sf of overhead cover. The new ACP building would have a finished floor elevation (FFE) of 13.0, three feet above the Base Flood Elevation (BFE).

2. Total area to be disturbed (including 0.08 acre of wetland) is approximately 1.4 acres and includes a water quality basin for stormwater management and a floodplain compensatory storage area. Also included is approximately 0.20 acre of existing paved roadway that may be redeveloped into a right turn lane from Route 6. Of the total acreage of disturbance, approximately 0.70 acre is existing impervious area (roads).

3. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, fire protection, Internet Technology (IT) systems, electrical conduits, and a design for backup power generation would also be provided. Utility connections and trenching would occur outside of the delineated wetland boundary.

B. Work associated with wetland impacts:

1. Work would include limited grading and the construction of a retaining wall within the adjacent emergent marsh dominated by Phragmites. Total fill associated with this work is 0.08 acre. The represents a reduction of impact from previous plans.

The following information is provided in support of Section D.2. of the Federal Consistency Assessment Form (FCAF) attached in Appendix B of the Environmental Assessment.

Coastal Assessment

1. The proposed activity will result in:

a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement?

The project will not require the preparation of an Environmental Impact Statement (EIS) pursuant to either the State Environmental Quality Review Act (SEQR) or the National Environmental Policy Act (NEPA). An Environmental Assessment (EA) and Environmental Assessment Form (EAF) have been prepared to assess the potential environmental impacts of the Project.

h. Mining, excavation, or dredging activities, or the placement of dredged or fill materials in coastal waters

- *Policy #35 –"Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands."*

According to NYS Executive Law Article 42, Waterfront Revitalization of Coastal Areas and Inland Waterways, the creek and wetland onsite are defined as coastal waters. The access control alteration and rehabilitation activities would require placement of 0.08 acre of fill into these coastal waters. The project would meet existing State permit requirement and would not affect significant fish and wildlife habitats, scenic resources, natural protective features, or important agricultural lands. A one-to-one (1:1) mitigation ratio would be implemented to provide on-site flood storage compensatory mitigation. Therefore, the Project is consistent with this policy.

j. Draining of stormwater runoff or sewer overflows into coastal waters

- *Policy #33 – "Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters."*

Appropriate Best Management Practices (BMPs) would implemented during access control alteration and rehabilitation activities to ensure the control of stormwater runoff draining into coastal waters. These BMPs include the following,

- Due to the need to disturb greater than 1 acre, runoff from within the Project Site would be intercepted into a water quality practice for treatment. Since the site discharges to a tidal waterbody (Hudson River), water quantity mitigation would not be required.

- The above mentioned water quality pond would be located to the west of the proposed facility area, designed using BMP procedures outlined in the New York State Department of Environmental Conservation (NYSDEC) Stormwater Design Manual, State Pollutant Discharge Elimination System (SPDES) and National Pollutant Discharge Elimination System (NPDES).

- A Stormwater Pollution Prevention Plan (SWPPP) would be prepared in accordance with NYSDEC requirements and would identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges. The SWPPP would also describe and ensure the implementation of practices that would be used to reduce the pollutants in stormwater discharges and to assure compliance with the terms and conditions of the permit and would include erosion and sediment controls.

Stormwater will be controlled through the implementation of BMPs, in addition there are no combined sewer overflows within the Project Site, and therefore the Project is consistent with this policy.

k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials

- *Policy #39 –"The transport, storage, treatment, and disposal of solid wastes, particularly hazardous wastes, within the Coastal Area will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources."*

Access control alteration and rehabilitation activities related to the Project would produce solid wastes in association with demolition of existing structures, removal of asphalt pavement, and excavation of existing soil. Excavated soils would be segregated from other demolition and construction debris and be reused within the Camp Smith Property in an upland area, as agreed upon during a meeting with NYSDEC's Department of Environmental Remediation on September 22, 2014. All other solid waste will be disposed of offsite at a licensed facility by trucks following NYS Department of Transportation regulations. Significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources would not be affected. BMPs would be used to ensure the protection of groundwater and surface water supplies during construction. Therefore, the Project is consistent with this policy.

2. The proposed activity will be located in, on, or adjacent to:

a. State designated freshwater or tidal wetland

- *Policy #44 – "Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas."*

  The tidal marsh located immediately west of the installation's main entrance is not mapped as a state tidal wetland and is not protected under Articles 23 or 24. However, the wetlands are regulated under Article 15, as they are contiguous with a regulated waterbody, Putnam Creek. Wetland impacts have been limited to the extent possible and would be accounted for onsite by providing equal flood storage capacity within the compensatory storage area. Therefore, the Project is consistent with this policy.

b. Federally designated flood hazard area (Zone AE, 100-year floodplain)

- *Policy #11 – "Buildings and other structures will be sited in the coastal area to minimize damage to property and the endangering of human lives caused by flooding and erosion."*

  The Project would involve the siting of structures in the 100-year floodplain. The new Access Control Point Building would be elevated three feet above the base flood elevation, with a finished floor elevation (FFE) of 13.0. Associated Access Control point facilities would be constructed so as to reduce flood risk. The floodplain compensatory storage area proposed for this project will fully compensate for the lost storage and will therefore have no significant potential to impact flood elevations, either upstream or downstream. Therefore, the Project is consistent with this policy.

- *Policy #12 – "Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands, and bluffs."*

  The Project would result in 0.08 acre of permanent disturbance to tidal wetlands. This volume of flood storage will be fully compensated for on-site. Other natural protective features including beaches, dunes, barrier islands and bluffs would not be affected as a result of project related activities. Therefore, the Project is consistent with this policy.

- *Policy #17 – "Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.*

  The proposed compensatory flood storage area on site will provide a natural area for flood waters to dissipate, fully replacing the flood storage volume lost as a result of the project. Soil erosion and sediment control measures would be employed as part of the Project to offset potential adverse impacts to the natural environment in the vicinity. This would include such measures as silt fence, straw bales, and a stabilized construction entrance. A stormwater

pollution prevention plan (SWPPP) has been prepared for the project. Therefore, the Project is consistent with this policy.

c. State Designated significant fish and/or wildlife habitat?

- *Policy #7 – "Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats."*

An anadromous fish concentration area exists from Hudson River Mile 44-56, which begins north of Peekskill Bay and is within the larger Hudson Highlands Significant Coastal Fish and Wildlife Habitat (SCFWH). The habitat is a 12 mile section of deep, turbulent, narrow river. This area is of conservation concern to the state and is considered rare by NYNHP. Likely species of interest include American shad (Alosa sapidissima), alewife (Alosa pseudoharengus), blueback herring (Alosa aestivalis), striped bass (Morone saxatilis), and the above-stated shortnose sturgeon.

The SCFWH is outside of the Project Site, however BMPs would be implemented to ensure soil erosion is managed. No physical or chemical alteration of the offsite SCFWH would result from the Project, therefore the Project is consistent with this policy.

d. State designated significant scenic resource or area

- *Policy #24 – "Prevent impairment of scenic resources of statewide significance."*

Camp Smith is located adjacent to the Hudson Highland Scenic Area of Statewide Significance (SASS). However, the proposed ACP is not adjacent to this area. Construction of new facilities would be accomplished in accordance with the land use plan and installation design guide contained in the Installation Master Plan. The installation design guide establishes design themes that are compatible with and enhance the existing visual context. The new construction has been sited to consolidate redevelopment activities, which preserves open space and avoids impacts to important visual resources. The Proposed action would not block or reduce views of the Hudson Highlands SASS nor alter structures that contribute to the significance of a visual resource. Therefore, the Project is consistent with this policy.

i. Historic resource listed on the National or State Register of Historic Places

- *Policy #23 – "Protect, enhance, and restore structures, districts, areas, or sites that are of significance in the history, architecture, archaeology, or culture of the states, its communities, or the nation."*

The Project not adversely affect structures, districts, areas, or sites that are of significance in the history, architecture, archaeology, or culture of the state, its communities, or the nation. A Phase I Archeological Investigation concluded that no archeological remains were located

within the Project Site. The Project Site and associated gate/entrance structures outside of the project boundaries do not offer potential for cultural deposits owing to the demonstrated level of sediment disturbance. Documentary review, as well as geoarchaeologic assessment, confirmed that the degree of disturbance from previous road and utility installation was high. No additional management measures or architectural studies are warranted. Therefore, the Project is consistent with this policy.

3. The proposed activity will require:

b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area

- *Policy #5 – "Encourage the location of development in areas where public services and facilities essential to such development are adequate."*

  Project development in the coastal area would be located within existing areas of concentrated development where infrastructure and public services are adequate, and where topography, geology and other environmental conditions are suitable for and able to accommodate development. Therefore, the Project is consistent with this policy.

c. Construction or reconstruction of a flood or erosion control structure

- *Policy #13 – "The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs."*

  Outfall structures have been designed to have a reasonable useful life of thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs. New outfall structures associated with the modification to the existing drainage infrastructure would be reinforced with new stone rip-rap splash pad protection. This protection would meet the design standards of the NYSDEC Stormwater Design Manual, SPDES and National Pollutant Discharge Elimination System (NPDES). Once the Project is operational, a maintenance program would be implemented to support a thirty year lifespan. By implementing these design and operational measures, the Project is consistent with this policy.

- *Policy #14 – "Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measureable increase in erosion or flooding at the site of such activities or development, or at other locations."*

The new Access Control point would be constructed so as to reduce flood risk. As part of the Grading and Drainage plan, access control alteration and rehabilitation activities would involve the construction of drainage structures with riprap protection. The proposed fill placed within the 100-year floodplain will be compensated via compensatory flood storage on-site. The volume of floodplain storage lost through fill activities would be offset by excavating the same or greater volume of uplands. The compensatory storage would be implemented directly adjacent to the impacted wetland, resulting in no loss of floodplain storage onsite. Therefore, the Project is consistent with this policy.

- *Policy #16 – "Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.*

  Camp Smith is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. Ensuring the ability of the facility to respond to events and emergencies is paramount. Federal funding will be utilized to address, among other goals, localized flooding at the ACP that currently impacts Camp Smith's response to such events. Therefore, the Project is consistent with this policy.

d. State water quality permit or certification

- *Policy #30 – "Municipal, industrial, and commercial discharges of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards."*

  The Project would not discharge any pollutants, toxic, or hazardous substances at concentrations above regulated levels into coastal waters during the construction period. All applicable Best Management Practices (BMPs) would be implemented to avoid discharge of pollutants into coastal waters. Therefore, the Project is consistent with this policy.

- *Policy #38 – "The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply."*

  Previous investigations of the groundwater supply from the two on-site wells revealed that it is unlikely these wells are directly influenced by surface water conditions, including the Camp Smith marsh. Therefore, the proposed project will have no impact on water supply quality.

- *Policy #40 – "Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards."*

The Project does not involve any effluent discharged from major steam electric generating and industrial facilities into coastal waters. Therefore, the Project is consistent with this policy.

4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program?

   The Project is within the Landward Coastal Boundary and therefore within New York State's Coastal Management Program. The Town of Cortlandt does not have a Local Waterfront Revitalization Program.

DEPARTMENT OF STATE, OFFICE OF
PLANNING & DEVELOPMENT
ANDREW M. CUOMO, GOVERNOR CESAR A. PERALES, SECRETARY OF STATE

Welcome to the NYS Coastal Boundary Map

Help

Search

Address:

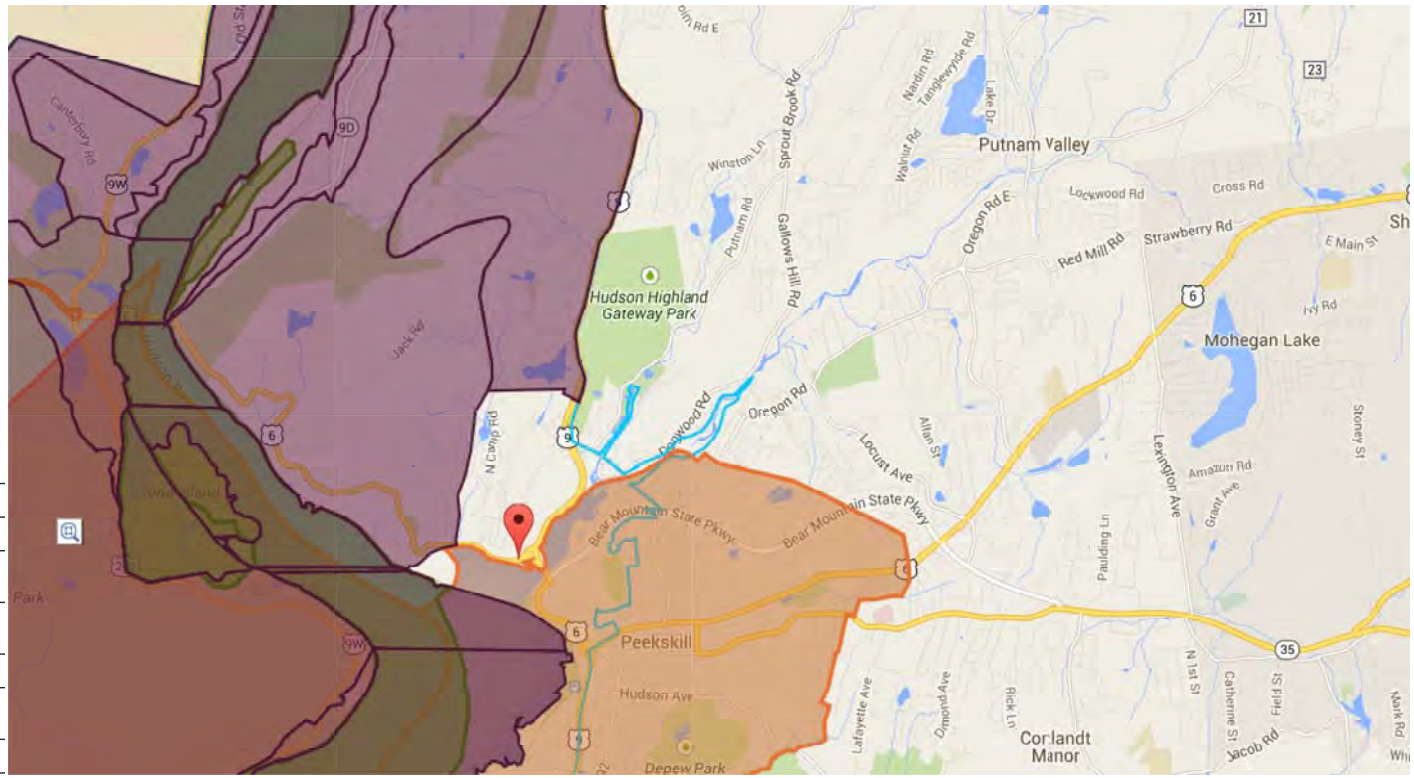
11 Bear Mountain Road, Cortland M

Find Address

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

Layers

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



Latitude: 42.803 Longitude: -75.399

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

Appendix C

Camp Smith National Guard Training Site

Visual Impact Assessment

Cortlandt Manor, New York

Prepared for:

NYS OGS

OGS BU3

34th Floor, Corning Tower ESP

Albany, New York 12242

Prepared by:

III Winners Circle
P.O. Box 5269
Albany, New York 12205
(518) 453-4500

CHA Project Number: 29633

March 06, 2015

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I. INTRO/PROJECT DESCRIPTION

The proposed project involves the construction of a rehabilitated/improved access control point (ACP) at the entrance to the Camp Smith Training Site, located in Cortlandt Manor, Westchester County, New York, adjacent to Putnam Creek. The Site is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. The existing Camp Smith Training Site entrance does not comply with Army standards in regards to safety, security, and traffic flow and does not provide adequate space to satisfy security functional requirements, meet current anti-terrorism and force protection standards, or meet minimum stand-off distances required by the Army. As a result of these deficiencies, the existing access control and entrance layout compromises the mission of the facility and adversely impacts their ability to respond to State and Federal emergencies.

The New York Army National Guard (NYARNG) has proposed an access control alteration and rehabilitation project for the entrance of the facility. The project consists of a permanent access control point with an approximately 1,680 square foot (sf) control building and 2,950 sf of overhead cover to meet current Army and National Guard regulations and design guidelines. The project also includes rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, IT systems, conduits for low voltage wires, and a design for backup power generation would also be provided.

The proposed command and control guard building will have a rustic architectural characteristic that will blend in with the surrounding natural environment and existing buildings. The exterior walls of the building will be clad with a stone veneer and will have an earth toned standing seam metal roof. The exterior walls will be constructed with a cultured stone veneer on an 8" reinforced concrete masonry unit.

The Visual Impact Assessment is intended to evaluate the potential impacts to viewers engaged in varying activities within the study area. The New York State Department of Environmental Conservation (NYSDEC) Policy DEP-00-2, *Assessing and Mitigating Visual Impacts*, was used as a guideline in the preparation of this report. The *Visual Resources Assessment Procedure for US Army Corps of Engineers, Instruction Report EL-88-1 (VRAP),* March 1988,

prepared by State University of New York, Syracuse for US Army Engineers Experiment Station, Vicksburg, Mississippi was also referenced for terminology used in completion of the study.

II. VISUAL IMPACT ASSESSMENT PROCEDURES

The methodologies used to complete the visual impact assessment are described below.

A. Field Investigation Procedures

A field investigation for this project occurred on January 16, 2015. This investigation was used to determine the actual topography of the area and combining it with the vegetation within the project area to assess if the proposed project would obstruct any potential resource views. The potential views are comprised of a list of statewide significant, scenic, and aesthetic resources derived from 15 categories. This list is provided within the New York State Department of Environmental Conservation Policy System.

III. VISUAL IMPACT ASSESSMENT DEFINITIONS

A. Landscape Setting

Four components are considered in the identification of the landscape setting: topography, land use, vegetation and water resources. The specific nature of these components can vary throughout the study area; however, the repetition of these characteristics within the study area defines the landscape setting from other areas. Resource combinations reflect the visual character and expose potential visual impacts due to the introduction of new design elements. A visual impact is caused when a project results in a significant change from the landscape setting and is not consistent with viewer expectations.

Landform, or topography, defines the limits of views to and from the site as well as defining the physical and visual character of the study area. The topography contributes to the regional landscape by enclosing spaces, defining viewing distances and creating different viewer opportunities.

Land Use and Use Intensity affect the viewer's visual experience. Land uses are defined in the *VRAP* as industrial, commercial, residential, agricultural, recreational, forest, grass land and barren land. The land use defines the landscape setting by identifying both natural and man-made influences on an area. Land Use Intensity can be characterized as urban, suburban, rural and undeveloped. Some or all, of the characteristics may be reflected in the landscape.

Vegetation distribution can range from densely wooded areas, which provide a year round buffer, to deciduous areas which limit or enhance views on a seasonal basis. Also, vegetation distribution includes open areas where the vegetation does not define or enhance a view.

Water resources such as rivers, lakes, streams and wetlands may contribute significantly to the visual environment by expanding views toward the water or conversely, providing views from the water.

After the landscape was defined, the landscape quality and subsequent visual quality objectives were determined. Visual quality is defined in the *VRAP* as "The visual significance given to a landscape determined by professional, public or personal values and intrinsic physical properties of the landscape." Visual quality within the city is generally of a higher standard, given the sensitivity of the area, than sites located outside of the city. There are three levels of visual quality used to define a visual resource:

Distinct – something that is considered unique and is an asset to the area. It is typically recognized as a visual/aesthetic asset and may have many positive attributes. Diversity and variety are characteristics in such a resource.

Average – something that is common in the area and not known for its uniqueness, but rather is representative of the typical landscape of the area.

Minimal – something that may be looked upon as a liability in the area. It is basically lacking any positive aesthetic attributes and may actually diminish the visual quality of the surrounding areas.

The visual quality assessment identifies if the proposed project would cause a change in some or all of the attributes within the regional landscape; however, the factor having the greatest influence in this determination is contrast, or the ability of an object to be readily recognized when placed in the existing visual environment.

B. Viewer Groups

The evaluation of the potential visual impacts is dependent upon factors such as who is viewing the project and their location, the activity the viewers are involved in when viewing the project, the duration of the view, viewer expectations and the overall scale of the project. Identification of the viewer groups allows the project to be evaluated in sub-categories, applicable to the user group, which defines the length of the view.

For the purposes of this proposed project site, the potential viewer group visibility, viewer location, the type of viewer group, the length of the viewer's visibility of the building, duration of visibility and the distance from the viewing location to the building were identified.

Four different viewer groups, their potential activities and viewer locations have been identified as follows:

The motorists group would include commuters, tourists, commercial traffic and those doing errands and the potential viewing locations would be from county and local roads. Motorists would generally have filtered views of the project site due to their speed, topographic changes and vegetation. This viewer group would be engaged in an activity that requires focusing on the road, signage and other vehicles so views would be secondary and enjoyed peripherally. Inattention could cause an accident. The exception to this would be tourists who are more likely to have passengers who expect to enjoy the views and are drawn to the area for the views.

The bicyclist group would include tourists on casual rides expecting to enjoy the views and those riding for exercise. The potential viewing locations would be from State, County and local roads. Bicyclists would have filtered and unfiltered views of the project site due to their speed, topographic changes and vegetation. This viewer group would be engaged in an activity that requires focusing on the route but also permits being able to enjoy the views as conditions allow (vehicular traffic, shoulder conditions, etc.).

The pedestrian group would include adjoining residents, tourists expecting to enjoy the views and those walking for exercise. The potential viewing locations would be from county and local roads. Pedestrians would have filtered and unfiltered views of the project site; however, due to the average pedestrian speed (3 mph) the views would be longer than when engaging in other activities. This viewer group would need to focus on surrounding traffic but would have opportunities to enjoy the views unless vegetation and/or manmade obstructions intervene.

The property owner/resident group would include surrounding properties with the group engaging in both indoor and outdoor daily activities (lawn mowing, snow blowing, recreation, etc.) The property owner group would have both filtered and unfiltered views due to vegetation. The views would be during daylight hours would likely be intermittent depending on the viewer's activity.

The duration of visibility was determined using the posted speed limit for motorists and by using generally accepted standards for bicyclists and pedestrians as follows:

Duration of Visibility = Distance ÷ Speed, therefore:

Motorists @ 30 mph = 0.008 mi./sec. (44 ft/sec.)

Bicyclists @ 12 mph = 0.003 mi./sec (17.6 ft/sec.)

Pedestrians @ 3 mph = 0.001 mi./sec. (4.4 ft/sec.)

For example, a car traveling at 45 mph with a view of a building for 0.5 miles (2,640 feet) would have a view duration of 38 seconds (0.5 ÷ 0.013 = 38.46 seconds).

In calculating the duration of the visibility on roadways, the length of visibility represents the point at which the site becomes visible to when the viewer is perpendicular with the site, or the view is obstructed by vegetation. The viewing limit was defined in this manner since the viewer's focus is considered to be generally forward. The use of this limit does not indicate that the overall limits of visibility end at this point but rather that the impact to the viewer group is substantially diminished thereafter.

C. Key Views

Key views are representative of the relationship between the major viewer groups and the project site; locations which best represent the visual character of the area and locations that most clearly demonstrate the project's visual impact on the environment. Some key views indicate the building would be visible, so a photosim was generated to show the visual impact. Other key views were chosen to indicate that although the preliminary viewshed map indicated this location had a potential for visibility, in fact, the building would not be visible as verified during the balloon test.

The *VRAP* provides the following definitions of foreground, midground and background in discussing the view:

Foreground – "The area that can be designated with clarity and simplicity not possible in middle and background because the observer is a direct participant. Maximum detail and color intensity are characteristic of this zone."

Midground – "The distance in the landscape where elements begin to join. Conflicts of form, color, shape or scale become evident. Although colors are unmistakable, they appear softer and bluer. Visual detail is also lessened."

Background – "The distance in the landscape where elements lose detailed distinctions. Emphasis is on the outline, or edge, of one land mass or water resource against another with a strong skyline element."

Also, each key view analysis evaluates intervening vegetation which would reduce the visibility of the building as well as the potential visibility based on the field investigation.

It should be noted that the visual impact of an object is influenced by atmospheric perspective as well. As defined in the NYSDEC guidelines, atmospheric perspective states that "even on the clearest days, the sky is not transparent because of the presence of atmospheric particulate matter. The light scattering effect of these particles causes atmospheric perspective which means there is a reduction in the intensity of the colors and the contrast between light and dark as the distance of objects from the observer increases. Additionally, contrast depends upon the position of the sun and the reflectance of the object. The net effect of atmospheric perspective is that objects become less saturated with color and shift towards the background color over great distances. Atmospheric perspective begins to influence visibility in the midground distance.

D. Visual Contrast

Visual contrast is defined in the *VRAP* as "the difference in appearance between two (or more) elements and/or an element and its background." Contrast compares the pattern elements and the character of the existing environment against the proposed building elements to determine the compatibility with the existing visual setting. Pattern elements are defined as "man-made or natural elements" and the pattern character defines how the elements relate to themselves and the surrounding environment. At this site the pattern elements include pavement for roads and parking areas, deciduous and evergreen vegetation, buildings (commercial and residential) and utility poles.

Spatial dominance is defined in the *VRAP* "the prevalent occupation of a space in a landscape by an object(s) or landscape element." As follows, this definition is further categorized to allow for further clarification of the level of contrast within the visual environment.

Dominant – the modification is the major object or area in a confined setting and occupies a large part of the setting

Co-dominant – the modification is one of the major objects or areas in a confined setting and its features are of equal visual importance

Subordinate – the modification is insignificant and occupies a minor part of the setting

Inconspicuous – the modification has no impact on the setting

Visual absorption is defined in the *VRAP* as "the physical capacity of a landscape to screen proposed development and still maintain its inherent visual character. The degree of visual penetration and the complexity of the landscape affect this capacity" (i.e. the building would be noticeable in its surroundings but would not be outstanding or in substantial contrast from what presently exists).

The greatest visual impacts result when the viewer is exposed to the building view for an extended period of time and the project itself contrasts with its surrounding visual environment. To compare the potential changes in visibility and contrast within the study area, each viewer group that could be affected by the construction of the proposed building is evaluated.

IV. EXISTING CONDITION AND VISUAL RESOURCES

The Camp Smith National Guard Training Site Project (DMNA PN 44897) is located on U.S. Route 6 at the Camp Smith Drive entrance to the Camp Smith Training Site about 0.4 mile west of the Annsville Circle junction with U.S. Route 9 or 1.2 miles west of Peekskill in Cortlandt Manor, Westchester County, New York. The project site is bounded by Bear Mountain Bridge Road (U.S. Route 6) and the Hudson River to the south and to the west, U.S. Route 9 and the mouth of Annsville Creek to the east and the Putnam County line with wooded areas and the Camp Smith Military Reserve to the north.

Areas surrounding Camp Smith include a mix of park, commercial, industrial, and residential lands. Bear Mountain Bridge Road (Route 6/202) runs along the installation's western/southwestern boundary. State-owned park lands and the Hudson River are located west of Route 6/202. Bear Mountain State Park and Harriman State Park are located across the river from the installation. Commercial and industrial lands and Annsville Creek are immediately south of the installation. The Annsville Creek Paddlesport Center, which is part of Hudson Highlands State Park, is also located south of the installation at the Route 9 traffic circle. Route 9 and Annsville Creek generally parallel the eastern/southeastern boundary. A narrow strip of private land between the southeastern boundary and Route 9 consists of commercial development and a few residences. A steep forested slope provides a buffer between these parcel & and the installation. Residential lands and Wallace Pond are located north of the cantonment area. State park lands, other undeveloped lands, and the Westchester/Putnam County line are located north of the training area.

Existing guard building is one story about 170 sf. It’s constructed mostly of steel and glass with brick cladding having a green standing seam metal roof.

View of the Existing Guardhouse and Entrance

There are several water resources in this area which aid in defining the landscape. Camp Smith is located along the shores of the Hudson River where the river is tidal. The proposed project area contains a wetland that is directly influenced by the tides. Additionally, this area is mapped by NYSDOS as a designated coastal area.

View from the facility toward the Hudson River

The Potential Viewer Groups for each location are motorists, pedestrians, and bicyclist.

The Potential Aesthetic Resources are identified as follows:

Key	Name of Potential Resource	Reference	Type of Resource	Distance from Site	Visibility
1	*Property eligible for inclusion in the National or State Register of Historic Places*	**http://www.nps.gov/nr/research/**	Historical	4.7 miles	N/A within 1 mile radius Fort Montgomery State Historic Site 4.7 miles Stony Point Battlefield 12.2 mil
2	*State Parks (Parks, Recreation and Historic Preservation*	**http://www.nysparks.com/parks/default.aspx?tab=2**	Recreational	8 miles	N/A within 1 mile radius Bear Mountain State Park 8 miles Franklin D. Roosevelt State Park Pool 9.7 miles

Key	Name of Potential Resource	Reference	Type of Resource	Distance from Site	Visibility
					Hudson Highlands State Park 15.7 miles Clarence Fahnestock State Park 18.9 miles Highland Lakes Start Park 36.8 miles
3	*Urban Cultural Parks*	http://www.nysparks.com/historic-preservation/heritage-areas.aspx	Recreational	11.8 miles	N/A within 1 mile radius Ossining, NY 11.8 miles
4	*State Forest Preserve*	http://www.dec.ny.gov/lands/4960.html	Recreational	96.6 miles	N/A within 1 mile radius Adirondack Park 188 miles Catskills Mountains 96.6 miles
5	*National Wildlife Refuges, State Game Refuges and State Wildlife Management Areas*	http://www.fws.gov/refuges/profiles/ByState.cfm?state=NY http://www.nysparks.com/recreation/trails/documents/scorp/Final/SCORPAppendixCE.pdf	Recreational	38.6 miles	N/A within 1 mile radius Wallkill River National Wildlife Refuge, NJ 41.6 miles Shawangunk Grasslands National Wildlife Refuge 38.6 miles
6	*National Natural Landmarks*	http://nature.nps.gov/nnl/state.cfm?State=NY	Historical	3 miles	N/A within 1 mile radius Iona Island Marsh 3 miles Mianus River Gorge Preserve 24.1 miles Thompson Pond 57.1 miles
7	*National Park System, Recreation Areas, Seashores, Forests*	http://www.nysparks.com/regions/taconic/default.aspx	Recreational	Same as *State Parks*	N/A within 1 mile radius Bear Mountain State Park 8 miles

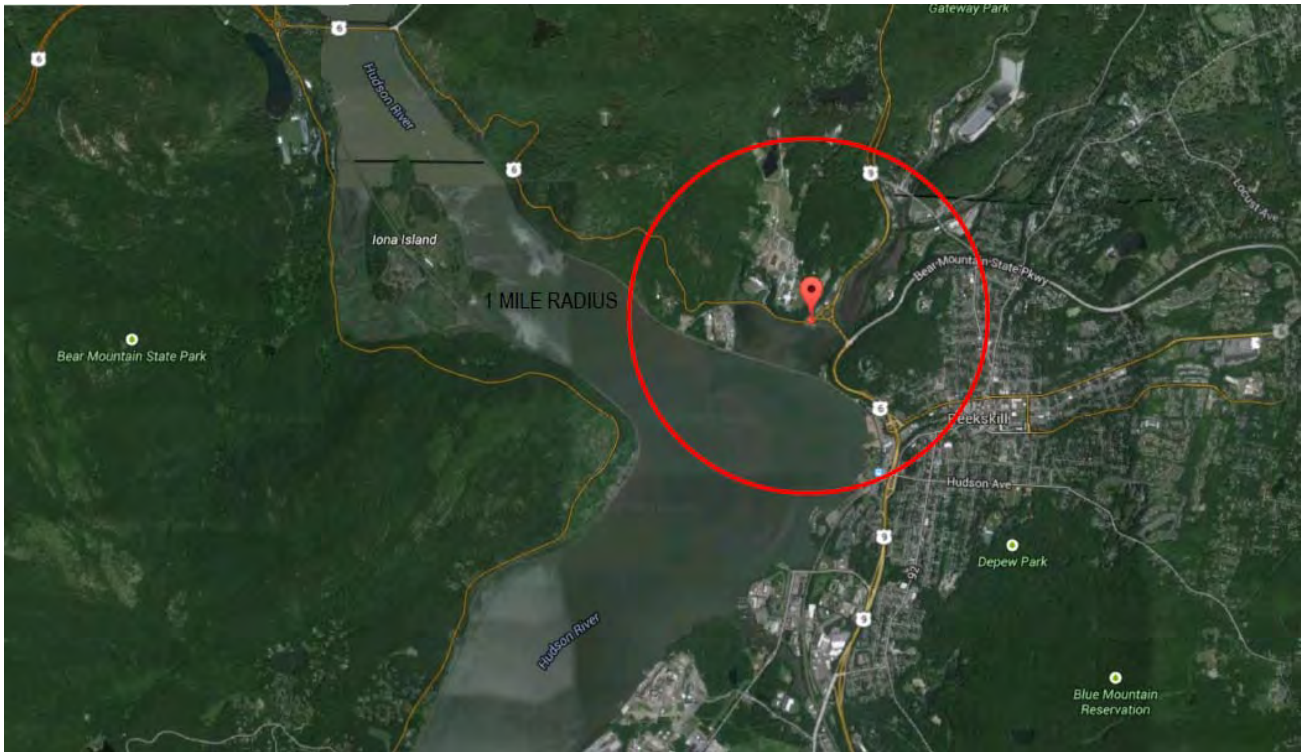
Key	Name of Potential Resource	Reference	Type of Resource	Distance from Site	Visibility
					Franklin D. Roosevelt State Park Pool 9.7 miles Hudson Highlands State Park 15.7 miles Clarence Fahnestock State Park 18.9 miles Highland Lakes Start Park 36.8 miles
8	*Rivers designated as National or State Wild, Scenic or Recreational*	http://www.dec.ny.gov/permits/32739.html	Recreational	N/A	N/A within 1 mile radius
9	*Site, Area, Lake, Reservoir or Highway designated or eligible for designation as scenic*	http://www.nygeo.org/scenicviews.html https://www.dot.ny.gov/display/programs/scenic-byways/lists	Recreational	Route 202 across Hudson River and portions of Route 6	N/A within 1 mile radius
10	*Scenic Areas of Statewide Significance*	http://www.dos.ny.gov/opd/programs/consistency/scenicass.html	Recreational	Same as Above	N/A within 1 mile radius
11	*A State or Federally designated Trail, or proposed for designation*	National Park Service US Department of the Interior	Recreational	Appalachian Trail at Bear Mountain	N/A within 1 mile radius
12	*Adirondack Park Scenic Vistas*	No- 4hrs North	Recreational	188 miles North	N/A within 1 mile radius
13	*State Nature and Historic Preserve Areas*	http://www.parks.ny.gov/historic-preservation/heritage-areas.aspx	Historical	N/A	N/A within 1 mile radius
14	*Palisades Park*		Recreational	43.6 miles South	N/A within 1 mile radius
15	*Bond Act Properties purchased under Exceptional Scenic Beauty or*		Recreational	N/A	N/A within 1 mile radius

Key	Name of Potential Resource	Reference	Type of Resource	Distance from Site	Visibility
	Open Space category				

V. Proposed Condition and Visual Impacts

The 1 Mile Viewshed depicts those areas from which the proposed project may or may not be visible. The field verification was performed on January 16, 2015.

Although all the resources listed in the table above do not occur in the 1 mile radius, there are a few key sites to note outside of the 1 Mile Viewshed.



Key	Name of Potential Resource	Type of Resource	Visibility
1	*Route 202 along the Hudson River near Jones Point*	Recreational	In winter months filtered views

C. Overall Visibility and Contrast

Visibility and viewer groups were confirmed during the field work. Project impacts and how they would be viewed were reviewed from a multitude of locations.

1. Potential Project Visibility:

Topography greatly limits the amount of the project that would be visible and the amount of the proposed building that would be silhouetted against the sky, thereby creating a contrast in the visual environment.

2. Intervening Vegetation:

Dense herbaceous vegetation screens views of the project site. This vegetation persists throughout the majority of the winter. A scattering of trees also reduces the visibility of the project area.

3. Potential Visibility:

The viewer locations are public right-of-ways and places from which the project would be visible. Based on the field investigation, the primarily potential for viewer visibility consists of Route 202.

4. Viewer Group Exposure:

The expected number of people who would potentially have views of the project and the general viewer group is minimal. Along Route 202 directly across the Hudson River, viewers would have filtered views of the site only during the winter months.

5. Contrast:

The contrast of the project is determined by the pattern elements and pattern character within the study area. The pattern elements identified during the field analysis was the existing roadways, building structures, coastal areas including wetlands and waterways, and deciduous and evergreen vegetation. The pattern character aids in reducing the contrast of the project since it would be visually absorbed and would appear insignificant within the surrounding landform based on the existing vegetation and the style of architecture.

The proposed command and control guard building will have a rustic architectural characteristic that will blend in with the surrounding natural environment. The exterior walls of the building will be clad with a stone veneer and will have an earth toned standing seam metal roof. The exterior walls will be constructed with a cultured stone veneer on an 8" reinforced concrete masonry unit. A 2" rigid polyiso insulation board will be adhered to the inside face of the masonry units. A wall will be framed inside the insulation and finished with a 5/8" gypsum wall board. Roofing material will be Standing Seam Metal roof as per Army national Standard. An attic slab will be provided with a ballistic rating equivalent to UL 752 Level III. Exterior windows will be Insulated Low-E coating. All windows and doors will have a ballistic rating equivalent to UL 752 Level III.

The ID Check Area Canopy will be a pre-engineered metal framed structure with metal roof truss. Minimum 17'-6" clear height above the road surface is required for oversized vehicle. Less than 11 degrees of obscuration of vision from the Guard Booth shall be maintained. The ID check guard booths and overwatch structure will be prefabricated steel buildings.

6. Impact to Historic Districts:

The vegetation has remained intact with respect to density, height and location. Based on the location of the project site, no historic districts are affected.

Summary

It would appear the proposed project, with a height of 20 feet to the top of the roof, would be visually absorbed by the surrounding area and contrast minimally within its surroundings, thereby not affecting the inherent visual character of the area or the aesthetic resources. The cultured stone veneer, concrete masonry units and metal roof blend with the surrounding vegetation and topography. Additionally, the proposed project does not appear to have a significant adverse impact on any of the aesthetic resources or other public resources within the study area.

In general, the areas outside of the study area are not visible due to vegetation, topography and location.

VI. MITIGATION MEASURES

In accordance with the New York State DEC Policy DEP-00-2, *Assessing and Mitigating Visual Impacts*, reasonable and necessary measures to either eliminate, mitigate or compensate for adverse aesthetic effects must be considered. The potential mitigation strategies discussed in the guidelines include screening, relocation, camouflage/disguise, low profile, downsizing, alternate technologies, non-specular materials and lighting.

Appendix D

General SPDES Permit for Stormwater Discharges from Construction Activities GP-0-15-002

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

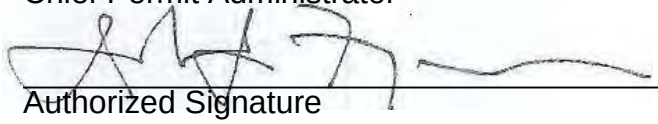
CONSTRUCTION ACTIVITY

Permit No. GP-0-15-002

Issued Pursuant to Article 17, Titles 7, 8 and Article 70
of the Environmental Conservation Law

Effective Date: January 29, 2015 Expiration Date: January 28, 2020

John J. Ferguson
Chief Permit Administrator



1 / 12 / 15

Authorized Signature Date

Address: NYS DEC
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, N.Y. 12233-1750

PREFACE

Pursuant to Section 402 of the Clean Water Act ("CWA"), stormwater *discharges* from certain *construction activities* are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System ("NPDES")* permit or by a state permit program. New York's *State Pollutant Discharge Elimination System ("SPDES")* is a NPDES-approved program with permits issued in accordance with the *Environmental Conservation Law ("ECL").*

This general permit ("permit") is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the ECL. An *owner or operator* may obtain coverage under this permit by submitting a Notice of Intent ("NOI") to the Department. Copies of this permit and the NOI for New York are available by calling (518) 402-8109 or at any New York State Department of Environmental Conservation ("the Department") regional office (see Appendix G).They are also available on the Department's website at:

http://www.dec.ny.gov/

An *owner or operator* of a *construction activity* that is eligible for coverage under this permit must obtain coverage prior to the *commencement of construction activity*. Activities that fit the definition of "*construction activity*", as defined under 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), constitute construction of a point source and therefore, pursuant to Article 17-0505 of the ECL, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. They cannot wait until there is an actual *discharge* from the construction site to obtain permit coverage.

***Note: The italicized words/phrases within this permit are defined in Appendix A.**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES
FROM CONSTRUCTION ACTIVITIES

Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

This permit authorizes stormwater *discharges* to *surface waters of the State* from the following *construction activities* identified within 40 CFR Parts 122.26(b)(14)(x), 122.26(b)(15)(i) and 122.26(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

1. *Construction activities* involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;

2. *Construction activities* involving soil disturbances of less than one (1) acre where the Department has determined that a *SPDES* permit is required for stormwater *discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of *pollutants* to *surface waters of the State.*

3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

B. Effluent Limitations Applicable to Discharges from Construction Activities

*Discharge*s authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) – (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the Stormwater Pollution Prevention Plan ("SWPPP") the reason(s) for the deviation or alternative design and provide information

which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:

   (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharge*s;

   (ii) Control stormwater *discharge*s to *minimize* channel and streambank erosion and scour in the immediate vicinity of the *discharge* points;

   (iii) *Minimize* the amount of soil exposed during *construction activity*;

   (iv) *Minimize* the disturbance of *steep slopes*;

   (v) *Minimize* sediment *discharge*s from the site;

   (vi) Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharge*s, unless *infeasible*;

   (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted; and

   (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover.

b. **Soil Stabilization**. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

c. **Dewatering**. *Discharge*s from dewatering activities, including *discharge*s

from dewatering of trenches and excavations, must be managed by appropriate control measures.

d. **Pollution Prevention Measures**. Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:

(i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;

(ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and

(iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.

e. **Prohibited *Discharge*s.** The following *discharge*s are prohibited:

(i) Wastewater from washout of concrete;

(ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

(iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;

(iv) Soaps or solvents used in vehicle and equipment washing; and

(v) Toxic or hazardous substances from a spill or other release.

f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion

at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the *performance criteria* in the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices ("SMPs") are not designed in conformance with the *performance criteria* in the Design Manual, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

a. ***Sizing Criteria* for *New Development***

(i) Runoff Reduction Volume ("RRv"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible.*

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv

that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:

(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or

(2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.

(iv) Overbank Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or

(2) A downstream analysis reveals that overbank control is not required.

(v) Extreme Flood Control Criteria ("Qf"): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or

(2) A downstream analysis reveals that overbank control is not required.

b. ***Sizing Criteria* for *New Development* in Enhanced Phosphorus Removal Watershed**

(i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be calculated in accordance with the criteria in Section 10.3 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or

standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible.*

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:

(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or

(2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.

(iv) Overbank Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that overbank control is not required.

(v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that overbank control is not required.

c. ***Sizing Criteria* for *Redevelopment Activity***

(Part I.C.2.c.i)

(i) Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* shall be addressed by one of the following options. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other *redevelopment activities* shall calculate the WQv in accordance with Section 4.2 of the Design Manual.

(1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
(2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or
(3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or
(4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 – 4 above.

(ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(iii) Overbank Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(Part I.C.2.c.iv)

(iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

d. ***Sizing Criteria*** **for Combination of** ***Redevelopment Activity*** **and** ***New Development***

Construction projects that include both *New Development* and *Redevelopment Activity* shall provide post-construction stormwater management controls that meet the *sizing criteria* calculated as an aggregate of the *Sizing Criteria* in Part I.C.2.a. or b. of this permit for the *New Development* portion of the project and Part I.C.2.c of this permit for *Redevelopment Activity* portion of the project.

D. Maintaining Water Quality

The Department expects that compliance with the conditions of this permit will control *discharge*s necessary to meet applicable *water quality standards*. It shall be a violation of the *ECL* for any discharge to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;

2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and

3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the stormwater *discharge*s authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards*; the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharge*s authorized by this permit are causing or contributing to a violation of *water quality standards*, or

if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharge*s will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.

E. Eligibility Under This General Permit

1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.

2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharge*s from *construction activities*.

3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater *discharges* may be authorized by this permit: *discharge*s from firefighting activities; fire hydrant flushings; waters to which cleansers or other components have not been added that are used to wash vehicles or control dust in accordance with the SWPPP, routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated *groundwater* or spring water; uncontaminated *discharge*s from construction site de-watering operations; and foundation or footing drains where flows are not contaminated with process materials such as solvents. For those entities required to obtain coverage under this permit, and who *discharge* as noted in this paragraph, and with the exception of flows from firefighting activities, these *discharge*s must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D of this permit.

4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

F. Activities Which Are Ineligible for Coverage Under This General Permit

All of the following are **not** authorized by this permit:

(Part I.F)

1. *Discharge*s after *construction activities* have been completed and the site has undergone *final stabilization*;

2. *Discharge*s that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;

3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;

4. *Construction activities* or *discharges* from *construction activities* that may adversely affect an endangered or threatened species unless the *owner or operator* has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.C.2 of this permit.

5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations;

6. *Construction activities* for residential, commercial and institutional projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which disturb one or more acres of land with no existing *impervious cover*; and

   c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture (“USDA”) Soil Survey for the County where the disturbance will occur.

7. *Construction activities* for linear transportation projects and linear utility projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which disturb two or more acres of land with no existing *impervious cover*; and

   c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the USDA Soil Survey for the County where the disturbance will occur.

(Part I.F.8)

8. *Construction activities* that have the potential to affect an *historic property*, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.C.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:

   a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.

      - 1-5 acres of disturbance - 20 feet
      - 5-20 acres of disturbance - 50 feet
      - 20+ acres of disturbance - 100 feet, or

   b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
      (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
      (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
      (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
      (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or

   c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:
      (i) No Affect
      (ii) No Adverse Affect

(Part I.F.8.c.iii)

(iii) Executed Memorandum of Agreement, or

d. Documentation that:

(i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *Discharge*s from *construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

II. Part II. OBTAINING PERMIT COVERAGE

A.Notice of Intent (NOI) Submittal

1. An *owner or operator* of a *construction activity* that is <u>not</u> subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOI form to the Department in order to be authorized to *discharge* under this permit. An *owner or operator* shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (http://www.dec.ny.gov/). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address.

NOTICE OF INTENT
NYS DEC, Bureau of Water Permits
625 Broadway, 4th Floor
Albany, New York 12233-3505

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department. An *owner or operator* shall use either the electronic (eNOI) or paper version of the NOI.

The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the address in Part II.A.1.

(Part II.A.2)

The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.E. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4*.

3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.

4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

B. Permit Authorization

1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.

2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:

   a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (http://www.dec.ny.gov/) for more information,

   b. where required, all necessary Department permits subject to the *Uniform Procedures Act ("UPA")* (see 6 NYCRR Part 621) have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators* of *construction activities* that are required to obtain *UPA* permits must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,

   c. the final SWPPP has been prepared, and

   d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.

3. An *owner or operator* that has satisfied the requirements of Part II.B.2 above

(Part II.B.3)

will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:

a. For *construction activities* that are not subject to the requirements of a *regulated, traditional land use control MS4*:

(i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or

(ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;

(iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.

b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:

(i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed "*MS4* SWPPP Acceptance" form, or

(ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed "MS4 SWPPP Acceptance" form.

4. The Department may suspend or deny an *owner's or operator's* coverage

under this permit if the Department determines that the SWPPP does not meet the permit requirements. In accordance with statute, regulation, and the terms and conditions of this permit, the Department may deny coverage under this permit and require submittal of an application for an individual SPDES permit based on a review of the NOI or other information pursuant to Part II.

5. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.B. of this permit.

C. General Requirements For Owners or Operators With Permit Coverage

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination ("NOT") has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.

2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-15-002), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.

3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

   a. The *owner or operator* shall

(Part II.C.3.a)

have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005.

c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.

d. The *owner or operator* shall install any additional site specific practices needed to protect water quality.

e. The *owner or operator* shall include the requirements above in their SWPPP.

4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

5. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the *regulated, traditional land use control MS4* in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *regulated, traditional land use control MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *regulated, traditional land use control MS4* prior to commencing construction of the post-construction stormwater management practice

(Part II.D)

D. Permit Coverage for Discharges Authorized Under GP-0-10-001

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-10-001), an *owner or operator* of *a construction activity* with coverage under GP-0-10-001, as of the effective date of GP-0-15-002, shall be authorized to *discharge* in accordance with GP-0-15-002, unless otherwise notified by the Department.

   An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-15-002.

E. Change of *Owner or Operator*

2. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.A.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.

Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

(Part III)

III. Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOI shall be included in the SWPPP.

2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.

3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.

4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP:

   a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;

   b. whenever there is a change in design, construction, or operation at the construction site that has or could have an effect on the *discharge* of *pollutants*; and

   c. to address issues or deficiencies identified during an inspection by the *qualified inspector,* the Department or other regulatory authority.

5. The Department may notify the *owner or operator* at any time that the

(Part III.A.5)

SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.C.4. of this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor.* The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

   The *owner or operator* shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

   > "I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharge*s from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

   In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the

trained contractor responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the construction site. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the *owner or operator* shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

   a. Background information about the scope of the project, including the location, type and size of project;

   b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge*(s);

   c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);

   d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other

activity at the site that results in soil disturbance;

e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;

f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;

g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;

h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;

i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005;

j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges*;

k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the construction site; and

l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005. Include the reason for the deviation or alternative design

and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

   Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

   The post-construction stormwater management practice component of the SWPPP shall include the following:

   a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;

   b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;

   c. A Stormwater Modeling and Analysis Report that includes:

      (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;

      (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;

      (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;

      (iv) Summary table, with supporting calculations, which demonstrates

that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;

(v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and

(vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;

d. Soil testing results and locations (test pits, borings);

e. Infiltration test results, when required; and

f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria,* Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

C. Required SWPPP Components by Project Type

Unless otherwise notified by the Department, *owners or operators* of *construction activities* identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1 of this permit. *Owners or operators* of the *construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3 of this permit.

(Part IV)

IV. Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.

2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York, or protect the public health and safety and/or the environment.

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity* identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.

3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

(Part IV.C)

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part III.A.6. and IV.B. of this permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- Registered Landscape Architect, or
- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, with the exception of:

   a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

   b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

   c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and

   d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:

   a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.

   b. For construction sites where soil disturbance activities are on-going and

the *owner or operator* has received authorization in accordance with Part II.C.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to reducing the frequency of inspections.

d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization,* and all temporary, structural erosion and sediment control measures have been removed*;* and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.A.1 of this permit.

e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall

be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization,* all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of *discharge* from the construction site.

4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

a. Date and time of inspection;

b. Name and title of person(s) performing inspection;

c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;

d. A description of the condition of the runoff at all points of *discharge* from the construction site. This shall include identification of any *discharges* of sediment from the construction site. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;

e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;

f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;

g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;

h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;

(Part IV.C.4.i)

i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;

j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);

k. Identification and status of all corrective actions that were required by previous inspection; and

l. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.

6. All inspection reports shall be signed by the *qualified inspector.* Pursuant to Part II.C.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

V. Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.A.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.

(Part V.A.2)

2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:

   a. Total project completion - All *construction activity* identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

   b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;

   c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.E. of this permit.

   d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.

3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.

4. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *regulated, traditional land use control MS4* sign the "MS4 Acceptance" statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The *regulated, traditional land use control MS4* official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The *regulated, traditional land use control MS4* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector*'s final site inspection certification(s) required in Part V.A.3. of this permit.

(Part V.A.5)

5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:

   a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

   b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),

   c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record,

   d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

VI. Part VI. REPORTING AND RETENTION OF RECORDS

A. Record Retention

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

B. Addresses

With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.A.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

(Part VII)

VII. Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

B. Continuation of the Expired General Permit

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

C. Enforcement

Failure of the *owner or operator,* its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to $37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

(Part VII.E)

E. Duty to Mitigate

The *owner or operator* and its contractors and subcontractors shall take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information

The *owner or operator* shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

G. Other Information

When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit , or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or *impervious area*), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

H. Signatory Requirements

1. All NOIs and NOTs shall be signed as follows:

   a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

      (i) a president, secretary, treasurer, or vice-president of the

corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(i) the chief executive officer of the agency, or

(ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named

individual or any individual occupying a named position) and,

c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.

3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.

4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4,* or by a duly authorized representative of that person.

   It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

I. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity*.

J. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any *owner or operator* authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any *discharge*r authorized by a general permit to apply for an individual SPDES permit, it shall notify the *discharge*r in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from *owner or operator* receipt of the notification letter, whereby the authorization to

discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. When an individual SPDES permit is issued to a discharger authorized to *discharge* under a general SPDES permit for the same *discharge*(s), the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

L. Proper Operation and Maintenance

The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

M. Inspection and Entry

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a construction site which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the *owner's or operator's* premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.

4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

(Part VII.N)

N. Permit Actions

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions

Definitions of key terms are included in Appendix A of this permit.

P. Re-Opener Clause

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with *construction activity* covered by this permit, the *owner or operator* of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.

2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

Q. Penalties for Falsification of Forms and Reports

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

R. Other Permits

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

VIII. **APPENDIX A**

Definitions

Alter Hydrology from Pre to Post-Development Conditions - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

Combined Sewer - means a sewer that is designed to collect and convey both “sewage” and “stormwater”.

Commence (Commencement of) Construction Activities - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for “*Construction Activity(ies)*” also.

***Construction Activity*(ies) -** means any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

Direct Discharge (to a specific surface waterbody) - means that runoff flows from a construction site by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a construction site to a separate storm sewer system and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

Discharge(s) - means any addition of any pollutant to waters of the State through an outlet or point source.

Environmental Conservation Law (ECL) - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

Equivalent (Equivalence) – means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

Final Stabilization - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied

on all disturbed areas that are not covered by permanent structures, concrete or pavement.

General SPDES permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

Groundwater(s) - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Historic Property – means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State
or National Registers of Historic Places.

Impervious Area (Cover) - means all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Infeasible – means not technologically possible, or not economically practicable and achievable in light of best industry practices.

Larger Common Plan of Development or Sale - means a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term “plan” in “larger common plan of development or sale” is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a larger common plan of development or sale that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same “common plan” is not concurrently being disturbed.

Minimize – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,

ditches, man-made
channels, or storm drains):

(i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State*;*

(ii) Designed or used for collecting or conveying stormwater;

(iii) Which is not a *combined sewer*; and

(iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

New Development – means any land disturbance that does meet the definition of Redevelopment Activity included in this appendix.

NOI Acknowledgment Letter - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from *construction activity*.

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; and/or an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications.

Performance Criteria – means the design criteria listed under the "Required Elements" sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf) in Part I.C.2. of the permit.

Pollutant - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq .

Qualified Inspector - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York..

Redevelopment Activity(ies) – means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is required to gain coverage under New York State DEC's SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s).

Routine Maintenance Activity - means *construction activity* that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Stream bank restoration projects (does not include the placement of spoil material),
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),
- Placement of aggregate shoulder backing that makes the transition between the road shoulder and the ditch or embankment,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or embankment,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

Site limitations – means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

Sizing Criteria – means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), Overbank Flood (Qp), and Extreme Flood (Qf).

State Pollutant Discharge Elimination System (SPDES) - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.

Steep Slope – means land area with a Soil Slope Phase that is identified as an E or F, or

the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture ("USDA") Soil Survey for the County where the disturbance will occur.

Surface Waters of the State - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

Temporarily Ceased – means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

Total Maximum Daily Loads (TMDLs) - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards*, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for point source discharges, load allocations (LAs) for nonpoint sources, and a margin of safety (MOS).

Trained Contractor - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* is responsible for the day to day implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part

621 of the Environmental Conservation Law (ECL), Article 70.

Water Quality Standard - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

IX. APPENDIX B

Required SWPPP Components by Project Type

Table 1
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single family home not located in one of the watersheds listed in Appendix C or not *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E
- Construction of a barn or other agricultural building, silo, stock yard or pen.

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- Bike paths and trails
- Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project
- Slope stabilization projects
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics
- Spoil areas that will be covered with vegetation
- Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields), excluding projects that *alter hydrology from pre to post development* conditions
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions
- Demolition project where vegetation will be established and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State", excluding projects that involve soil disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area

The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

- All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

Table 2

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other agricultural building(e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional, includes hospitals, prisons, schools and colleges
- Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's and water treatment plants
- Office complexes
- Sports complexes
- Racetracks, includes racetracks with earthen (dirt) surface
- Road construction or reconstruction
- Parking lot construction or reconstruction
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover,* and constructed as part of an over-head electric transmission line project , wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- All other construction activities that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre to post development* conditions, and are not listed in Table 1

X. APPENDIX C

Watersheds Where Enhanced Phosphorus Removal Standards Are Required

Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual ("Design Manual").

- Entire New York City Watershed located east of the Hudson River **-** Figure 1
- Onondaga Lake Watershed **-** Figure 2
- Greenwood Lake Watershed **-**Figure 3
- Oscawana Lake Watershed – Figure 4
- Kinderhook Lake Watershed – Figure 5

Figure 1 - New York City Watershed East of the Hudson

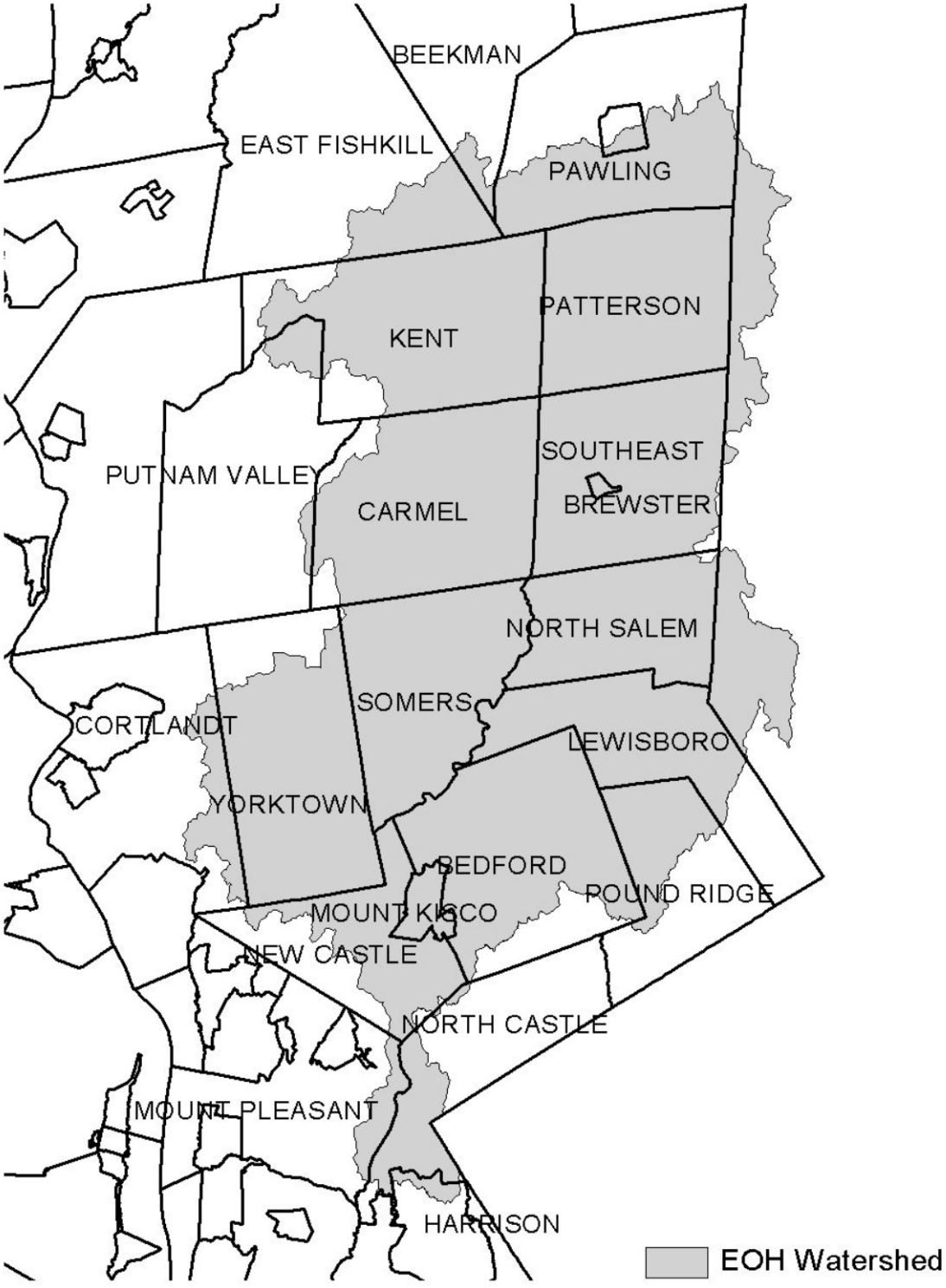


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

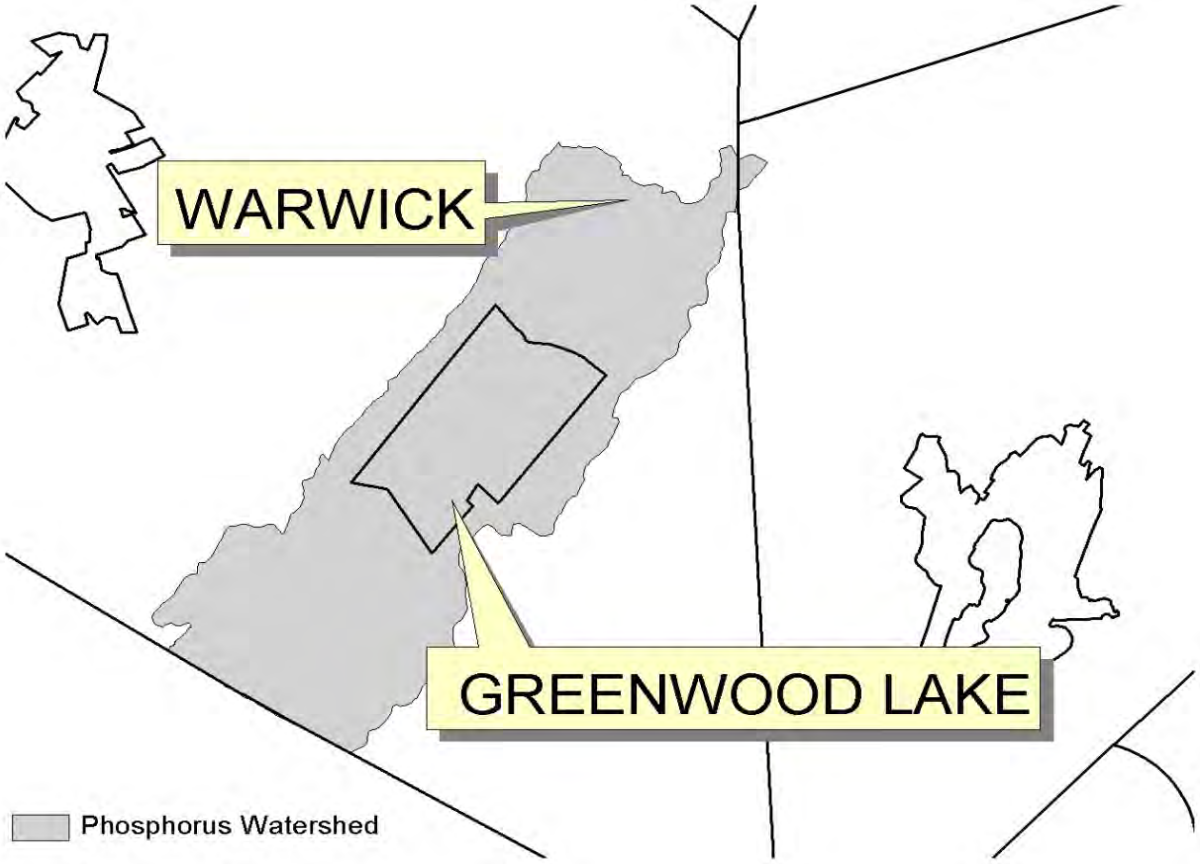


Figure 4 - Oscawana Lake Watershed

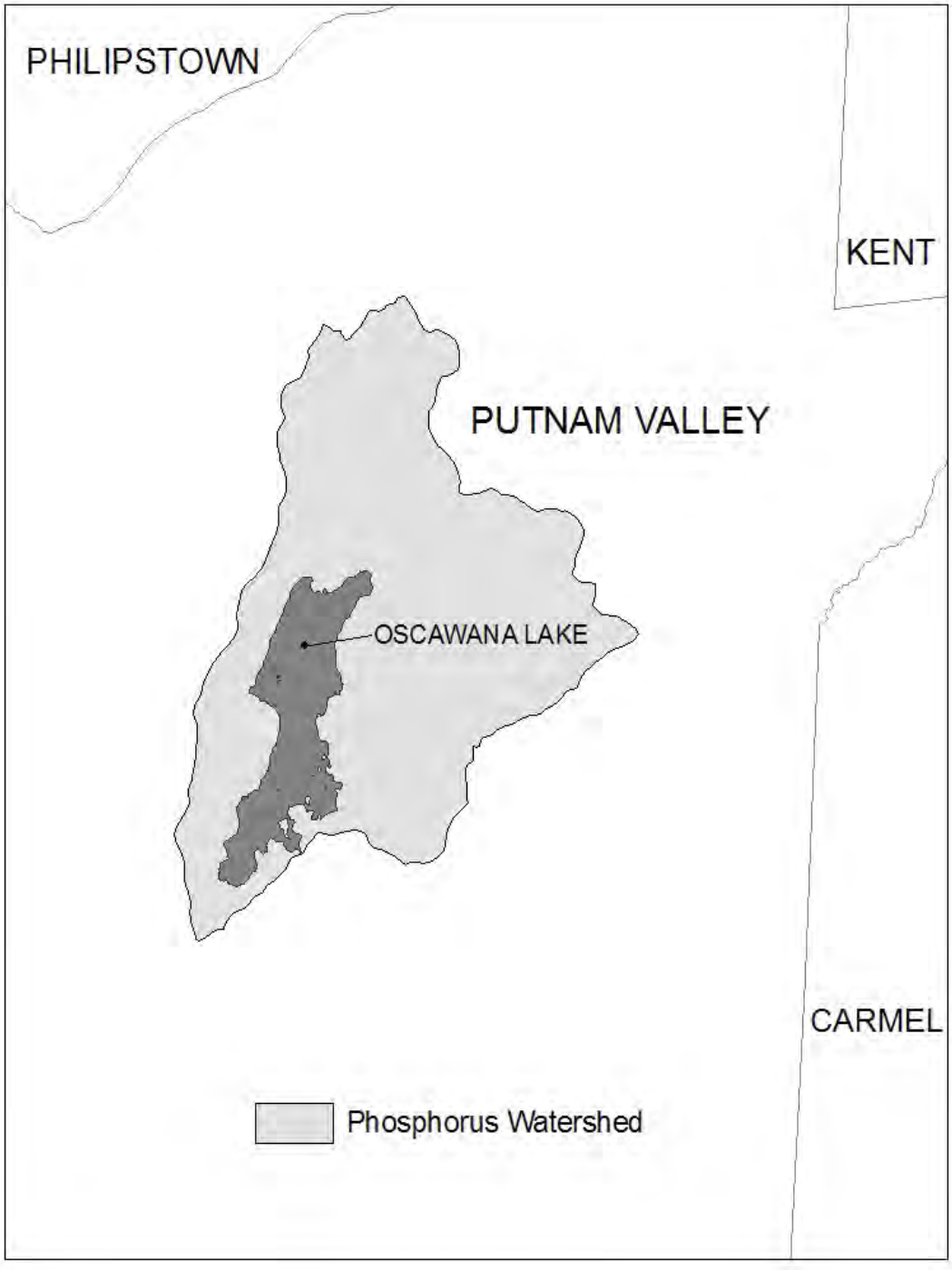
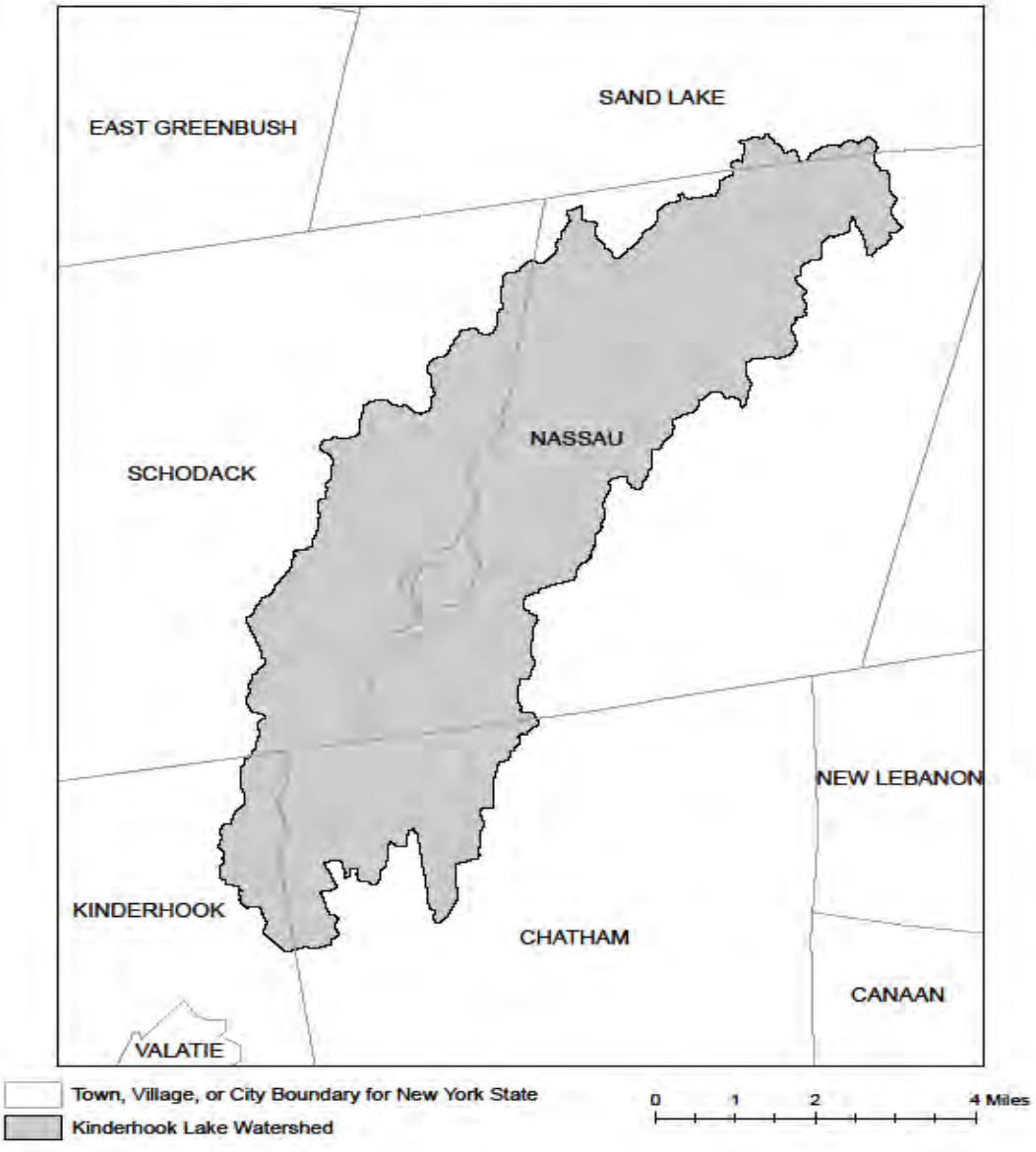


Figure 5: Kinderhook Lake Watershed



XI. APPENDIX D

Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River **-** See Figure 1 in Appendix C

XII. APPENDIX E

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY	WATERBODY
Albany	Ann Lee (Shakers) Pond, Stump Pond
Albany	Basic Creek Reservoir
Allegheny	Amity Lake, Saunders Pond
Bronx	Van Cortlandt Lake
Broome	Whitney Point Lake/Reservoir
Broome	Fly Pond, Deer Lake
Broome	Minor Tribs to Lower Susquehanna (north)
Cattaraugus	Allegheny River/Reservoir
Cattaraugus	Case Lake
Cattaraugus	Linlyco/Club Pond
Cayuga	Duck Lake
Chautauqua	Chautauqua Lake, North
Chautauqua	Chautauqua Lake, South
Chautauqua	Bear Lake
Chautauqua	Chadakoin River and tribs
Chautauqua	Lower Cassadaga Lake
Chautauqua	Middle Cassadaga Lake
Chautauqua	Findley Lake
Clinton	Great Chazy River, Lower, Main Stem
Columbia	Kinderhook Lake
Columbia	Robinson Pond
Dutchess	Hillside Lake
Dutchess	Wappinger Lakes
Dutchess	Fall Kill and tribs
Erie	Green Lake
Erie	Scajaquada Creek, Lower, and tribs
Erie	Scajaquada Creek, Middle, and tribs
Erie	Scajaquada Creek, Upper, and tribs
Erie	Rush Creek and tribs
Erie	Ellicott Creek, Lower, and tribs
Erie	Beeman Creek and tribs
Erie	Murder Creek, Lower, and tribs
Erie	South Branch Smoke Cr, Lower, and tribs
Erie	Little Sister Creek, Lower, and tribs
Essex	Lake George (primary county: Warren)
Genesee	Black Creek, Upper, and minor tribs
Genesee	Tonawanda Creek, Middle, Main Stem
Genesee	Oak Orchard Creek, Upper, and tribs
Genesee	Bowen Brook and tribs
Genesee	Bigelow Creek and tribs
Genesee	Black Creek, Middle, and minor tribs
Genesee	LeRoy Reservoir
Greene	Schoharie Reservoir
Greene	Sleepy Hollow Lake
Herkimer	Steele Creek tribs
Kings	Hendrix Creek
Lewis	Mill Creek/South Branch and tribs
Livingston	Conesus Lake
Livingston	Jaycox Creek and tribs
Livingston	Mill Creek and minor tribs
Livingston	Bradner Creek and tribs
Livingston	Christie Creek and tribs
Monroe	Lake Ontario Shoreline, Western
Monroe	Mill Creek/Blue Pond Outlet and tribs
Monroe	Rochester Embayment - East
Monroe	Rochester Embayment - West
Monroe	Unnamed Trib to Honeoye Creek
Monroe	Genesee River, Lower, Main Stem
Monroe	Genesee River, Middle, Main Stem
Monroe	Black Creek, Lower, and minor tribs
Monroe	Buck Pond
Monroe	Long Pond
Monroe	Cranberry Pond
Monroe	Mill Creek and tribs
Monroe	Shipbuilders Creek and tribs
Monroe	Minor tribs to Irondequoit Bay
Monroe	Thomas Creek/White Brook and tribs
Nassau	Glen Cove Creek, Lower, and tribs
Nassau	LI Tribs (fresh) to East Bay
Nassau	East Meadow Brook, Upper, and tribs
Nassau	Hempstead Bay
Nassau	Hempstead Lake
Nassau	Grant Park Pond
Nassau	Beaver Lake
Nassau	Camaans Pond
Nassau	Halls Pond
Nassau	LI Tidal Tribs to Hempstead Bay
Nassau	Massapequa Creek and tribs
Nassau	Reynolds Channel, east
Nassau	Reynolds Channel, west
Nassau	Silver Lake, Lofts Pond
Nassau	Woodmere Channel
Niagara	Hyde Park Lake
Niagara	Lake Ontario Shoreline, Western
Niagara	Bergholtz Creek and tribs
Oneida	Ballou, Nail Creeks
Onondaga	Ley Creek and tribs
Onondaga	Onondaga Creek, Lower and tribs

APPENDIX E

List of 303(d) segments impaired by pollutants related to construction activity, cont'd.

COUNTY	WATERBODY	COUNTY	WATERBODY
Onondaga	Onondaga Creek, Middle and tribs	Suffolk	Great South Bay, West
Onondaga	Onondaga Creek, Upp, and minor tribs	Suffolk	Mill and Seven Ponds
Onondaga	Harbor Brook, Lower, and tribs	Suffolk	Moriches Bay, East
Onondaga	Ninemile Creek, Lower, and tribs	Suffolk	Moriches Bay, West
Onondaga	Minor tribs to Onondaga Lake	Suffolk	Quantuck Bay
Onondaga	Onondaga Creek, Lower, and tribs	Suffolk	Shinnecock Bay (and Inlet)
Ontario	Honeoye Lake	Sullivan	Bodine, Montgomery Lakes
Ontario	Hemlock Lake Outlet and minor tribs	Sullivan	Davies Lake
Ontario	Great Brook and minor tribs	Sullivan	Pleasure Lake
Orange	Monhagen Brook and tribs	Sullivan	Swan Lake
Orange	Orange Lake	Tompkins	Cayuga Lake, Southern End
Orleans	Lake Ontario Shoreline, Western	Tompkins	Owasco Inlet, Upper, and tribs
Oswego	Pleasant Lake	Ulster	Ashokan Reservoir
Oswego	Lake Neatahwanta	Ulster	Esopus Creek, Upper, and minor tribs
Putnam	Oscawana Lake		
Putnam	Palmer Lake	Ulster	Esopus Creek, Lower, Main Stem
Putnam	Lake Carmel	Ulster	Esopus Creek, Middle, and minor tribs
Queens	Jamaica Bay, Eastern, and tribs (Queens)		
Queens	Bergen Basin	Warren	Lake George
Queens	Shellbank Basin	Warren	Tribs to L.George, Village of L George
Rensselaer	Nassau Lake		
Rensselaer	Snyders Lake	Warren	Huddle/Finkle Brooks and tribs
Richmond	Grasmere, Arbutus and Wolfes Lakes	Warren	Indian Brook and tribs
Rockland	Congers Lake, Swartout Lake	Warren	Hague Brook and tribs
Rockland	Rockland Lake	Washington	Tribs to L.George, East Shr Lk George
Saratoga	Ballston Lake		
Saratoga	Round Lake	Washington	Cossayuna Lake
Saratoga	Dwaas Kill and tribs	Washington	Wood Cr/Champlain Canal, minor tribs
Saratoga	Tribs to Lake Lonely		
Saratoga	Lake Lonely	Wayne	Port Bay
Schenectady	Collins Lake	Wayne	Marbletown Creek and tribs
Schenectady	Duane Lake	Westchester	Lake Katonah
Schenectady	Mariaville Lake	Westchester	Lake Mohegan
Schoharie	Engleville Pond	Westchester	Lake Shenorock
Schoharie	Summit Lake	Westchester	Reservoir No.1 (Lake Isle)
Schuyler	Cayuta Lake	Westchester	Saw Mill River, Middle, and tribs
St. Lawrence	Fish Creek and minor tribs	Westchester	Silver Lake
St. Lawrence	Black Lake Outlet/Black Lake	Westchester	Teatown Lake
Steuben	Lake Salubria	Westchester	Truesdale Lake
Steuben	Smith Pond	Westchester	Wallace Pond
Suffolk	Millers Pond	Westchester	Peach Lake
Suffolk	Mattituck (Marratooka) Pond	Westchester	Mamaroneck River, Lower
Suffolk	Tidal tribs to West Moriches Bay	Westchester	Mamaroneck River, Upp, and tribs
Suffolk	Canaan Lake	Westchester	Sheldrake River and tribs
Suffolk	Lake Ronkonkoma	Westchester	Blind Brook, Lower
Suffolk	Beaverdam Creek and tribs	Westchester	Blind Brook, Upper, and tribs
Suffolk	Big/Little Fresh Ponds	Westchester	Lake Lincolndale
Suffolk	Fresh Pond	Westchester	Lake Meahaugh
Suffolk	Great South Bay, East	Wyoming	Java Lake
Suffolk	Great South Bay, Middle	Wyoming	Silver Lake

Note: The list above identifies those waters from the final New York State "2014 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy", dated January 2015, that are impaired by silt, sediment or nutrients.

XIII. APPENDIX F

LIST OF NYS DEC REGIONAL OFFICES

Region	COVERING THE FOLLOWING COUNTIES:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS	DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, PO BOX 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG, NY 12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070

Notice of Intent (NOI)

0806372691

NOTICE OF INTENT

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

NYR _____ (for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002

All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-

RETURN THIS FORM TO THE ADDRESS ABOVE

OWNER/OPERATOR **MUST SIGN FORM**

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)
NYS OGS OGS BU3

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Owner/Operator Contact Person First Name
C B

Owner/Operator Mailing Address
34th FLOOR CORNING TOWER ESP

City
ALBANY

State
NY

Zip
12242-

Phone (Owner/Operator)

Fax (Owner/Operator)

Email (Owner/Operator)

FED TAX ID
(not required for individuals)

1443372699

Project Site Information

Project/Site Name
CAMP SMITH NATIONAL GUARD TRAINING SITE

Street Address (NOT P.O. BOX)
11 BEAR MOUNTAIN BRIDGE ROAD

Side of Street
● **North** ○ **South** ○ **East** ○ **West**

City/Town/Village (THAT ISSUES BUILDING PERMIT)
CORTLANDT MANOR

State NY Zip 10567- County WESTCHESTER DEC Region 3

Name of Nearest Cross Street
BEAR MOUNTAIN BRIDGE ROAD

Distance to Nearest Cross Street (Feet)
100

Project In Relation to Cross Street
● **North** ○ **South** ○ **East** ○ **West**

Tax Map Numbers
Section-Block-Parcel

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you **must** go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting) 588589

Y Coordinates (Northing) 4572546

2. What is the nature of this construction project?

○ **New Construction**

● **Redevelopment with increase in impervious area**

○ **Redevelopment with no increase in impervious area**

3. Select the predominant land use for both pre and post development conditions.
SELECT ONLY ONE CHOICE FOR EACH

Pre-Development Existing Land Use	Post-Development Future Land Use
○ FOREST	○ SINGLE FAMILY HOME
○ PASTURE/OPEN LAND	○ SINGLE FAMILY SUBDIVISION
○ CULTIVATED LAND	○ TOWN HOME RESIDENTIAL
○ SINGLE FAMILY HOME	○ MULTIFAMILY RESIDENTIAL
○ SINGLE FAMILY SUBDIVISION	● INSTITUTIONAL/SCHOOL
○ TOWN HOME RESIDENTIAL	○ INDUSTRIAL
○ MULTIFAMILY RESIDENTIAL	○ COMMERCIAL
● INSTITUTIONAL/SCHOOL	○ MUNICIPAL
○ INDUSTRIAL	○ ROAD/HIGHWAY
○ COMMERCIAL	○ RECREATIONAL/SPORTS FIELD
○ ROAD/HIGHWAY	○ BIKE PATH/TRAIL
○ RECREATIONAL/SPORTS FIELD	○ LINEAR UTILITY (water, sewer, gas, etc.)
○ BIKE PATH/TRAIL	○ PARKING LOT
○ LINEAR UTILITY	○ CLEARING/GRADING ONLY
○ PARKING LOT	○ DEMOLITION, NO REDEVELOPMENT
○ OTHER	○ WELL DRILLING ACTIVITY *(Oil, Gas, etc.)
	○ OTHER

Number of Lots

***Note:** for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area
1.4	1.4	0.7	0.8

5. Do you plan to disturb more than 5 acres of soil at any one time? ○ Yes ● No

6. Indicate the percentage of each Hydrologic Soil Group(HSG) at the site.

A	B	C	D
45 %	%	%	55 %

7. Is this a phased project? ○ Yes ○ No

8. Enter the planned start and end dates of the disturbance activities.

Start Date 08/01/2015 - End Date 12/31/2016

9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.

Name

9a. Type of waterbody identified in Question 9?

- ○ Wetland / State Jurisdiction On Site (Answer 9b)
- ○ Wetland / State Jurisdiction Off Site
- ○ Wetland / Federal Jurisdiction On Site (Answer 9b)
- ○ Wetland / Federal Jurisdiction Off Site
- ○ Stream / Creek On Site
- ○ Stream / Creek Off Site
- ○ River On Site
- ○ River Off Site
- ○ Lake On Site
- ○ Lake Off Site
- ○ Other Type On Site
- ○ Other Type Off Site

9b. How was the wetland identified?

- ○ Regulatory Map
- ○ Delineated by Consultant
- ○ Delineated by Army Corps of Engineers
- ● Other (identify) COASTAL PLAIN

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-15-002? ○ Yes ● No

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-15-002? ○ Yes ● No

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters? ○ Yes ● No
If no, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey? ○ Yes ● No
If Yes, what is the acreage to be disturbed?

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area? ● Yes ○ No

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? ● Yes ○ No ○ Unknown

16. What is the name of the municipality/entity that owns the separate storm sewer system?

NYS DEPT OF MILITARY AND NAVAL AFFAIRS

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? ○ Yes ● No ○ Unknown

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? ○ Yes ● No

19. Is this property owned by a state authority, state agency, federal government or local government? ● Yes ○ No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) ○ Yes ● No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? ● Yes ○ No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? ● Yes ○ No
If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? ● Yes ○ No

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- ● **Professional Engineer (P.E.)**
- ○ **Soil and Water Conservation District (SWCD)**
- ○ **Registered Landscape Architect (R.L.A)**
- ○ **Certified Professional in Erosion and Sediment Control (CPESC)**
- ○ **Owner/Operator**
- ○ **Other**

SWPPP Preparer

Contact Name (Last, Space, First)

Mailing Address

City

State Zip -

Phone - -

Fax - -

Email

SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-15-002. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

First Name **MI**

Last Name

Signature

Date / /

25. Has a construction sequence schedule for the planned management practices been prepared? ○ Yes ○ No

26. Select **all** of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural

- ○ Check Dams
- ○ Construction Road Stabilization
- ● Dust Control
- ○ Earth Dike
- ○ Level Spreader
- ○ Perimeter Dike/Swale
- ○ Pipe Slope Drain
- ○ Portable Sediment Tank
- ○ Rock Dam
- ○ Sediment Basin
- ○ Sediment Traps
- ● Silt Fence
- ● Stabilized Construction Entrance
- ● Storm Drain Inlet Protection
- ○ Straw/Hay Bale Dike
- ○ Temporary Access Waterway Crossing
- ○ Temporary Stormdrain Diversion
- ○ Temporary Swale
- ○ Turbidity Curtain
- ○ Water bars

Biotechnical

- ○ Brush Matting
- ○ Wattling

Vegetative Measures

- ○ Brush Matting
- ○ Dune Stabilization
- ○ Grassed Waterway
- ○ Mulching
- ○ Protecting Vegetation
- ○ Recreation Area Improvement
- ○ Seeding
- ○ Sodding
- ○ Straw/Hay Bale Dike
- ○ Streambank Protection
- ○ Temporary Swale
- ○ Topsoiling
- ○ Vegetating Waterways

Permanent Structural

- ○ Debris Basin
- ○ Diversion
- ○ Grade Stabilization Structure
- ○ Land Grading
- ○ Lined Waterway (Rock)
- ○ Paved Channel (Concrete)
- ○ Paved Flume
- ● Retaining Wall
- ○ Riprap Slope Protection
- ● Rock Outlet Protection
- ○ Streambank Protection

Other

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- ○ **Preservation of Undisturbed Areas**
- ○ **Preservation of Buffers**
- ○ **Reduction of Clearing and Grading**
- ○ **Locating Development in Less Sensitive Areas**
- ○ **Roadway Reduction**
- ○ **Sidewalk Reduction**
- ○ **Driveway Reduction**
- ○ **Cul-de-sac Reduction**
- ○ **Building Footprint Reduction**
- ○ **Parking Reduction**

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- ● All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- ○ Compacted areas were considered as impervious cover when calculating the **WQv Required,** and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

0.033 **acre-feet**

29. Identify the RR techniques (Area Reduction), RR techniques(Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required(#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

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Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

RR Techniques (Area Reduction)	Total Contributing Area (acres)		Total Contributing Impervious Area (acres)
○ Conservation of Natural Areas (RR-1)		and/or	
○ Sheetflow to Riparian Buffers/Filters Strips (RR-2)		and/or	
○ Tree Planting/Tree Pit (RR-3)		and/or	
○ Disconnection of Rooftop Runoff (RR-4)		and/or	

RR Techniques (Volume Reduction)	
○ Vegetated Swale (RR-5)	
○ Rain Garden (RR-6)	
○ Stormwater Planter (RR-7)	
○ Rain Barrel/Cistern (RR-8)	
○ Porous Pavement (RR-9)	
○ Green Roof (RR-10)	

Standard SMPs with RRv Capacity	
○ Infiltration Trench (I-1)	
○ Infiltration Basin (I-2)	
○ Dry Well (I-3)	
○ Underground Infiltration System (I-4)	
○ Bioretention (F-5)	
○ Dry Swale (O-1)	

Standard SMPs	
○ Micropool Extended Detention (P-1)	
○ Wet Pond (P-2)	
○ Wet Extended Detention (P-3)	
○ Multiple Pond System (P-4)	
○ Pocket Pond (P-5)	
○ Surface Sand Filter (F-1)	
○ Underground Sand Filter (F-2)	
○ Perimeter Sand Filter (F-3)	
○ Organic Filter (F-4)	
○ Shallow Wetland (W-1)	
○ Extended Detention Wetland (W-2)	
○ Pond/Wetland System (W-3)	
○ Pocket Wetland (W-4)	
● Wet Swale (O-2)	0.500

Table 2 - Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)

Alternative SMP	Total Contributing Impervious Area (acres)
○ **Hydrodynamic**	
○ **Wet Vault**	
○ **Media Filter**	
○ **Other**	

Provide the name and manufacturer of the Alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Name

Manufacturer

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29.

Total RRv provided

. **acre-feet**

31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28).

○ **Yes** ○ **No**

If Yes, go to question 36.
If No, go to question 32.

32. Provide the Minimum RRv required based on HSG.
[Minimum RRv Required = (P)(0.95)(Ai)/12, Ai=(S)(Aic)]

Minimum RRv Required

. **acre-feet**

32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?

○ **Yes** ○ **No**

If Yes, go to question 33.
Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

WQv Provided

0.048 **acre-feet**

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).

0.048

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? ● **Yes** ○ **No**

If Yes, go to question 36.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required . **acre-feet**

CPv Provided . **acre-feet**

36a. The need to provide channel protection has been waived because:

● Site discharges directly to tidal waters or a fifth order or larger stream.

○ Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

Pre-Development . **CFS**

Post-development . **CFS**

Total Extreme Flood Control Criteria (Qf)

Pre-Development . **CFS**

Post-development . **CFS**

37a. The need to meet the Qp and Qf criteria has been waived because:

- ● Site discharges directly to tidal waters or a fifth order or larger stream.
- ○ Downstream analysis reveals that the Qp and Qf controls are not required

38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed? ● Yes ○ No

If Yes, Identify the entity responsible for the long term Operation and Maintenance

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required(#28). (See question 32a) This space can also be used for other pertinent project information.

40. Identify other DEC permits, existing and new, that are required for this project/facility.

- ○ Air Pollution Control
- ○ Coastal Erosion
- ○ Hazardous Waste
- ○ Long Island Wells
- ○ Mined Land Reclamation
- ○ Solid Waste
- ● Navigable Waters Protection / Article 15
- ○ Water Quality Certificate
- ○ Dam Safety
- ○ Water Supply
- ○ Freshwater Wetlands/Article 24
- ● Tidal Wetlands
- ○ Wild, Scenic and Recreational Rivers
- ○ Stream Bed or Bank Protection / Article 15
- ● Endangered or Threatened Species(Incidental Take Permit)
- ○ Individual SPDES
- ○ SPDES Multi-Sector GP NYR
- ○ Other
- ○ None

41. Does this project require a US Army Corps of Engineers Wetland Permit? ● **Yes** ○ **No**
If Yes, Indicate Size of Impact. 0.1

42. Is this project subject to the requirements of a regulated, traditional land use control MS4? ○ **Yes** ● **No**
(If No, skip question 43)

43. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI? ○ **Yes** ○ **No**

44. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned. NYR

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Print First Name

MI

Print Last Name

Owner/Operator Signature

Date

/ /

Appendix E

Natural Resource Assessment

Camp Smith Access Control Alteration and Rehabilitation

Cortlandt Manor, Westchester County, New York

Prepared For:

New York State Office of General Services
34th Floor Corning Tower
Albany, NY 12242

January 2015

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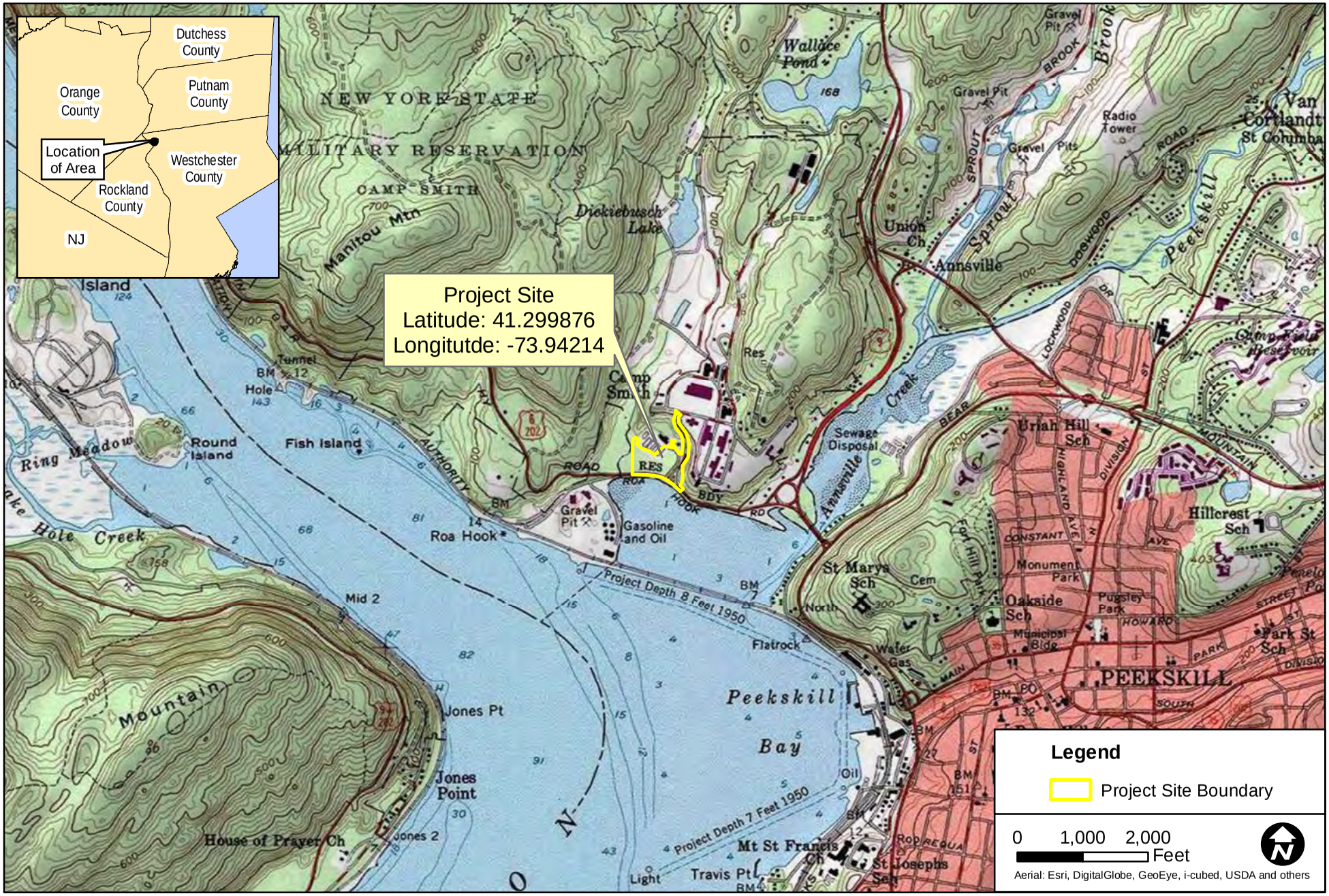
1.Introduction

On behalf of the New York State Office of General Services (OGS), Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR) is preparing environmental documentation for Camp Smith Access Control Point improvements, described below, pursuant to the National Environmental Policy Act (NEPA) for which National Guard Bureau (NGB) will serve as the NEPA lead agency. This report was prepared in support of the NEPA process and environmental permits applications, in order to document natural resource existing conditions at the proposed project site and assess potential impacts to these resources.

The Camp Smith Training Site is located in Cortlandt Manor, Westchester County, New York, adjacent to Putnam Creek (Figure 1). The Site is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. The existing Camp Smith Training Site entrance does not comply with Army standards in regards to safety, security, and traffic flow and does not provide adequate space to satisfy security functional requirements, meet current anti-terrorism and force protection standards, or meet minimum stand-off distances required by the Army. As a result of these deficiencies, the existing access control and entrance layout compromises the mission of the facility and negatively impacts their ability to respond to State and Federal emergencies.

OGS, representing the Division of Military and Naval Affairs (DMNA), has proposed an access control alteration and rehabilitation project for the entrance of the facility. The project consists of a permanent access control point with an approximately 1,680 square foot (sf) control building and 2,950 sf of overhead cover to meet current Army and National Guard regulations and design guidelines. The project also includes rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, fire protection, IT systems, conduits for low voltage wires, and a design for backup power generation would also be provided.

HDR conducted a one-day field investigation to document existing natural resource conditions within the project site that have the potential to be impacted by the project. Resources considered include soils, major hydrologic features (e.g., wetlands and streams), floodplains, ecological communities, and threatened and endangered species and their habitats. Prior to the site visit a list of expected characteristic wildlife and plant species associated with each habitat type was prepared with particular attention focused on identifying habitats of protected species that may occur in the vicinity of the project. In addition, a wetland delineation was performed with the intent to provide a basis for identifying the area of impact to wetlands due to project related activities. The results of the site visit, search of existing available information regarding natural resources at the site and an assessment of potential impacts are provided in this report.



NYARNG and NYS OGS
Camp Smith
Cortlandt Manor, Westchester County, NY

Figure 1
Project Location Map
1/9/2015

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2.Methodology

This section describes the methodology used to complete the wetland and watercourse delineation and threatened and endangered species habitat surveys at the project site. Desktop Review

2.1. Wetlands and Watercourse Delineation

Two wetlands scientists from HDR delineated the boundaries of the wetlands and waters within the project site on July 7 to 8, 2014. Wetlands within the project site were delineated using the three-parameter methodology described in the 1987 United States Army Corps of Engineers (USACE) wetland delineation manual (Environmental Laboratory 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual, Northcentral and Northeast Region (U.S. Army Corps of Engineers 2012). Each distinct wetland and watercourse was given its own letter designation and was marked in the field with consecutively numbered fluorescent flagging tape (e.g. “WL-A1”, “WL-A2”, etc. for wetlands and “WC-A1”, WC-A2” for watercourses). All wetland flags and observation points were surveyed in the field using a Trimble differential global positioning system (DGPS) unit with sub-meter accuracy. All DGPS data were post-processed using Trimble Pathfinder Office software and plotted using ESRI ArcGIS. Due to tidal fluctuations the spatial extents of some open waters were estimated using information collected in the field and aerial imagery.

Field indicators of hydrophytic vegetation, hydric soils, and wetland hydrology were recorded at four observation points located along a line perpendicular to the southern and northern wetland boundaries. Observation points were collected on both sides of the wetland boundary (i.e. on the wetland and upland sides of the boundary), and were used to make the determination of where to locate the wetland line. Soil colors were described using a 2010 Munsell Color Chart.

2.2. Threatened and Endangered Species

Prior to the site visit conducted on July 7 to 9, 2014, a comprehensive list of threatened and endangered species that could utilize the existing wetlands and nearby upland habitats on or adjacent to the project site was developed. Sources of information for this list include the 2000 – 2005 Breeding Bird Atlas, the 1990-2000 Herpetological Atlas, the United States Fish and Wildlife Service (USFWS) Official Species List (OSL) (Appendix A), the NYSDEC Nature Explorer, the New York Botanical Garden Records and NYSDEC Natural Heritage Program (NYNHP) consultation response letter dated August 20, 2014 (Appendix A).

A total of 43 species were identified as potentially occurring within the project vicinity based on Herpetological Atlas results. This includes the NYS listed special concern species, spotted turtle (*Clemmys guttata*), and the NYS listed threatened species, timber rattlesnake (*Crotalus horridus*). No federal listed species were identified. A total of 107 Breeding Bird species were identified based on the 2000 to 2005 Breeding Bird Atlas Program results, within block 5857C, that encompasses the project site. This included 8 possible, 25 probable and 74 confirmed breeding. Of the breeding birds, no federally listed species were identified. Several state listed bird species were found to occur within or in the vicinity of the project site. A list of species identified is provided in Table 3.

Based on the list of threatened and endangered species potentially occurring within the project site and agency consultation a Phase I Summer Habitat Survey was conducted for Indiana bat (*Myotis soldalis*) and northern long-eared bat (*Myotis septentrionalis*). Bald eagle (*Haliaeetus leucocephalus*) roosting and nesting habitat and New England cottontail rabbit (*Sylvilagus transitionalis*) habitat was also documented. The survey methods for each species are outlined below.

2.2.1. Indiana Bat and Northern Long-Eared Bat

The potential for Indiana bat and northern long-eared bat habitat was identified in the USFWS OSL. The Indiana bat is listed as endangered in New York State and Federally endangered. No Indiana bat maternity or wintering colonies were identified in the NYNHP response letter dated August 20, 2014 and NYNHP currently has no records for northern long-eared bat habitat. Based on the fact that the habitat characteristics for both species overlap significantly, it was assumed for the purposes of this report that potential northern long-eared bat habitat is likely present in all areas where Indiana bat habitat was identified.

Suitable summer habitat for Indiana and northern long-eared bats consists of a variety of woodland habitats where individuals can roost, forage, and travel, as well as surrounding non-forested habitats, such as open fields and emergent wetlands. Potential roost trees can occur in forested areas consisting of live trees and/or dead snags greater than three inches in diameter at breast height (dbh) for northern long-eared bats and five inches dbh for Indiana bat with exfoliating bark, cracks, crevices, and/or hollows. Roost trees can also be present in linear features such as fencerows, riparian forests, and other wooded corridors (USFWS 2014a and 2014b). The northern long-eared bat, being a more opportunistic species, will also utilize manmade buildings and structures such as barns as roosting habitat in addition to trees (USFWS 2014b).

Phase I Indiana bat summer habitat surveys were conducted following the procedures outlined in the “2014 Range-wide Indiana Bat Summer Survey Guidelines” (USFWS 2014a) and summer habitat for northern long eared bat was identified using the Northern Long-Eared Bat Interim Conference and Planning Guidance (USFWS 2014b).

In accordance with the guidelines, potential roost trees, foraging habitat, water features, travel corridors, man-made structures and adjacent landscapes were evaluated to determine the presence of potential Indiana bat and northern long-eared bat summer habitat. As part of the survey, trees and dead snags greater than three inches dbh and exhibiting features such as exfoliating bark, cracks, crevices, and/or hollows were determined to be potential Indiana and northern long-eared bat summer roost trees. Potential foraging habitat was determined by the presence of streams and/or waterbodies, as well as canopy trees and open fields where insects are abundant. Adjacent properties were surveyed for landscape and the presence of travel corridors using aerial images and field observations. Man-made structures providing potential northern long-eared bat habitat were also identified.

Trees within the project site with dbh greater than three inches and appropriate bark characteristics were determined to be potential roost trees, and were located using a Trimble

global positioning system (GPS) unit with sub-meter accuracy. GPS data were later post-processed using Trimble Pathfinder Office software and plotted using ESRI ArcGIS.

2.2.2. Bald Eagle

The bald eagle population in New York State has been steadily increasing in recent years at breeding sites, wintering roost locations, and migratory/wintering counts. The bald eagle is listed as threatened in New York State and is Federally protected under the Bald and Golden Eagle Protection Act. As indicated in the information request response letter from NYNHP dated August 20, 2014, breeding and nonbreeding bald eagles have been documented within a half mile of the project site.

A desktop review of bald eagle nesting and nonbreeding habitat characteristics indicates that roosting habitat consists of large perch trees near open water, where individuals can sit and observe their prey. Bald eagles are an opportunistic species that feed primarily on fish, waterfowl, and carcasses of deer and other animals, but will also feed on small mammals and reptiles. Potential foraging areas consist of forested shorelines adjacent to reservoirs or rivers, areas below dams, and other areas where food resources are abundant. Nesting habitat typically consists of a “supercanopy” tree that is taller than the surrounding trees where a large nest can be built (Beans and Niles 2003 and USFWS 2007). No bald eagle nests or foraging habitat was identified within the project site.

2.2.3. New England Cottontail Rabbit

The USFWS OSLs identify the New England cottontail rabbit as occurring within Westchester County, however, this species was not identified as occurring within or in the vicinity of the project site in the NYNHP response letter dated August 20, 2014. The New England cottontail rabbit is listed as a Federal candidate species and a species of special concern in New York State. A desktop review of New England cottontail rabbit habitat characteristics indicate that New England cottontail rabbits require large patches of habitat consisting of heavy shrub vegetation offering cover, protection, and food during winter months. Preferred twig densities are approximately 20,000 woody twigs per acre, or the equivalent of about 46 stems in a 10-foot square area. The species composition of the woody twigs within the habitat is of lesser importance than the twig density (USFWS and NRCS 2011 and Arbuthnot 2008). While twig counts were not performed within the project site, very dense areas of shrub communities were identified and noted as potential habitat. These locations were then delineated and plotted using aerial imagery in ESRI ArcGIS.

3.Results and Discussion

Site visits to document the existing conditions at the project site were conducted on July 7 to 9, 2014. Ecological communities identified at the site include shallow emergent marsh, tidal creek, floodplain forest, successional northern hardwood forest, mowed lawn and paved road/path (Edinger et al. 2002). This section describes the results of the desktop review of available information that was conducted prior to the site visit as well as the results of field surveys.

3.1. Wetlands and Watercourses

The results of the desktop review indicate that a NYSDEC classified stream is present to the west of the project site (Figure 2). The stream is Putnam Creek and is classified as a Class SC/C water. Class SC is a saline surface water best used for secondary contact recreation and fishing and is suitable for fish, shellfish, and wildlife propagation and survival. Class C is a fresh surface water best used for fishing and is suitable for fish, shellfish, and wildlife propagation and survival, as well as primary and secondary contact recreation, although other factors may limit the use for these purposes. NYSDEC wetlands, adjacent areas, or check zones were not identified within or adjacent to the project site (Figure 2). The NWI maps identify one estuarine and marine wetland with Cowardin classification E2EM1P6 (estuarine, intertidal, emergent, persistent, irregularly flooded, oligohaline) (Cowardin 1979) along the southern portion of the project site and estuarine and marine deepwater with Cowardin classification E1UBL6 (estuarine, subtidal, unconsolidated bottom, subtidal, oligohaline) (Figure 2). The project site is located within the Lower Hudson watershed (Hydrologic Unit Code 02030101).

A wetland delineation was conducted on July 7 to 8, 2014 by two HDR scientists. One wetland (Wetland A) and one watercourse (Watercourse A) were identified within the project site. The delineated boundary of Wetland A and Watercourse A are depicted in Figure 3. Dominant plant species identified at four discrete sampling points, two within the wetland and two within the adjacent upland, area are listed in Table 1. Datasheets for the sampling points are provided in Appendix B.

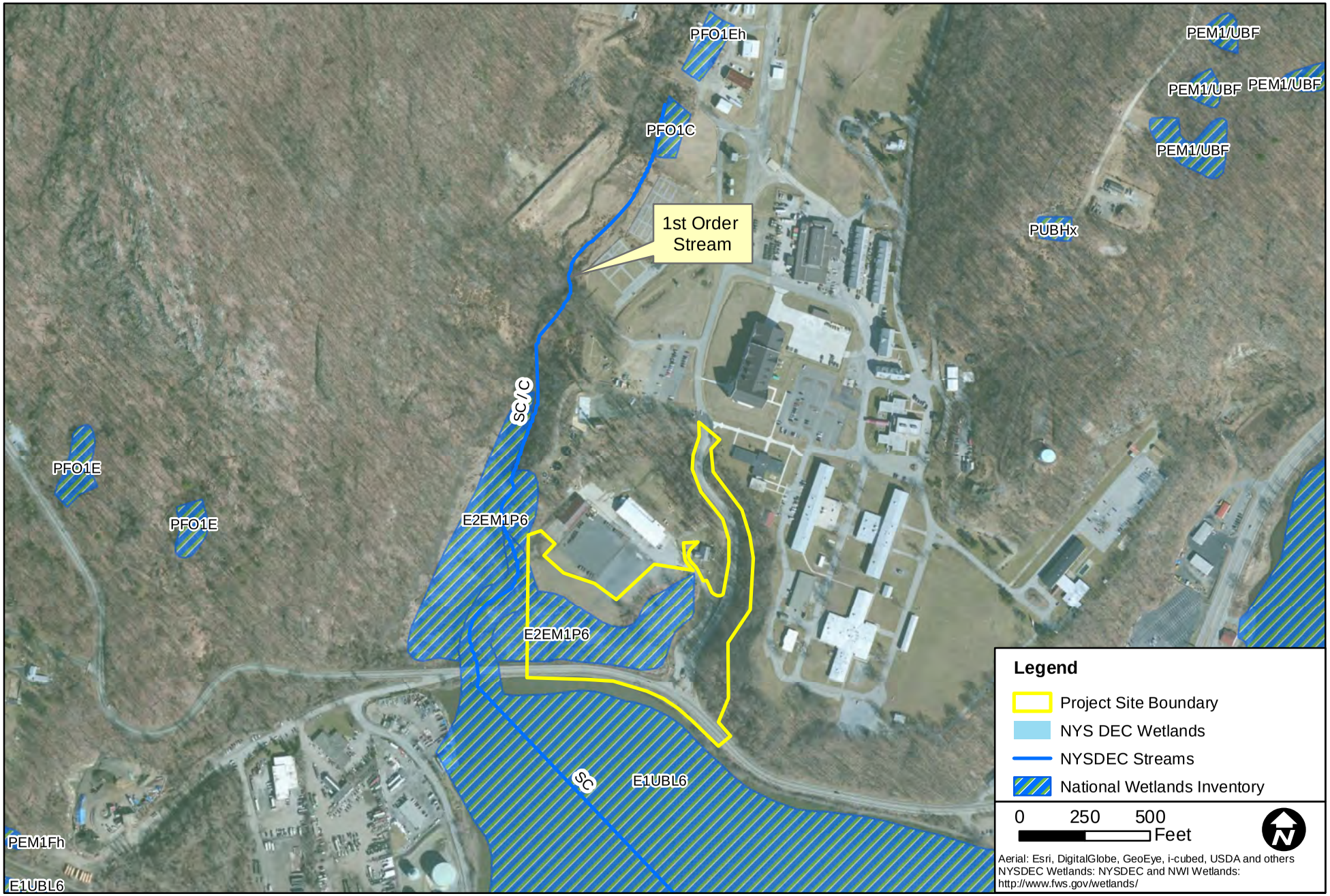
Table 1. Wetland Indicator Status of Dominant Species Identified within Wetlands and Uplands

Common Name	Scientific Name	Wetland Indicator[1,2]
Common reed	*Phragmites australis*	FACW
False indigo bush	*Amorpha fruticosa*	FACW
Japanese honeysuckle	*Lonicera japonica*	FACU
Mugwort	*Artemisia vulgaris*	UPL
Oriental bittersweet	*Celastrus orbiculatus*	UPL
Canada rush	*Juncus canadensis*	OBL
Red clover	*Trifolium pratense*	FACU
Stickywilly	*Galium aparine*	FACU

[1] OBL-Obligate Wetland, FACW-Facultative Wetland, FAC-Facultative, FACU-Facultative Upland, UPL-Obligate Upland

[2]Wetland indicator status based on the USACE 2014 National Wetland Plant List (NWPL) Dominance determined using 50/20 rule, as outlined in 1987 United States Army Corps of Engineers (USACE) wetland delineation and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual, Northcentral and Northeast Region

Wetland A is approximately 3.12 acres in size within the project review area and extends to the west and north, outside of the project site. The wetland directly abuts Putnam Creek, a traditionally navigable waterway (TNW), to the west of the project site. It also directly abuts an



NYARNG and NYS OGS
Camp Smith
Cortlandt Manor, Westchester County, NY

Figure 2
NYSDEC Wetlands and NWI Map
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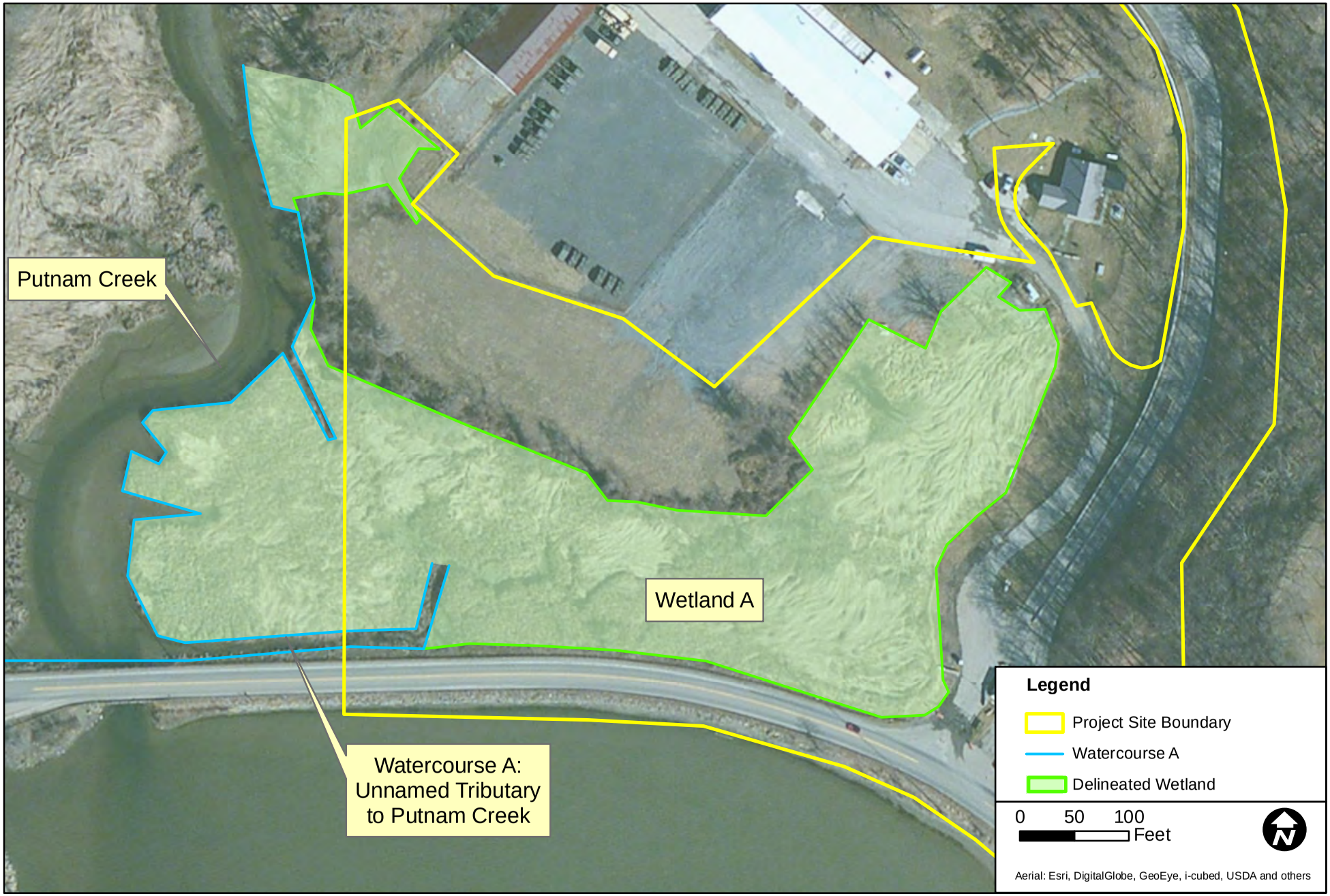

NYARNG and NYS OGS
Camp Smith
Cortlandt Manor, Westchester County, NY

Figure 3
Delineated Wetlands and Watercourses Map
1/9/2015

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unnamed tributary to Putnam Creek within the project site, along its southern border. The unnamed tributary to Putnam Creek is a tidal watercourse (Watercourse A) and TNW that is approximately 0.05 acres in size within the project site. The wetland has a Cowardin classification of E2EM1V (estuarine, intertidal, emergent, persistent, permanent tidal) and PEM1B (palustrine, emergent, persistent, saturated). A small area of forested wetland classified by HDR as PFO1 (palustrine, forested, broad-leaved deciduous) was also present along the northwestern boundary of Wetland A.

The hydrology of Wetland A is predominantly driven by tides in the southern estuarine portion of the wetland and by freshwater seeps observed entering the wetland along its northeastern and northwestern boundaries. In most areas of the wetland, the boundary was defined by a distinct change in elevation and abrupt change in ecological community.

Watercourse A is identified as an unnamed tributary to Putnam Creek. Watercourse A is a tidal creek that drains Wetland A. It flows from east to west into Putnam Creek, which then flows into Annsville Creek and the Hudson River. Watercourse A has a Cowardin classification of R1UB3 (riverine, tidal, unconsolidated bottom, mud). The watercourse flows approximately 140 linear feet and 0.05 acres within the project site. According to 33 CFR 329.4, navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Because Watercourse A is subject to the ebb and flow of the tide, it is considered a TNW.

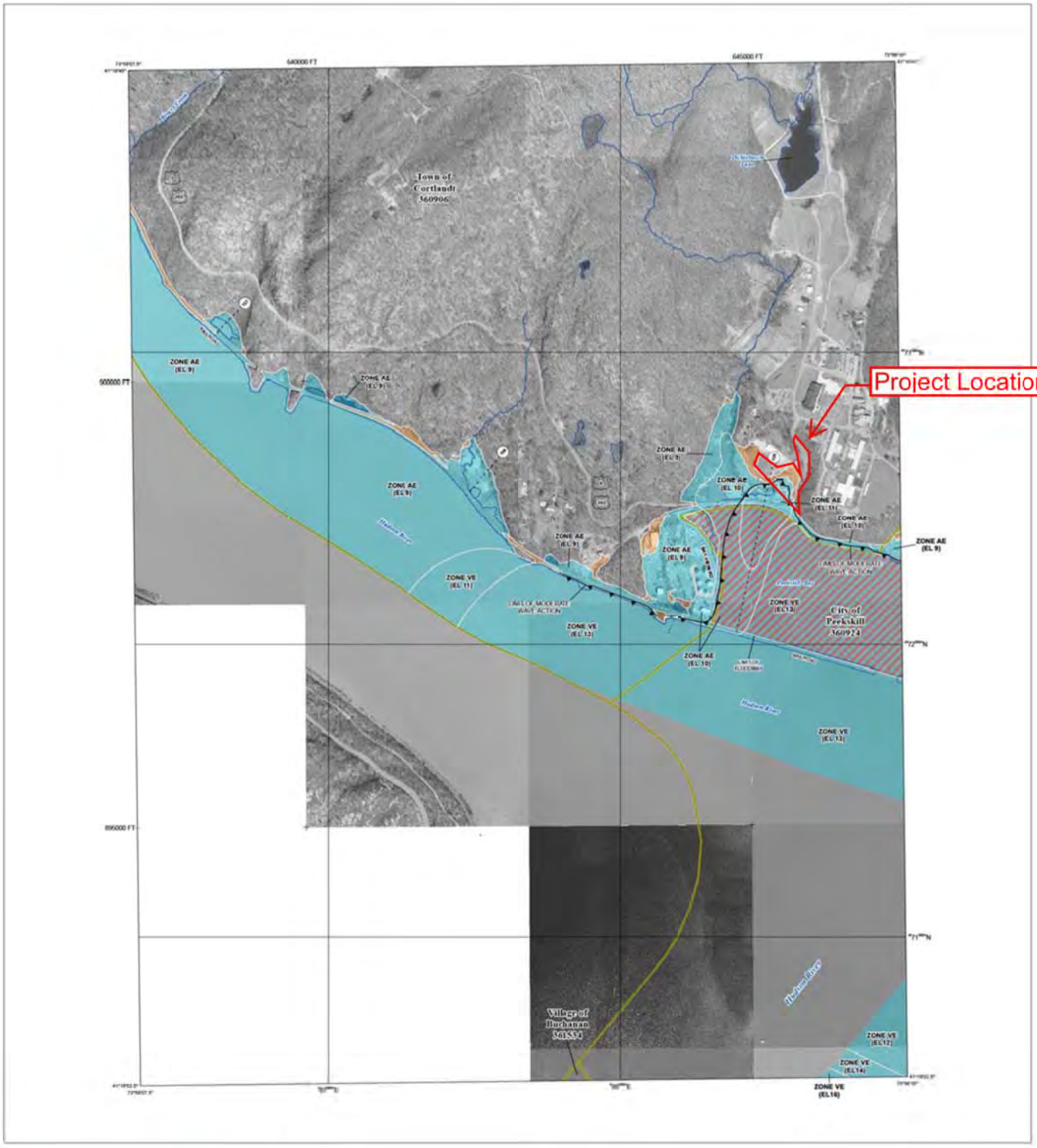
Impacts to Wetland A are anticipated as a result of the entrance road expansion and the construction of the retaining wall. These impacts have been minimized to the furthest extent practicable and are limited to an area of 0.081 acres. A 1:1 mitigation ratio for palustrine emergent wetlands has been established by OGS and the USACE to mitigate these impacts. A mitigation plan to improve flood storage within the watershed has also been developed to compensate for all impacts to wetlands. The mitigation area is located adjacent to Wetland A and consists of grading and planting with native vegetation to allow for flushing and flood retention.

3.2. Floodplains

Federal Emergency Management Agency (FEMA) floodplain maps were investigated and showed that the majority of the southern low lying tidal portion of the project site is within Zone AE (Figure 4). Zone AE is defined as an area subject to inundation by the one percent annual chance flood event, generally referred to as the 100-year floodplain. The remainder of the project site is within Zone X, which is an area of “minimal flood hazard.” Minimal impacts to the floodplain are anticipated as impervious surfaces would increase as a result of the project. These impacts would be minimized with the proposed wetland mitigation located on the project site. The wetland mitigation is designed to provide flood storage within the watershed.

3.3. Soils

The USDA Custom Soil Resource Report for Westchester County generated using the Web Soil Survey (WSS) indicates that the majority of soils within the project site consist of the Ipswich



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTP://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, A, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee See Notes Zone X

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard Zone X
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall
- 16.2 / 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
- Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- Base Flood Elevation Line (BFE)

OTHER FEATURES
- Limit of Study
- Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided in digital format by New York State Cyber and Critical Infrastructure. This information was derived from digital orthophotography at a 1:2,1 foot ground resolution from imagery flown in April 2013.

LIMIT OF MODERATE WAVE ACTION: Zone AE has been divided by a Limit of Moderate Wave Action (LiMWA). The LiMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LiMWA (or between the shoreline and the LiMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Limit of Moderate Wave Action (LiMWA)

SCALE

Map Projection: Universal Transverse Mercator Zone 18N; North American Datum 1983; GRS 1980 Spheroid; North American Vertical Datum of 1988

1 inch = 500 feet 1:6,000

0 500 1,000 2,000 Feet

0 130 260 520 Meters

PANEL LOCATOR

* PANEL NOT PRINTED

FEMA

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

WESTCHESTER COUNTY, NEW YORK
All Jurisdictions

PANEL 12 OF 426

FEMA

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
BUCHANAN, VILLAGE OF	361534	0012	G
CORTLANDT, TOWN OF	360936	0012	G
PEEKSKILL, CITY OF	360924	0012	G

Figure 4
FEMA Map

PRELIMINARY
DECEMBER 8, 2014

VERSION NUMBER
2.2.2.1

MAP NUMBER
36119C0012G

MAP REVISED

NYARNG and NYS OGS
Camp Smith
Cortlandt Manor, Westchester County, NY

Figure 5
Soil Map
1/9/2015

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mucky peat soil map unit followed by Riverhead loam and small areas of other urban or disturbed soils (Table 2). Soils within the project site are depicted in Figure 5 and the soil report is provided in Appendix C. Ipswich mucky peat consists of 85% Ipswich and similar soils and 15% other minor components. Ipswich soils are very poorly drained and are found in tidal marshes. The soil consists of peat and mucky peat that originates from organic material in a tidal marsh. Riverhead loam consists of 85% Riverhead and similar soils with 15% other minor components. Riverhead soils are found on terraces and deltas, consisting of loam at the surface with layers of sandy loam and loam sand beneath. The soil is well drained and originates from loamy glaciofluvial deposits overlying stratified sand and gravel (Soil Survey Staff 2014). Udorthents, wet substratum soils are somewhat poorly drained and consist of gravelly loam and very gravelly loam profiles. Urban land soils consist of 85% urban land with 15% other minor components.

Table 2. Soils within the Project Site

Soil Map Unit Symbol	Soils Map Unit Name	Hydric Rating[2]
Ip	Ipswich mucky peat	Predominantly Hydric
RhE	Riverhead loam, 25 to 50% slopes	Nonhydric
Uc	Udorthents, wet substratum	Predominantly Nonhydric
Uf	Urban land	Nonhydric
[1]Hydric = 100%, Predominantly Hydric = 66-99%, Partially Hydric = 33-65%, Predominantly nonhydric = 1-32%, nonhydric = 0%		

The proposed project would result in minor modifications to on-site soils resulting from the roadway expansion, construction of the retaining wall and grading activities. Overall soil conditions however, would not change and therefore no significant adverse impacts to the existing soils within project site are anticipated.

3.4. Threatened and Endangered Species

On July 8 to 9, 2014, HDR conducted a site survey to identify potential habitat for threatened and endangered species located within the project vicinity. A described in Section 2.3, a comprehensive list of threatened and endangered species documented as potentially occurring in proximity to the project site was developed prior to the site visit (Table 3). This list is based on agency consultation and a desktop review of existing available information, and includes associated habitat type and presence of this habitat type within the project site. Datasheets for the Phase I Indiana Bat Summer Habitat Survey and Photos are provided in Appendix D.

Indiana Bat

The New York Indiana bats hibernate from mid October to early April, when they emerge from hibernacula, which includes suitable mines and caves. Males disperse and remain solitary until mating season at the end of the summer. Pregnant females form maternity colonies where gestation, birth, nursing/lactation, and rearing young occur. Roosting sites are usually under loose bark or in the crevices of trees. Tree availability, diameter, altitude, bark characteristics, condition/damage, and solar exposure appear to be important factors in roost site selection.

Table 3. Summary of Habitat Requirements for Endangered, Threatened, Rare, and Special Concern Wildlife Species

Common Name	Scientific Name	Species Status	Associated Habitat Type	Presence of Habitat within LOD
Indiana Bat[1]	*Myotis sodalis*	FE, NYE	Hibernacula include suitable mines and caves. Roosting sites usually under loose bark or in the crevices of live or dead trees that are 5 inches or more in dbh[6]	Project avoids associated habitat types
Northern long-eared bat[1]	*Myotis septentionalis*	FPE	Hibernacula include suitable mines and caves. Roosting sites usually under loose bark or in the crevices of live or dead trees that are 3 inches or more in dbh and manmade structures such as barns and bridges[6]	Project avoids associated habitat
New England Cottontail rabbit[1]	*Sylvilagus transitionalis*	FC	Early succession habitat with dense vegetation generally associated with abandoned agricultural fields, wetlands, clear cuts of woodlands, utility ROW[6]	Project avoids associated habitat
Least Bittern[2]	*Ixobrychus exilis*	NYT	Brackish marshes with tall emergent vegetation[5]	Project avoids associated habitat
Osprey[2]	*Pandion haliaetus*	NYSC	Bodies of water including saltmarshes, rivers, ponds, reservoirs, estuaries, and coral reefs[5]	Project avoids associated habitat
Bald Eagle[2]	*Haliaeetus leucocephalus*	NYT, BGEPA	Large open water areas near roost sites[6]	Project avoids associated habitat
Cooper's Hawk[2]	*Accipiter cooperii*	NYSC	Forest and woodlands, leafy suburbs, parks, quiet neighborhoods, over fields[5]	Project avoids associated habitat
Red-shouldered Hawk[2]	*Buteo lineatus*	NYSC	Deciduous woodlands near open rivers and swamps[5]	Project avoids associated habitat
Peregrine Falcon[2]	*Falco peregrinus*	NYE	Open country, open forest and tall buildings or bridges[5]	Project avoids associated habitat
Cerulean Warbler[2]	*Dendroica cerulea*	NYSC	Breeds in forests with tall deciduous trees and open understory, winters in broad-leaved, evergreen forests[5]	Project avoids associated habitat
Yellow-breasted Chat[2]	*Icteria virens*	NYSC	Dense second-growth, riparian thickets, and brush[5]	Project avoids associated habitat
Atlantic sturgeon[3,4]	*Acipenser oxyrinchus*	FE, NYE	Large coastal plain rivers[6]	Project avoids associated habitat
Shortnose sturgeon[4]	*Acipenser brevirostrum*	FE, NYE	Large coastal plain rivers[6]	Project avoids associated habitat

[1] U.S. Fish and Wildlife Service Official Species List generated for the project site on November 12, 2014.
[2] 2000-2005 Breeding Bird Atlas results
[3] New York Nature Explorer, accessed December 16, 2014
[4] Documented within 0.5 miles of the project site based on a NYNHP response letter dated August 20, 2014
[5] Cornell Lab of Ornithology, All About Birds Bird Guide
[6] Habitat references included within species description text below

NYT – NY State Threatened, NYE – NY State Endangered, NYSC – NY State Special Concern
FT – Federally Threatened, FE – Federally Endangered, FC – Federal Candidate Species, FPE – Federally Proposed Endangered
BGEPA – Bald and Golden Eagle Protection Act

Large shagbark hickory and black locust provide suitable crevices for the bats to roost between and under bark; other tree species need to be damaged and/or dying before suitable crevices develop. In addition to suitable crevices, the amount of solar exposure needed to warm the crevices is important. Indiana bats often roost near forest gaps or edges where trees receive direct sunlight for much of the day. Summer foraging habitat includes riparian, wetland, bottomland/floodplain, and fragmented upland forests with openings as well as agricultural areas (USFWS 2004).

During autumn, Indiana bats mate and develop fat stores in preparation for winter hibernation. Hibernacula are typically in caves or abandoned mines where ambient temperatures remain above freezing. Overwintering bats are highly sensitive to disturbances and easily aroused, resulting in increased energy depletion (USFWS 2004).

An Indiana Bat Phase I Summer Habitat Survey was conducted on July 8 and 9, 2014, in accordance with 2014 Rangewide Indiana Bat Summer Survey Guidance. Potential Indiana bat summer roosting trees were identified and located within the forested areas of the project site to the west and east of the existing entrance road but generally outside of the limit of disturbance (Figure 6).

Minimal impacts to potential Indiana bat habitat and no impacts to Indiana bats are anticipated as a result of project. Nearly all potential habitat trees identified at the project site are located outside of the limit of disturbance and therefore are not anticipated to be impacted. Additionally, tree clearing within the project site would be conducted during a work window from October 1 to March 31, when the Indiana bat is hibernating and not utilizing potential habitat in the area. These tree removal restrictions would be incorporated in the project schedule to avoid potential impacts to the species.

Northern Long-eared Bat

The northern long-eared bat was proposed for listing as endangered under the Endangered Species Act in October 2013. Species habitat requirements are very similar to those of the Indiana bat. The species roosts singly or in colonies in cavities, underneath bark, crevices, or hollows of live or dead trees that are three inches or more in dbh. These bats are opportunistic and will also roost in man-made structures including barns and sheds and bridges. Foraging habitat includes upland and lowland woodlots, tree-lined corridors and open water areas (USFWS 2014b). Currently, NYNHP does not have records of northern long-eared bat summer roosting or maternity colony habitats to assist in determining the presence of this species or its habitat in proximity to the project site.

A northern long-eared bat summer habitat survey was conducted on July 8 and 9, 2014, in accordance with 2014 Rangewide Indiana Bat Summer Survey Guidance. Because the summer roosting habitat requirements of both Indiana bat and northern long-eared bat species are similar, information from the Indiana Bat Phase I Summer Habitat Survey (i.e. snags, tree dbh, trees with appropriate bark for roosting, foraging habitat, etc.) datasheets was used to determine the presence/absence of northern long-eared bat habitat. In addition, manmade structures with potential roosting habitat were also noted. The results of the survey indicate that

NYARNG and NYS OGS
Camp Smith
Cortlandt Manor, Westchester County, NY

Figure 6
Threatened and Endangered Species Habitat
1/9/2015

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northern long-eared bat summer roosting habitat is present within the forested areas of the project site to the west and east of the existing entrance road but generally outside of the limit of disturbance (Figure 6). Minimal impacts to potential northern long-eared bat habitat and northern long-eared bats as a result of the project are anticipated as part of the project. Nearly all potential habitat trees identified at the project site are located outside of the limit of disturbance and therefore are not anticipated to be impacted. Additionally, tree clearing within the project site would be conducted during a work window from October 1 to March 31, when bats are hibernating and not utilizing potential roost trees in the area. These tree removal restrictions would be incorporated in the project schedule to avoid potential impacts to the species.

New England Cottontail Rabbit

New England cottontail rabbits require large patches of habitat consisting of heavy shrub vegetation offering cover, protection, and food during winter months. Preferred twig densities are approximately 20,000 woody twigs per acre, or the equivalent of about 46 stems in a 10-foot square area. This species prefers early succession habitat with dense vegetation generally associated with abandoned agricultural fields, wetlands, clear cuts of woodlands, utility ROW, and other disturbed areas with shrubs and early successional vegetation (USFWS and NRCS 2011 and Arbuthnot 2008). New England Cottontail habitat consisting of thick shrubby areas was observed during site visits conducted on July 8 and 9, 2014 to the west and east of the existing entrance road (Figure 5). No impacts to potential New England cottontail rabbit habitat are anticipated as habitat areas are identified outside of the limit of disturbance.

Bald Eagle

The bald eagle population in New York State has been steadily increasing in recent years at breeding sites, wintering roost locations, and migratory/wintering counts (NYSDEC 2010). The NYSDEC lists the bald eagle as threatened in New York State and Federally protected under the Bald and Golden Eagle Protection Act. A NYNHP response letter dated August 20, 2014 indicated that breeding and non-breeding bald eagles are known to exist within 0.5 miles of the project site. Additional correspondence with NYNHP indicated that a bald eagle nest is located between 0.4 and 0.5 miles from the project site. Typically, bald eagles build large nests in “supercanopy” trees that are taller than others in the vicinity. Roosting and foraging habitat consists of large perch trees along forested shorelines near open water, areas below dams, and other areas where food resources are abundant, where individuals can sit and observe their prey (Beans and Niles 2003 and USFWS 2007).

During the site visits conducted July 7, 8 and 9, 2014, no potential nesting trees, nests or foraging areas were observed within the project site. However, potential roost trees and foraging habitat may be present to the west of the project site, along the edge of a large forested area that abuts the western edge of Putnam Creek. The nest location and potential foraging habitats identified in the vicinity of the project site are well beyond the recommended buffer restriction of 660 feet for bald eagle nests as established by USFWS guidelines and therefore, no impacts to bald eagles are anticipated.

Atlantic and Shortnose Sturgeon

The shortnose sturgeon primarily lives in large coastal plain rivers and rarely ventures into the ocean. As water temperatures rise in the spring the species migrates to upstream reaches to spawn. Young fish drift downstream to brackish water (USFWS 2003, NMFS 2014). Atlantic sturgeon is an estuary-dependent, anadromous species that spend considerable amounts of their lifespan in coastal waters and estuaries. Similar to shortnose sturgeon, the species migrates upstream to spawn in freshwater reaches of large rivers; however larvae migrate downstream to estuarine waters where, as juveniles, they can reside for months or years (NMFS 2014). The sturgeon are known to migrate in areas of the Hudson River at it's confluence with Annsville Creek. Given that the species utilize upstream reaches of rivers to spawn, potential spawning habitat may be present within Putnam Creek and the unnamed tributary to Putnam Creek located within the project site delineated as Watercourse A.

No in-water work within Putnam Creek or its unnamed tributary is required for access control alterations and rehabilitation activities. Therefore there would be no direct impacts to shortnose sturgeon and Atlantic sturgeon. No significant water quality impairments are anticipated during construction as all applicable erosion and sediment control measures and BMPs would be put in place prior to the commencement of construction activities. Therefore, no indirect impacts to Atlantic or Shortnose sturgeon are anticipated as a result of the project.

Anadromous Fish Concentration Area

An anadromous fish concentration area exists from Hudson River Mile 44-56. The habitat is a 12 mile section of deep, turbulent, narrow river. While not listed by New York State as endangered or threatened, this area is of conservation concern to the state, and is considered rare by the NYNHP. Likely species of interest include American shad (*Alosa sapidissima*), alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), striped bass (*Morone saxatilis*), and the above-stated shortnose sturgeon.

American shad spend most of their life at sea as a schooling fish, with immature and adult fish traveling together. American shad adults are primarily found in the tidal freshwater areas of the Hudson River during their spawning runs, beginning as early as March and lasting as late as June. Post-spawning movements keep the adults in the estuary until September, before they migrate back to marine waters (Talbot 1954, Able and Fahay 2010, ASMFC 2012).

Adult alewives enter the NY/NJ Harbor between late February and mid March moving upstream to spawn in freshwater tributaries in relatively shallow water with slow currents (Schmidt et al. 1988, Everly and Boreman 1999). Alewives typically spawn three to four weeks before blueback herring (Loesch 1987 in ASMFC 2009). The species enters tributary spawning streams of the Hudson River during early April when water temperatures rise (Kahnle and Hattala 2010). Post-spawning adults quickly return downstream (Collette and Klein-MacPhee 2002 in ASMFC 2009).

Similar to alewife, blueback herring are present in coastal ocean waters prior to entering estuaries on their annual spawning runs during the spring (Schmidt et al. 1988). Preceding the spawning run, adult blueback herring stage in estuaries at the mouth of natal rivers in March and early April when water temperatures are approximately 4-9 °C (Loesch and Lund 1977, Able and Fahay 2010).

Adult striped bass are present in coastal ocean waters of New York and New Jersey in March before entering estuaries (Able and Fahay 2010). Striped bass are demersal and may be present in the Hudson-Raritan Estuary all year with adults primarily occurring from early March through early September (spawning in fresh waters from late April to June followed by post-spawning movements). Striped bass move upstream and spawn in the Hudson River above the salt front (Secor and Houde 1995) during April and May (Waldman et al. 1990).

The Anadromous Fish Concentration Area is located within the Hudson River downstream of the project site. As indicated above, no in-water work is anticipated within Putnam Creek and its unnamed tributary and all applicable BMPs and soil erosion and sediment control measures would be utilized to minimize stormwater runoff and water quality impairments. Therefore, the project is not anticipated to result in impacts to the Anadromous Fish Concentration Area.

Rare Plants

No federally protected plant species have been identified in the OSL and no species were documented by NYNHP to occur within the vicinity of the project site. A search of available information on threatened, endangered or rare plant species was performed and indicates that seven plant species listed in New York State have historic or recent records within or in the vicinity of the project site (Table 4).

Several species identified in Table 4, including spongy arrowhead, saltmarsh bulrush and welsh mudwort require habitats consisting of tidal wetlands or rivers which are present within the project site. No impacts to tidal rivers are proposed as part of the project and impacts to wetlands would less than one-tenth of an acre. The wetland community within the project site is dominated by a dense stand of common reed and these species were not observed during the site visit. Therefore, no impact to threatened endangered or rare plant species are anticipated as a result of the project.

Table 4. Summary of Habitat Requirements for Endangered, Threatened, and Rare Plant Species

Common Name	Scientific Name	Species Status	Growing Season	Associated Ecological Community	Associated Habitat at Project Site
Downy Wood-mint[1]	*Blephilia ciliata*	NYE	Flowers mid-June to mid-October[5]	Calcerous cliff community, calcareous red cedar barrens, calcareous talus slope woodland, limestone woodland, northern white cedar rocky summit, rich graminoid fen[5]	Project avoids associated habitat type.
Globe-fruited Ludwigia[2]	*Ludwigia sphaerocarpa*	NYT	Flowers early July to August, fruits early July to October[5]	Coastal plain pond, coastal plain pond shore, pine barrens shrub swamp[5]	Project avoids associated habitat.
Spongy Arrowhead[3]	*Sagittaria montevidensis var. spongiosa*	NYT	Vegetative June to mid-September, flowers early August to mid-September, fruits mid-August to mid-September[5]	Brackish intertidal mudflats, brackish tidal mudflats, brackish tidal marsh, freshwater intertidal mudflats, freshwater tidal marsh[5]	Freshwater tidal marsh
Virginia False Gromwell[1]	*Onosmodium virginianum*	NYE	Flowers mid-May to mid-July, fruits mid-July to early November[5]	Calcareous red cedar barrens, maritime grassland[5]	Project avoids associated habitat types.
Saltmarsh bulrush[4]	*Bolboschoenus novae-angliae*	NYE	Flowers July to mid-August, fruits early August to late October[6]	Brackish tidal marsh, tidal river[6]	Tidal river
Welsh mudwort[4]	*Limosella australis*	NYR	Flowers July to October[5]	Fresh to brackish shores and wet sands. Tidal wetland (non-forested, wetland)[5]	Tidal Wetland
Yellow flatsedge[4]	*Cyperus flavescens*	NYE	Fruits mid-July to mid-September[5]	Coastal plain pond shore, high salt marsh, Unpaved road/path[5]	Project avoids associated habitat types.

[1]Possible but not confirmed, according to the New York Nature Explorer, accessed December 16, 2014
[2]Historically confirmed, according to the New York Nature Explorer, accessed December 16, 2014
[3]Recently confirmed, according to the New York Nature Explorer, accessed December 16, 2014
[4]New York Botanical Garden, Threatened and Endangered Plants, 2007
[5]NYNHP ACRIS Guide, http://www.acris.nynhp.org/ . Site accessed 12/18/2014
[6]Maine Department of Agriculture, Conservation and Forestry. http://www.maine.gov/dacf/mnap/features/limaus.htm . Site accessed 12/18/2014.

NYT – New York Threatened NYE – New York Endangered NYR – New York Rare

4. Conclusion

As described in the previous sections several sensitive resources including soils, floodplains, wetlands and watercourses and threatened, endangered or rare species habitats have been identified within the proposed project site. To avoid and minimize potential impacts to these resources construction activities will be conducted within designated work windows using all applicable best management practices (BMPs) to ensure any potential impacts are avoided or minimized to the greatest extent practical.

Proposed BMPs during project construction include structural features such as silt fencing, a stabilized construction entrance and a catch basin. The storm drainage flow patterns will continue to drain in the current manner in which all drainage in the area is collected via catch basins and piped to outfall toward the existing wetland area on site. A Wet Swale will be constructed to treat the water quality volume from the project to the west of the proposed road expansion area and was designed using best management practice procedures outlined in the New York State Department of Environmental Conservation (NYSDEC) Stormwater Design Manual, State Pollutant Discharge Elimination System (SPDES) and National Pollutant Discharge Elimination System (NPDES).

In order to minimize potential impacts to listed threatened, endangered and rare species, temporal restrictions on certain construction activities will be put in place. Activities such as tree clearing within the project site would be conducted during a work window from October 1 to March 31, when the Indiana bat and northern long-eared bat are hibernating and not utilizing potential roost trees. These tree removal restrictions would be incorporated in the project schedule to avoid potential impacts to the species. Work restrictions are also in place for work in sturgeon spawning and migration areas. However, because no in-water work is proposed as part of the project and all applicable BMPs including silt fencing and stabilized construction entrances would be utilized to prevent sediment from entering adjacent wetlands and watercourses, no impacts to these species are anticipated as a result of the project and no work restrictions are necessary.

Impacts to wetlands have been minimized to the furthest extent practicable and are limited to an area of 0.081 acres. Because impacts are below one-tenth of an acre, a mitigation ratio of 1:1 for palustrine emergent wetlands has been established by OGS and the USACE. A 0.081 acre wetland mitigation area is proposed as part of the project compensate for wetland impacts and provide additional flood storage within the watershed.

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APPENDIX A

AGENCY CONSULTATION

July 2, 2014

NY Natural Heritage Program - Information Services
NYS DEC
625 Broadway, 5th Floor
Albany, NY 12233-4757

Re: **Search of Natural Heritage Program Database Records**
Camp Smith Access Control Point – Cortland Manor, New York
Project Information

To Whom It May Concern:

On behalf of the New York State Office of General Services (OGS), Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR) is preparing environmental documentation for Camp Smith Access Control Point improvements, described below, pursuant to the National Environmental Policy Act (NEPA). National Guard Bureau (NGB) will serve as the NEPA lead agency. As part of this effort, we are requesting a search of the Natural Heritage Database records for rare or endangered species and natural communities on or near the above-referenced project site. A USGS topographic map depicting the project location is enclosed (Figure 1).

The Camp Smith Training Site is located in Cortland Manor, Westchester County, New York, adjacent to Annsville Creek (Figure 1). The Site is a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events. OGS, representing the Division of Military and Naval Affairs (DMNA), has proposed to provide access control alteration and rehabilitation to the entrance of the facility. The project consists of a permanent access control point with an approximately 1,400 sf control building and 3,600 sf of overhead cover to meet current Army and National Guard regulations and design guidelines.

The existing Camp Smith Training Site entrance does not comply with Army standards in regards to safety, security, and traffic flow. The existing entrance does not provide adequate space to satisfy security functional requirements, meet current anti-terrorism and force protection standards, or meet minimum stand-off distances required by the Army. As a result of these deficiencies, the existing access control and entrance layout compromises the mission of the facility and negatively impacts their ability to respond to State and Federal emergencies.

Design work related to the Access Control Alteration and Rehabilitation of the Camp Smith Training Site will be completed in the second quarter of 2015, the procurement process will occur in the third quarter of 2015, and construction will begin by end of 2015.

hdrinc.com

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Request for Information

OGS is requesting information on state-listed threatened, endangered species, and special concern species, as well as significant habitats within and near the project area (Figure 1). Specific information on the location of sensitive species or habitats provided by the NHP will not be published unless permission is granted by the State.

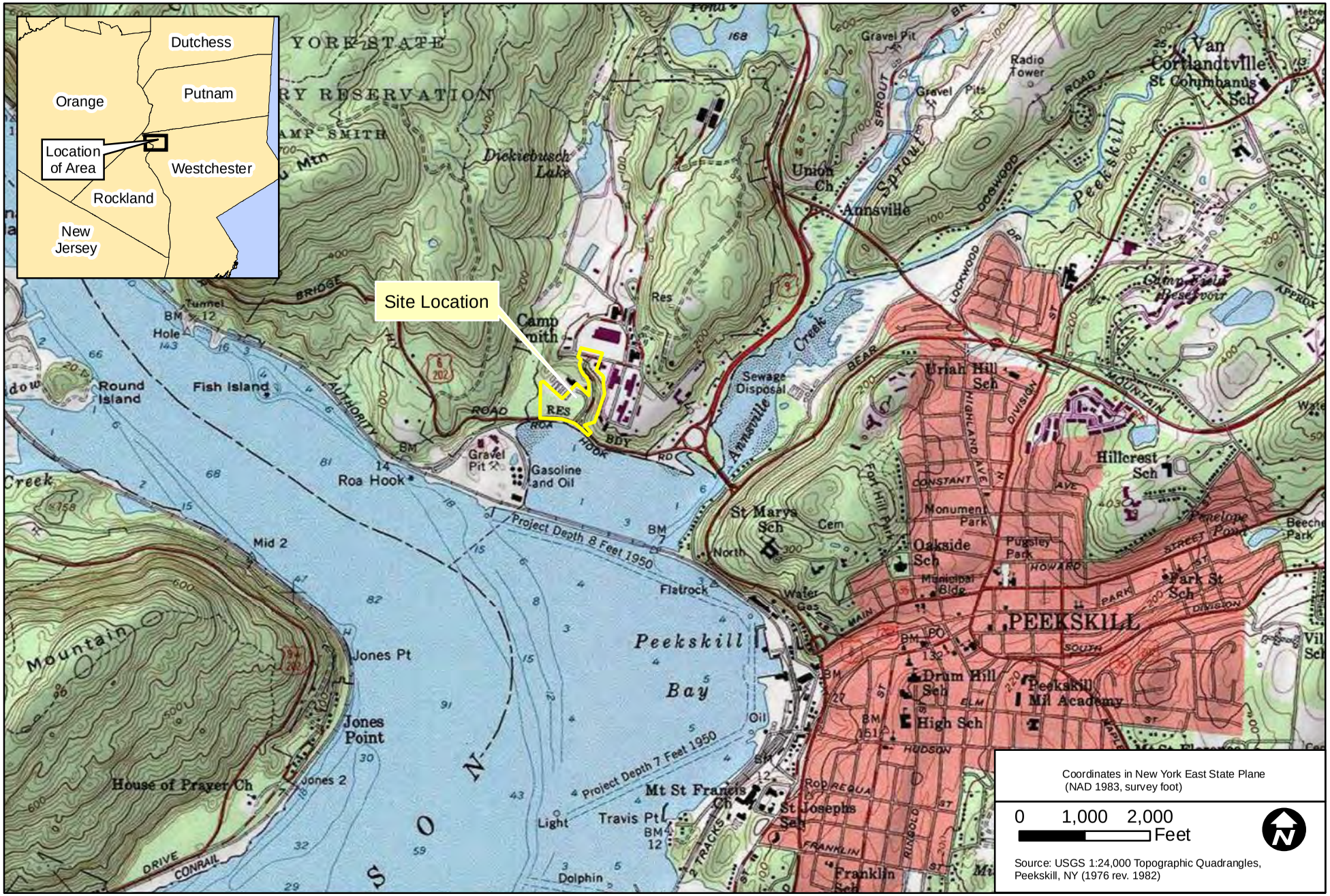
Feel free to contact me at (845) 735-8300 or via email at Barbara.Barnes@hdrinc.com should you have any questions regarding this request. Thank you for your time in providing us with the requested information.

Sincerely,

Barbara Barnes, RLA
Project Manager

Enclosure:
Figure 1 – USGS Topographic Quadrangle

cc: John Pokines (OGS)
Bridget Morey (OGS)
Mark Gregory (DMNA)
Chad Clark (DMNA)
Michael Pucci (HDR)
Pratik Desai (HDR)
Elena Barnett (HDR)



US Army and NYS OGS
Camp Smith
Cortlandt, Westchester County, NY

Figure 1
USGS Topographic Quadrangles
6/27/2014

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US Army and NYS OGS
Camp Smith
Cortlandt, Westchester County, NY

Figure 2
Project Location Map
7/25/2014

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

August 20, 2014

Mark R. Warnecke
State of New York, Division of Military and Naval Affairs
330 Old Niskayuna Rd
Latham, NY 12110

Re: Camp Smith Training Site Access Control Point Improvements
Town/City: Cortlandt. County: Westchester.

Dear Mark R. Warnecke :

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

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

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

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

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

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The following state-listed animals have been documented at your project site, or in its vicinity.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing. The list may also include significant natural communities that can serve as habitat for Endangered or Threatened animals, and/or other rare animals and rare plants found at these habitats.

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

The following species and habitats have been documented at or near the project site, within 0.5 mile. Potential onsite and offsite impacts from the project may need to be addressed.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Fish				
Shortnose Sturgeon *Freshwater*	*Acipenser brevirostrum*	Endangered	Endangered	1091
Atlantic Sturgeon *Freshwater*	*Acipenser oxyrinchus*	No Open Season	Endangered	11464
Birds				
Bald Eagle *Nonbreeding*	*Haliaeetus leucocephalus*	Threatened		43
Bald Eagle *Breeding*	*Haliaeetus leucocephalus*	Threatened		12958

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

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

Information about many of the rare plants and animals, and natural community types, in New York are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NatureServe Explorer at http://www.natureserve.org/explorer.

New York Natural Heritage Program

Report on Rare Animals, Rare Plants, and Significant Natural Communities

The following rare plants, rare animals, and significant natural communities have been documented at your project site, or in its vicinity.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Animal Assemblages

Anadromous Fish Concentration Area

Hudson River Mile 44-56, 1986: The habitat is a 12 mile section of deep turbulent narrow river. 9586

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Wetland/Aquatic Communities

Brackish Intertidal Mudflats — Rare Community Type

Annsville Creek: Poor quality, but has good recovery potential with management. 4655

Brackish Tidal Marsh — High Quality Occurrence of Uncommon Community Type

Camp Smith Marsh: This is a low diversity example with Phragmites australis and Lythrum salicaria. 2980

Upland/Terrestrial Communities

Appalachian Oak-Hickory Forest — High Quality Occurrence

Camp Smith: This is a small- to medium-sized occurrence in moderate condition within a very good landscape for the region. 8606

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at http://www.natureserve.org/explorer, and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to http://www.dec.ny.gov/animals/29384.html and click on Draft Ecological Communities of New York State.

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

January 7, 2015

Environmental Compliance

Ms. Lisa Massey
Wildlife Biologist
New York State Department
of Environmental Conservation
Region 3
21 South Putt Corners Road
New Paltz, New York 12561

Dear Ms. Massey:

The New York Army National Guard is proposing a project for alterations to the Camp Smith Training Site Access Control Point located at 11 Bear Mountain Bridge Road, in Westchester County, Cortlandt Manor, New York. The Camp Smith Training Site is located along the Hudson River and adjacent to Annsville Creek (see Figure 1 and 2 of the enclosure). We respectively request any available data for significant habitat, threatened and endangered species, species of special concern and information on any known bald eagle (*Haliaetus leucocephalus*) nesting or foraging areas at or near the above-referenced project.

This request follows the US Fish and Wildlife Service (USFWS) protocol for project reviews pursuant to the Endangered Species Act (ESA) and the Bald and Golden Eagle Protection Act (BGEPA), which requires coordination with both the New York State Natural Heritage Program (NYSNHP) and the appropriate New York State Department of Environmental Conservation (NYSDEC) regional office, based on project location.

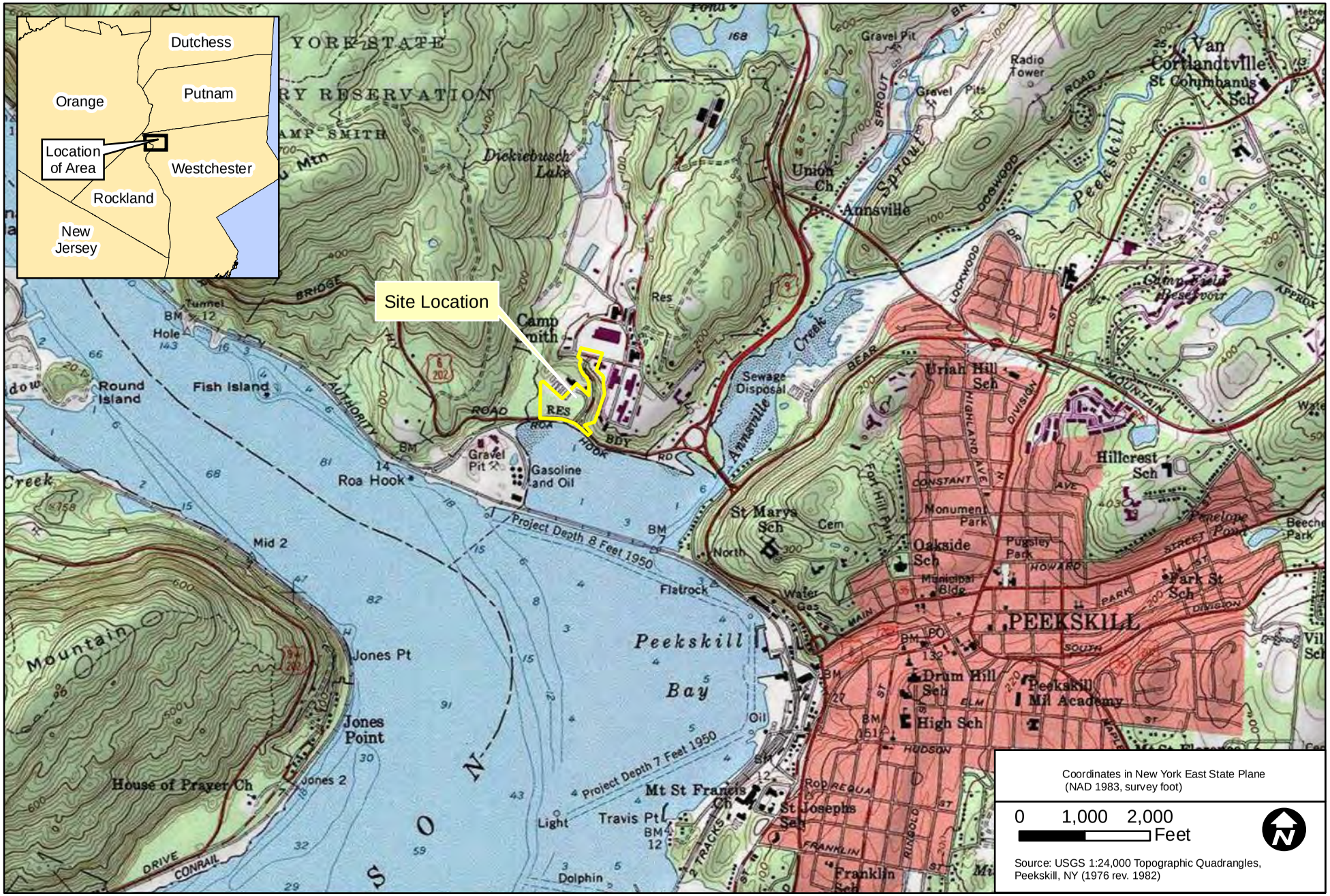
The information provided by the NYSDEC Region 3 office will be used to support environmental permitting efforts. Specific information on the location of sensitive species or habitats provided by the NYSDEC will not be published in any document unless permission is granted.

If you have any questions, please contact Mr. Peter Jensen at (518) 786-4548 or e-mail carle.p.jensen.nfg@mail.mil.

Sincerely,

W. Frank Wicks
Director of Facilities Management
and Engineering

Enclosures



US Army and NYS OGS
Camp Smith
Cortlandt, Westchester County, NY

Figure 1
USGS Topographic Quadrangles
6/27/2014

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US Army and NYS OGS
Camp Smith
Cortlandt, Westchester County, NY

Figure 2
Project Location Map
7/25/2014

\\prl-srv3\GIS_Projects\MiscMapping\147_234672_Camp_Smith_Design_Charrette\GIS\Map_Docs\Draft\Fig1_CampSmith_ProjectLoc_20140725.mxd

Wellins, Margaret

From: Barnes, Barbara
Sent: Wednesday, January 14, 2015 2:12 PM
To: Wellins, Margaret
Subject: FW: 444897: Camp Smith Threatened and Endangered Species Consultation - DEC Region 3
Attachments: 444897_DECBaldEagleConsult_Letter.pdf; campsmitheaglenest.jpg

Barbara Barnes, RLA LEED AP
D 201-335-9334 (Effective 10/13/14)

hdrinc.com/follow-us

From: Masi, Lisa M (DEC) [mailto:lisa.masi@dec.ny.gov]
Sent: Wednesday, January 14, 2015 2:03 PM
To: Barnes, Barbara; carle.p.jensen.nfg@mail.mil
Cc: dec.sm.DEP.R3
Subject: RE: 444897: Camp Smith Threatened and Endangered Species Consultation - DEC Region 3

Hello Barbara,

In response to your request for additional information on Bald Eagles in the vicinity of your project, three areas of concern are located within one mile of the project site indicated in the attached. Two are non-breeding (wintering) locations of Bald Eagles associated with the Hudson River, the third is a breeding or nesting location. The Nest is located on Camp Smith property. For that reason, I can provide approximate coordinates to help assist in your project review (see attached map, please consider this information sensitive and confidential and do not distribute or use for any purposes other than this project review). The nest has been active for the past seven season, including fledging two young last year. With this said, there is the possibility of new or alternate nests with each new breeding season and either surveys of the area, or checking back in with the department, to see if any have been reported, could update this information.

In addition to Bald Eagle, your letter asks for any available data on significant habitat, threatened and endangered species and Species of Special concern. The primary source of this information is our New York Natural Heritage Program (NYNHP) in Albany and should all be included in any response you may have received from the NYNHP. The regional wildlife office only over sees terrestrial species, (Birds, Mammals, Reptiles and Amphibians).

This project should be reviewed for impacts to the species/resources indicated by NYNHP. For Bald Eagles, the National Bald Eagle Management Guidelines (2007) should be used to assess impacts to Bald Eagles from this project. Any assessments, project plans and other information can then be submitted to our Permits department (Regional Permits Administrator, 21 S. Putt Corners Road, New Paltz, NY 12561, DEP.R3@dec.ny.gov) for review and correspondence related to department jurisdictions.

Lisa Masi
NYS DEC
Senior Wildlife Biologist
21 South Putt Corners Road
New Paltz, NY 12561
Phone: 845-256-2257

Fax: 845-255-4659
Email: lisa.masi@dec.ny.gov

From: Barnes, Barbara [mailto:Barbara.Barnes@hdrinc.com]
Sent: Monday, January 12, 2015 2:50 PM
To: Masi, Lisa M (DEC)
Cc: Pokines, John A (OGS); Jensen, Carle Peter (Pete) NFG NG NYARNG (US); Wellins, Margaret; Magron, JeanPhilippe; Desai, Pratik; Gregory, Mark W NFG NG NYARNG (US)
Subject: 444897: Camp Smith Threatened and Endangered Species Consultation - DEC Region 3

Good Afternoon Lisa,

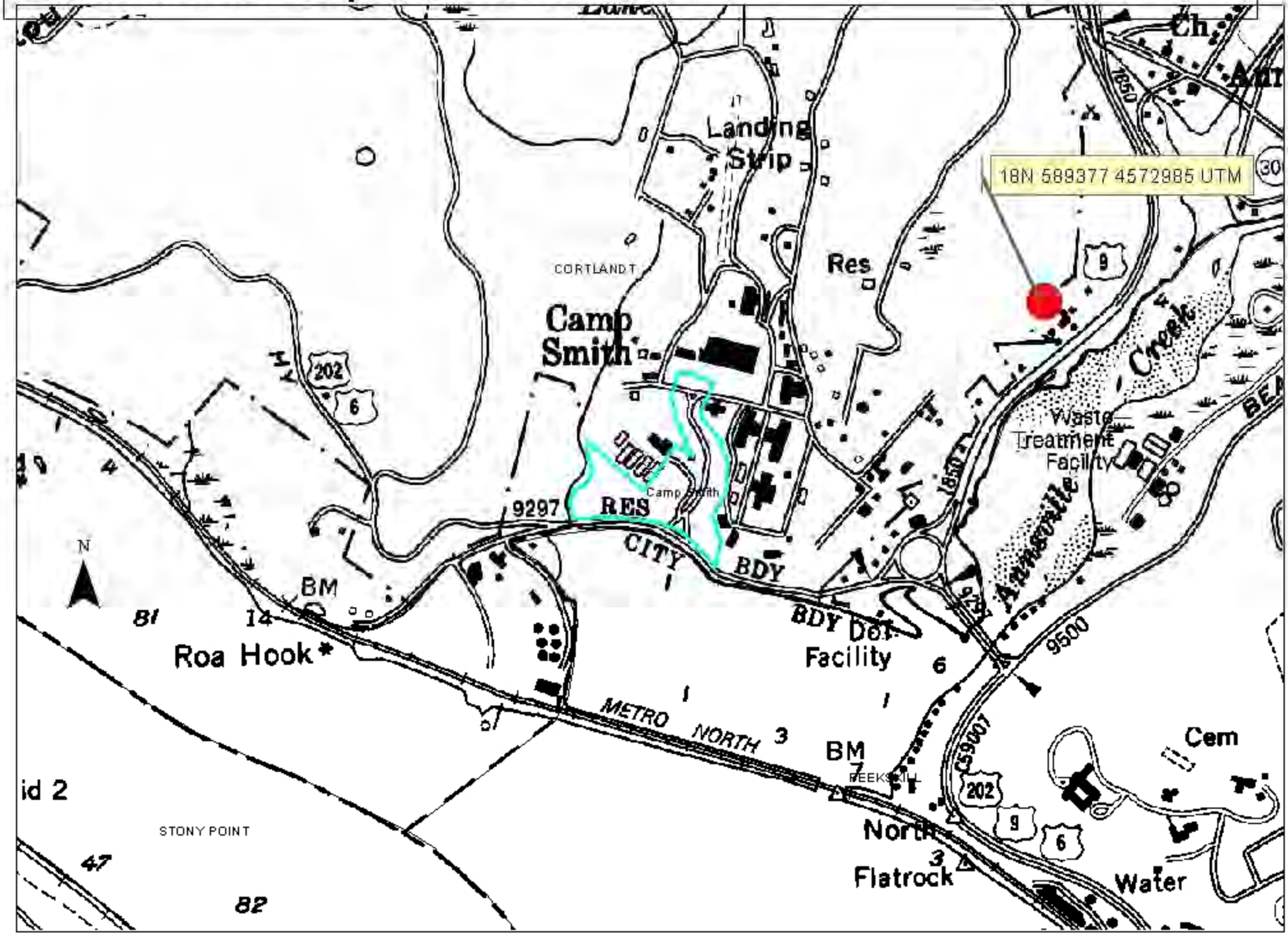
Maggie Wellins from our office has been in contact with you regarding Camp Smith, located in Cortlandt Manor, NY. Attached please find a letter requesting Department of Environmental Conservation Region 3 coordination pursuant to the Bald and Golden Eagle Protection Act. This consultation will support U.S. Fish and Wildlife Service project review of the aforementioned project.

If you have any questions regarding this submission please feel free to contact Mr. Peter Jensen cc'd above, (518) 786-4548, or myself.

Thank you very much,
Barbara

Barbara Barnes, RLA LEED AP
Project Manager

HDR
Please note my new address & phone number effective 10/13/2014
One International Boulevard
10th Floor
Mahwah, NJ 07495
D 201-335-9334
barbara.barnes@hdrinc.com
hdrinc.com/follow-us



Eagle nest on Camp Smith

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Long Island Ecological Services Field Office
340 SMITH ROAD
SHIRLEY, NY 11967
PHONE: (631)286-0485 FAX: (631)286-4003

Consultation Tracking Number: 05E1LI00-2015-SLI-0011 November 12, 2014
Project Name: Camp Smith Access Control Point

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 (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

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 Act, 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 website 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.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the

human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

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

United States Department of Interior
Fish and Wildlife Service

Project name: Camp Smith Access Control Point

Official Species List

Provided by:

Long Island Ecological Services Field Office
340 SMITH ROAD
SHIRLEY, NY 11967
(631) 286-0485

Expect additional Species list documents from the following office(s):

New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Tracking Number: 05E1LI00-2015-SLI-0011
Project Type: Military Operations / Maneuvers
Project Description: The existing Camp Smith Training Site entrance does not comply with Army standards in regards to safety, security, and traffic flow. To remedy these deficiencies, the New York State Office of General Services (OGS) has proposed to provide access control alteration and rehabilitation to the entrance of the facility by constructing a permanent control point with an approximately 1,400 sf control building and 3,600 sf of overhead cover.

Project Location Map:

Project Coordinates: MULTIPOLYGON (((-73.9415125 41.2982186, -73.9420713 41.2986083, -73.9425071 41.2987944, -73.9429761 41.2988982, -73.9441749 41.2989346, -73.9441547 41.3004318, -73.9439793 41.3004782, -73.9437823 41.3003415, -73.9439345 41.3002167, -73.9436663 41.3000338, -73.9432344 41.2999245, -73.9429327 41.2997523, -73.9424018 41.3001254, -73.9418684 41.3000585, -73.9417272 41.2999434, -73.9416369 41.2997929, -73.9416481 41.299588, -73.9420399 41.2992159, -73.9419587 41.2991035, -73.9414955 41.2996969, -73.941364 41.3001466, -73.9413621 41.3003789, -73.9414503 41.3005937, -73.9417511 41.3008847, -73.9418723 41.3011211, -73.9418616 41.3012676, -73.9417746 41.3014637, -73.9417828 41.3016139, -73.9414905 41.3014302, -73.9416099 41.3013307, -73.9415834 41.3010947, -73.9411793 41.3006925, -73.9410726 41.3004203, -73.9410225 41.3001878, -73.9410662 41.299648, -73.9413788 41.2993008, -73.9413699 41.2987175, -73.9415095 41.2984698, -73.9413419 41.2983221, -73.9415125 41.2982186)))

Project Counties: Westchester, NY

Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
northern long-eared Bat *(Myotis septentrionalis)*	Proposed Endangered		

Critical habitats that lie within your project area

There are no critical habitats within your project area.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Tracking Number: 05E1NY00-2015-SLI-0162 November 12, 2014
Project Name: Camp Smith Access Control Point

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

To Whom It May Concern:

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

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

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

should follow the Services wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

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

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

Attachment

United States Department of Interior
Fish and Wildlife Service

Project name: Camp Smith Access Control Point

Official Species List

Provided by:

New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

Expect additional Species list documents from the following office(s):

Long Island Ecological Services Field Office
340 SMITH ROAD
SHIRLEY, NY 11967
(631) 286-0485

Consultation Tracking Number: 05E1NY00-2015-SLI-0162
Project Type: Military Operations / Maneuvers
Project Description: The existing Camp Smith Training Site entrance does not comply with Army standards in regards to safety, security, and traffic flow. To remedy these deficiencies, the New York State Office of General Services (OGS) has proposed to provide access control alteration and rehabilitation to the entrance of the facility by constructing a permanent control point with an approximately 1,400 sf control building and 3,600 sf of overhead cover.

Project Location Map:

Project Coordinates: MULTIPOLYGON (((-73.9415125 41.2982186, -73.9420713 41.2986083, -73.9425071 41.2987944, -73.9429761 41.2988982, -73.9441749 41.2989346, -73.9441547 41.3004318, -73.9439793 41.3004782, -73.9437823 41.3003415, -73.9439345 41.3002167, -73.9436663 41.3000338, -73.9432344 41.2999245, -73.9429327 41.2997523, -73.9424018 41.3001254, -73.9418684 41.3000585, -73.9417272 41.2999434, -73.9416369 41.2997929, -73.9416481 41.299588, -73.9420399 41.2992159, -73.9419587 41.2991035, -73.9414955 41.2996969, -73.941364 41.3001466, -73.9413621 41.3003789, -73.9414503 41.3005937, -73.9417511 41.3008847, -73.9418723 41.3011211, -73.9418616 41.3012676, -73.9417746 41.3014637, -73.9417828 41.3016139, -73.9414905 41.3014302, -73.9416099 41.3013307, -73.9415834 41.3010947, -73.9411793 41.3006925, -73.9410726 41.3004203, -73.9410225 41.3001878, -73.9410662 41.299648, -73.9413788 41.2993008, -73.9413699 41.2987175, -73.9415095 41.2984698, -73.9413419 41.2983221, -73.9415125 41.2982186)))

Project Counties: Westchester, NY

Endangered Species Act Species List

There are a total of 3 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	**Status**	**Has Critical Habitat**	**Condition(s)**
Indiana bat *(Myotis sodalis)* Population: Entire	Endangered		
New England Cottontail rabbit *(Sylvilagus transitionalis)*	Candidate		
northern long-eared Bat *(Myotis septentrionalis)*	Proposed Endangered		

Critical habitats that lie within your project area

There are no critical habitats within your project area.

APPENDIX B

WETLAND DELINEATION DATA SHEETS

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Camp Smith | City/County: Cortlandt | Sampling Date: 7/7/2014

Applicant/Owner: NYSOGS/US Army | State: NY | Sampling Point: WA-OP-1-WET

Investigator(s): MW CC | Section, Township, Range S T R

Landform (hillslope, terrace, etc.): Depression | Local Relief (concave, convex, none): Concave | Slope(%) 10

Subregion (LRR or MLRA): LRR R | Lat: 41.2991 | Long: -73.9437 | Datum: NAD83

Soil Map Unit Name: Ipswich mucky peat | NWI Classification: E2EM1P6

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If No, explain in Remarks)

Are Vegetation ____, Soil ____, or Hydrology ____, significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____, naturally problematic? (If needed, explain any answers in Remarks.)

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

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

Remarks:

Significant amount of rainfall recorded on 7/3/2014-7/4/2014 (1.30 and 1.91 inches, respectively).

HYDROLOGY

Wetland Hydrology Indicators:

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

- [x] Surface Water (A1)
- [x] High Water Table (A2)
- [x] Saturation (A3)
- [x] Water Marks (B1)
- [ ] Sediment Deposits (B2)
- [ ] Drift Deposits (B3)
- [ ] Algal Mat or Crust (B4)
- [ ] Iron Deposits (B5)
- [ ] Inundation Visible on Aerial Imagery (B7)
- [ ] Sparsely Vegetated Concave Surface (B8)
- [ ] Water-Stained Leaves (B9)
- [ ] Aquatic Fauna (B13)
- [ ] Marl Deposits (B15)
- [ ] Hydrogen Sulfide Odor (C1)
- [x] Oxidized Rhizospheres along Living Roots (C3)
- [ ] Presence of Reduced Iron (C4)
- [ ] Recent Iron Reduction in Tilled Soils (C6)
- [ ] Thin Muck Surface (C7)
- [ ] Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

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

Field Observations:

Surface Water Present?	Yes	X	No		Depth (inches):	0.5
Water Table Present?	Yes	X	No		Depth (inches):	0
Saturation Present? (includes capillary fringe)	Yes	X	No		Depth (inches):	0

Wetland Hydrology Present? Yes X No ____

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

Remarks:

Hydrology within wetland driven by tidal action, freshwater seeps and drainage from adjacent uplands.

VEGETATION – Use scientific names of plants.

Sampling Point: WA-OP-1-WET

	Absolute % Cover	Dominant Species	Indicator Status
Tree Stratum			
Shrub Stratum (Plot size: 15 Ft)			
Amorpha fruticosa	40	Y	FACW
	40 =Total Cover		
Herb Stratum (Plot size: 5 Ft)			
Phragmites australis	100	Y	FACW
	100 =Total Cover		
Vine Stratum (Plot size: 30 Ft)			
Lonicera japonica	10	Y	FACU
	10 =Total Cover		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

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

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	140	x 2 =	280
FAC species	0	x 3 =	0
FACU species	10	x 4 =	40
UPL species	0	x 5 =	0
Column Totals:	150 (A)		320 (B)

Prevalence Index = B/A= 2.13

Hydrophytic Vegetation Indicators:

- ___ Rapid Test for Hydrophytic Vegetation
- X Dominance Test > 50%
- X Prevalence Index ≤ 3.0
- ___ Problematic Hydrophytic Vegetation (Explain)

Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3in.(7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** **X** **No** ___

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

Criteria for hydrophytic vegetation are met because greater than 50% of dominants are classified as FAC, FACW or OBL and the prevalence index is below 3.

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

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type [1]	Loc [2]	Texture	Remarks
0 to 4	10R 3 / 1	70	10YR 4/3	30	C	M	CLAY LOAM	Oxidation along root channels
4 to 12	10YR 2 / 2	80	10YR 4/3	20	C	M	SILT LOAM	
12 to 21	10YR 4 / 1	100					SILT LOAM	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Martix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☑ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR R, MLRA 149B)
- ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
- ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B))
- ☐ Loamy Mucky Mineral (F1) (LRR K,L)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☑ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils: [3]

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

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

☐ **Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

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

Remarks:

The Redox Dark Surface indicator was met because a layer of soil 4 inches thick, within the upper 12 inches of the soil had a matrix value of 3 and chroma of 1 with 30% distinct redox concentrations occuring as soft masses.

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Camp Smith | City/County: Cortlandt | Sampling Date: 7/7/2014

Applicant/Owner: NYSOGS/US Army | State: NY | Sampling Point: WA-OP-2-UPL

Investigator(s): MW CC | Section, Township, Range S T R

Landform (hillslope, terrace, etc.): Hillslope | Local Relief (concave, convex, none): None | Slope(%) 20

Subregion (LRR or MLRA): LRR R | Lat: 41.2990 | Long: -73.9437 | Datum: NAD83

Soil Map Unit Name: Ipswich mucky peat | NWI Classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If No, explain in Remarks)

Are Vegetation ____, Soil ____, or Hydrology ____, significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____, naturally problematic? (If needed, explain any answers in Remarks.)

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

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

Remarks:
Point taken within road embankement adjacent to Wetland A.

HYDROLOGY

Wetland Hydrology Indicators:

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

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

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

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches):	____
Water Table Present?	Yes ____	No X	Depth (inches):	____
Saturation Present? (includes capillary fringe)	Yes ____	No X	Depth (inches):	____

Wetland Hydrology Present? **Yes** ____ **No X**

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

Remarks:
No indicators of wetland hydrology observed.

VEGETATION – Use scientific names of plants.

Sampling Point: WA-OP-2-UPL

	Absolute % Cover	Dominant Species	Indicator Status
Tree Stratum			
Shrub Stratum (Plot size: 15 Ft)			
Amorpha fruticosa	40	Y	FACW
	40	=Total Cover	
Herb Stratum (Plot size: 5 Ft)			
Artemisia vulgaris	40	Y	UPL
Phragmites australis	10	Y	FACW
Impatiens capensis	5	N	FACW
Rumex crispus	5	N	FAC
Toxicodendron radicans	5	N	FAC
	65	=Total Cover	
Vine Stratum (Plot size: 30 Ft)			
Cynanchum louiseae	30		NA
Celastrus orbiculatus	20	Y	UPL
Lonicera japonica	20	Y	FACU
	70	=Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across all Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 40.0% (A/B)

Prevalence Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	55	x 2 =	110
FAC species	10	x 3 =	30
FACU species	20	x 4 =	80
UPL species	60	x 5 =	300
Column Totals:	145 (A)		520 (B)

Prevalence Index = B/A= 3.59

Hydrophytic Vegetation Indicators:

___ Rapid Test for Hydrophytic Vegetation

___ Dominance Test > 50%

___ Prevalence Index ≤ 3.0

___ Problematic Hydrophytic Vegetation (Explain)

Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3in.(7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** ___ **No** **X**

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

No indicators of hydrophytic vegetation are present. The prevalence index is greater than 3 and dominants with indicator status FAC, FACW or OBL are less than 50%.

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

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type [1]	Loc [2]	Texture	Remarks
0 to 2	10YR 2 / 2	100					SANDY LOAM	
2 to 21	10YR 2 / 2	100					SILT LOAM	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Martix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR R, MLRA 149B)
- ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
- ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B))
- ☐ Loamy Mucky Mineral (F1) (LRR K,L)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils: [3]

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

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

☐ **Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

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

Remarks:

No indicators of hydric soils are met. Soils contains some fill material consitsting of cobles and gravel.

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Camp Smith | City/County: Cortlandt | Sampling Date: 7/7/2014

Applicant/Owner: NYSOGS/US Army | State: NY | Sampling Point: WA-OP-3-WET

Investigator(s): MW CC | Section, Township, Range S T R

Landform (hillslope, terrace, etc.): Terrace | Local Relief (concave, convex, none): Concave | Slope(%) 5

Subregion (LRR or MLRA): LRR R | Lat: 41.3003 | Long: -73.9439 | Datum: NAD83

Soil Map Unit Name: Udorthents, wet substratum | NWI Classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If No, explain in Remarks)

Are Vegetation ____, Soil ____, or Hydrology ____, significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____, naturally problematic? (If needed, explain any answers in Remarks.)

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

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

Remarks:
Wetland originates at headwall of concrete/asphault pad and flows toward Watercourse A.

HYDROLOGY

Wetland Hydrology Indicators:

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

- [x] Surface Water (A1)
- [x] High Water Table (A2)
- [x] Saturation (A3)
- [ ] Water Marks (B1)
- [ ] Sediment Deposits (B2)
- [ ] Drift Deposits (B3)
- [x] Algal Mat or Crust (B4)
- [ ] Iron Deposits (B5)
- [ ] Inundation Visible on Aerial Imagery (B7)
- [ ] Sparsely Vegetated Concave Surface (B8)
- [ ] Water-Stained Leaves (B9)
- [ ] Aquatic Fauna (B13)
- [ ] Marl Deposits (B15)
- [ ] Hydrogen Sulfide Odor (C1)
- [x] Oxidized Rhizospheres along Living Roots (C3)
- [ ] Presence of Reduced Iron (C4)
- [ ] Recent Iron Reduction in Tilled Soils (C6)
- [ ] Thin Muck Surface (C7)
- [ ] Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

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

Field Observations:

Surface Water Present?	Yes	X	No		Depth (inches):	0.5
Water Table Present?	Yes	X	No		Depth (inches):	0
Saturation Present? (includes capillary fringe)	Yes	X	No		Depth (inches):	0

Wetland Hydrology Present? Yes X No ____

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

Remarks:
Hydrology originates at stone headwall of concrete/asphault pad.

VEGETATION – Use scientific names of plants.

Sampling Point: WA-OP-3-WET

	Absolute % Cover	Dominant Species	Indicator Status
Tree Stratum			
Shrub Stratum			
Herb Stratum (Plot size: 5 Ft)			
Phragmites australis	50	Y	FACW
Juncus canadensis	25	Y	OBL
Carex alopecoidea	10	N	FACW
Juncus tenuis	10	N	FAC
Eleocharis acicularis	5	N	OBL
	100	=Total Cover	
Vine Stratum			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across all Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	30	x 1 =	30
FACW species	60	x 2 =	120
FAC species	10	x 3 =	30
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		180 (B)

Prevalence Index = B/A= 1.80

Hydrophytic Vegetation Indicators:

- ___ Rapid Test for Hydrophytic Vegetation
- X Dominance Test > 50%
- X Prevalence Index ≤ 3.0
- ___ Problematic Hydrophytic Vegetation (Explain)

Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3in.(7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** **X** **No** ___

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

Criteria for hydrophytic vegetation is met because greater than 50% of dominants are classified as FAC, FACW or OBL and the prevalence index is below 3.

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

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type [1]	Loc [2]	Texture	Remarks
0 to 2	10YR 2 / 1	100						organic, lots of fibers
2 to 5	10YR 3 / 1	100					SANDY LOAM	
5 to 15	5Y 4 / 1	70	10 YR 4/6	30	C	M	SANDY CLAY LOAM	Prominent redox concentrations
15 to 21	5Y 4 / 1	95	10 YR 4/6	5	C	PL	SANDY CLAY	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Martix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☑ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR R, MLRA 149B)
- ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
- ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B))
- ☐ Loamy Mucky Mineral (F1) (LRR K,L)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils: [3]

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

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

☐ **Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

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

Remarks:

Soils meet the Sandy Redox indicator because a layer starting within 6 inches of the surface that is greater than 4 inches thick has a matrix with 70% chroma of 1 with 30% prominent redox concentrations occuring as soft masses.

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Camp Smith | City/County: Cortlandt | Sampling Date: 7/7/2014

Applicant/Owner: NYSOGS/US Army | State: NY | Sampling Point: WA-OP-4-UPL

Investigator(s): MW CC | Section, Township, Range S T R

Landform (hillslope, terrace, etc.): Terrace | Local Relief (concave, convex, none): None | Slope(%) 5

Subregion (LRR or MLRA): LRR R | Lat: 41.3003 | Long: -73.9438 | Datum: NAD83

Soil Map Unit Name: Udorthents, wet substratum | NWI Classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If No, explain in Remarks)

Are Vegetation ____, Soil ____, or Hydrology ____, significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____, naturally problematic? (If needed, explain any answers in Remarks.)

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

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

Remarks:

No indicators of wetland hydrology, hydric soils or hydrophytic vegetation observed.

HYDROLOGY

Wetland Hydrology Indicators:

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

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

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

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches):	____	
Water Table Present?	Yes ____	No X	Depth (inches):	____	**Wetland Hydrology Present? Yes ____ No X**
Saturation Present? (includes capillary fringe)	Yes ____	No X	Depth (inches):	____	

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

Remarks:

No indicators of wetland hydrology observed.

VEGETATION – Use scientific names of plants.

Sampling Point: WA-OP-4-UPL

	Absolute % Cover	Dominant Species	Indicator Status
Tree Stratum			
Shrub Stratum			
Herb Stratum (Plot size: 5 Ft)			
Koeleria marcantha	30		NA
Trifolium pratense	30	Y	FACU
Galium aparine	20	Y	FACU
Phleum pratense	10	N	FACU
Asclepias syriaca	5	N	UPL
Equisetum arvense	5	N	FAC
	100	=Total Cover	
Vine Stratum			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across all Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	5	x 3 =	15
FACU species	60	x 4 =	240
UPL species	5	x 5 =	25
Column Totals:	70 (A)		280 (B)

Prevalence Index = B/A= 4.00

Hydrophytic Vegetation Indicators:

___ Rapid Test for Hydrophytic Vegetation

___ Dominance Test > 50%

___ Prevalence Index ≤ 3.0

___ Problematic Hydrophytic Vegetation (Explain)

Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3in.(7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** ___ **No** **X**

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

No indicators of hydrophytic vegetation present.

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

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type [1]	Loc [2]	Texture	Remarks
0 to 2	10YR 3 / 2	100					SANDY LOAM	
2 to 21	10YR 4 / 3	100					LOAMY SAND	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Martix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR R, MLRA 149B)
- ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B)
- ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B))
- ☐ Loamy Mucky Mineral (F1) (LRR K,L)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils: [3]

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

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

☐ **Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

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

Remarks:

No indicators of hydric soils present.

APPENDIX C

NRCS CUSTOM SOIL REPORT

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

Custom Soil Resource Report for Westchester County, New York

Camp Smith

July 29, 2014

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 (http://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

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Contents

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
Soil Map

Map Scale: 1:2,480 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 35 70 140 210

Feet
0 100 200 400 600

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

MAP LEGEND

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

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

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

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

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 9, Dec 15, 2013

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

Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

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

Westchester County, New York (NY119)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
Ip	Ipswich mucky peat	6.6	69.9%
RhE	Riverhead loam, 25 to 50 percent slopes	2.3	24.8%
Uc	Udorthents, wet substratum	0.1	1.4%
Uf	Urban land	0.0	0.4%
UvB	Urban land-Riverhead complex, 2 to 8 percent slopes	0.0	0.0%
W	Water	0.3	3.6%
Totals for Area of Interest		**9.5**	**100.0%**

Map Unit Descriptions

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.

Westchester County, New York

Ip—Ipswich mucky peat

Map Unit Setting

Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days

Map Unit Composition

Ipswich and similar soils: 85 percent
Minor components: 15 percent

Description of Ipswich

Setting

Landform: Tidal marshes
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Organic material in tidal marshes

Typical profile

H1 - 0 to 8 inches: mucky peat
H2 - 8 to 20 inches: muck
H3 - 20 to 60 inches: mucky peat

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (0.57 to 19.98 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: Frequent
Frequency of ponding: Frequent
Available water storage in profile: Very high (about 16.2 inches)

Interpretive groups

Farmland classification: Not prime farmland
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8w
Hydrologic Soil Group: A/D

Minor Components

Fluvaquents

Percent of map unit: 10 percent
Landform: Flood plains

Udifluvents

Percent of map unit: 3 percent

Udorthents, wet substratum

Percent of map unit: 2 percent

RhE—Riverhead loam, 25 to 50 percent slopes

Map Unit Setting

Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days

Map Unit Composition

Riverhead and similar soils: 85 percent
Minor components: 15 percent

Description of Riverhead

Setting

Landform: Terraces, deltas
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Riser
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy glaciofluvial deposits overlying stratified sand and gravel

Typical profile

H1 - 0 to 6 inches: loam
H2 - 6 to 25 inches: sandy loam
H3 - 25 to 30 inches: loamy sand
H4 - 30 to 60 inches: loamy sand

Properties and qualities

Slope: 25 to 50 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 4.4 inches)

Interpretive groups

Farmland classification: Not prime farmland
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: A

Minor Components

Pompton

Percent of map unit: 5 percent

Charlton

Percent of map unit: 4 percent

Hinckley
Percent of map unit: 3 percent

Knickerbocker
Percent of map unit: 3 percent

Uc—Udorthents, wet substratum

Map Unit Setting
Elevation: 50 to 2,400 feet
Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days

Map Unit Composition
Udorthents, wet substratum, and similar soils: 80 percent
Minor components: 20 percent

Description of Udorthents, Wet Substratum

Typical profile
H1 - 0 to 4 inches: gravelly loam
H2 - 4 to 72 inches: very gravelly loam

Properties and qualities
Slope: 0 to 5 percent
Depth to restrictive feature: 40 to 60 inches to lithic bedrock
Natural drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 6 to 24 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Available water storage in profile: Low (about 4.6 inches)

Minor Components

Udorthents
Percent of map unit: 5 percent

Urban land
Percent of map unit: 5 percent

Ipswich
Percent of map unit: 2 percent
Landform: Tidal marshes

Hinckley
Percent of map unit: 2 percent

Fredon
Percent of map unit: 2 percent
Landform: Depressions

Paxton
Percent of map unit: 2 percent

Raynham
Percent of map unit: 2 percent

Uf—Urban land

Map Unit Setting
Elevation: 50 to 2,400 feet
Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days

Map Unit Composition
Urban land: 85 percent
Minor components: 15 percent

Minor Components

Udorthents
Percent of map unit: 5 percent

Udorthents, wet substratum
Percent of map unit: 2 percent

Unadilla
Percent of map unit: 2 percent

Riverhead
Percent of map unit: 2 percent

Chatfield
Percent of map unit: 2 percent

Sutton
Percent of map unit: 2 percent

UvB—Urban land-Riverhead complex, 2 to 8 percent slopes

Map Unit Setting
Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days

Map Unit Composition

Urban land: 50 percent
Riverhead and similar soils: 25 percent
Minor components: 25 percent

Description of Riverhead

Setting

Landform: Terraces, deltas
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Tread
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy glaciofluvial deposits overlying stratified sand and gravel

Typical profile

H1 - 0 to 6 inches: loam
H2 - 6 to 25 inches: sandy loam
H3 - 25 to 30 inches: loamy sand
H4 - 30 to 60 inches: loamy sand

Properties and qualities

Slope: 2 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 4.4 inches)

Minor Components

Udorthents

Percent of map unit: 5 percent

Pompton

Percent of map unit: 5 percent

Knickerbocker

Percent of map unit: 5 percent

Hinckley

Percent of map unit: 5 percent

Charlton

Percent of map unit: 3 percent

Udifluvents

Percent of map unit: 1 percent

Fluvaquents

Percent of map unit: 1 percent
Landform: Flood plains

W—Water

Map Unit Setting

Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days

Map Unit Composition

Water: 100 percent

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.

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.

Hydric Rating by Map Unit

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Custom Soil Resource Report
Map—Hydric Rating by Map Unit

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Hydric (100%)
- Predominantly Hydric (66 to 99%)
- Partially hydric (33 to 65%)
- Predominatly nonhydric (1 to 32%)
- Nonhydric (0%)
- Not rated or not available

Soil Rating Lines

- Hydric (100%)
- Predominantly Hydric (66 to 99%)
- Partially hydric (33 to 65%)
- Predominatly nonhydric (1 to 32%)
- Nonhydric (0%)
- Not rated or not available

Soil Rating Points

- Hydric (100%)
- Predominantly Hydric (66 to 99%)
- Partially hydric (33 to 65%)
- Predominatly nonhydric (1 to 32%)
- Nonhydric (0%)
- Not rated or not available

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 1:12,000.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 9, Dec 15, 2013

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

Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

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—Hydric Rating by Map Unit

Hydric Rating by Map Unit— Summary by Map Unit — Westchester County, New York (NY119)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
Ip	Ipswich mucky peat	95	6.6	69.9%
RhE	Riverhead loam, 25 to 50 percent slopes	0	2.3	24.8%
Uc	Udorthents, wet substratum	6	0.1	1.4%
Uf	Urban land	0	0.0	0.4%
UvB	Urban land-Riverhead complex, 2 to 8 percent slopes	1	0.0	0.0%
W	Water	0	0.3	3.6%
Totals for Area of Interest			**9.5**	**100.0%**

Rating Options—Hydric Rating by Map Unit

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities 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 property or quality.

Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

Drainage Class

"Drainage class (natural)" refers to the frequency and duration of wet periods under conditions similar to those under which the soil formed. Alterations of the water regime by human activities, either through drainage or irrigation, are not a consideration unless they have significantly changed the morphology of the soil. Seven classes of natural soil drainage are recognized-excessively drained, somewhat excessively drained, well drained, moderately well drained, somewhat poorly drained, poorly drained, and very poorly drained. These classes are defined in the "Soil Survey Manual."

Map Scale: 1:2,480 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 35 70 140 210

Feet
0 100 200 400 600

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

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Excessively drained
- Somewhat excessively drained
- Well drained
- Moderately well drained
- Somewhat poorly drained
- Poorly drained
- Very poorly drained
- Subaqueous
- Not rated or not available

Soil Rating Lines

- Excessively drained
- Somewhat excessively drained
- Well drained
- Moderately well drained
- Somewhat poorly drained
- Poorly drained
- Very poorly drained
- Subaqueous
- Not rated or not available

Soil Rating Points

- Excessively drained
- Somewhat excessively drained
- Well drained
- Moderately well drained
- Somewhat poorly drained
- Poorly drained
- Very poorly drained
- Subaqueous
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
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Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

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Table—Drainage Class

Drainage Class— Summary by Map Unit — Westchester County, New York (NY119)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
Ip	Ipswich mucky peat	Very poorly drained	6.6	69.9%
RhE	Riverhead loam, 25 to 50 percent slopes	Well drained	2.3	24.8%
Uc	Udorthents, wet substratum	Somewhat poorly drained	0.1	1.4%
Uf	Urban land		0.0	0.4%
UvB	Urban land-Riverhead complex, 2 to 8 percent slopes		0.0	0.0%
W	Water		0.3	3.6%
Totals for Area of Interest			**9.5**	**100.0%**

Rating Options—Drainage Class

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Hydrologic Soil Group

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.


73° 56' 43" W
73° 56' 26" W
588310
588370
588430
588490
588550
588610
588670
41° 18' 8" N
41° 17' 52" N
4572850
4572790
4572730
4572670
4572610
4572550
4572490
4572430
4572370
Uf
UvB
Uc
W
Uc
Uc
Ip
RhE
RhE
W
Camp Smith
Roa Hook Rd
6
Map Scale: 1:2,480 if printed on A portrait (8.5" x 11") sheet.
N
Meters
0 35 70 140 210
Feet
0 100 200 400 600
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

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

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

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 1:12,000.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 9, Dec 15, 2013

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

Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

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—Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Westchester County, New York (NY119)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
Ip	Ipswich mucky peat	A/D	6.6	69.9%
RhE	Riverhead loam, 25 to 50 percent slopes	A	2.3	24.8%
Uc	Udorthents, wet substratum	A/D	0.1	1.4%
Uf	Urban land		0.0	0.4%
UvB	Urban land-Riverhead complex, 2 to 8 percent slopes		0.0	0.0%
W	Water		0.3	3.6%
Totals for Area of Interest			**9.5**	**100.0%**

Rating Options—Hydrologic Soil Group

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Water Features

Water Features include ponding frequency, flooding frequency, and depth to water table.

Flooding Frequency Class

Flooding is the temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

Frequency is expressed as none, very rare, rare, occasional, frequent, and very frequent.

"None" means that flooding is not probable. The chance of flooding is nearly 0 percent in any year. Flooding occurs less than once in 500 years.

"Very rare" means that flooding is very unlikely but possible under extremely unusual weather conditions. The chance of flooding is less than 1 percent in any year.

"Rare" means that flooding is unlikely but possible under unusual weather conditions. The chance of flooding is 1 to 5 percent in any year.

"Occasional" means that flooding occurs infrequently under normal weather conditions. The chance of flooding is 5 to 50 percent in any year.

"Frequent" means that flooding is likely to occur often under normal weather conditions. The chance of flooding is more than 50 percent in any year but is less than 50 percent in all months in any year.

"Very frequent" means that flooding is likely to occur very often under normal weather conditions. The chance of flooding is more than 50 percent in all months of any year.

Custom Soil Resource Report
Map—Flooding Frequency Class

MAP LEGEND

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

Soils

Soil Rating Polygons
- None
- Very Rare
- Rare
- Occasional
- Frequent
- Very Frequent
- Not rated or not available

Soil Rating Lines
- None
- Very Rare
- Rare
- Occasional
- Frequent
- Very Frequent
- Not rated or not available

Soil Rating Points
- None
- Very Rare
- Rare
- Occasional
- Frequent
- Very Frequent
- Not rated or not available

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 1:12,000.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 9, Dec 15, 2013

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

Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

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—Flooding Frequency Class

Flooding Frequency Class— Summary by Map Unit — Westchester County, New York (NY119)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
Ip	Ipswich mucky peat	Frequent	6.6	69.9%
RhE	Riverhead loam, 25 to 50 percent slopes	None	2.3	24.8%
Uc	Udorthents, wet substratum	None	0.1	1.4%
Uf	Urban land	None	0.0	0.4%
UvB	Urban land-Riverhead complex, 2 to 8 percent slopes	None	0.0	0.0%
W	Water	None	0.3	3.6%
Totals for Area of Interest			**9.5**	**100.0%**

Rating Options—Flooding Frequency Class

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: More Frequent

Beginning Month: January

Ending Month: December

Ponding Frequency Class

Ponding is standing water in a closed depression. The water is removed only by deep percolation, transpiration, or evaporation or by a combination of these processes. Ponding frequency classes are based on the number of times that ponding occurs over a given period. Frequency is expressed as none, rare, occasional, and frequent.

"None" means that ponding is not probable. The chance of ponding is nearly 0 percent in any year.

"Rare" means that ponding is unlikely but possible under unusual weather conditions. The chance of ponding is nearly 0 percent to 5 percent in any year.

"Occasional" means that ponding occurs, on the average, once or less in 2 years. The chance of ponding is 5 to 50 percent in any year.

"Frequent" means that ponding occurs, on the average, more than once in 2 years. The chance of ponding is more than 50 percent in any year.

Map—Ponding Frequency Class

MAP LEGEND

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

Soils

Soil Rating Polygons
- None
- Rare
- Occasional
- Frequent
- Not rated or not available

Soil Rating Lines
- None
- Rare
- Occasional
- Frequent
- Not rated or not available

Soil Rating Points
- None
- Rare
- Occasional
- Frequent
- Not rated or not available

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 1:12,000.

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

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Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 9, Dec 15, 2013

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

Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

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—Ponding Frequency Class

Ponding Frequency Class— Summary by Map Unit — Westchester County, New York (NY119)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
Ip	Ipswich mucky peat	Frequent	6.6	69.9%
RhE	Riverhead loam, 25 to 50 percent slopes	None	2.3	24.8%
Uc	Udorthents, wet substratum	None	0.1	1.4%
Uf	Urban land	None	0.0	0.4%
UvB	Urban land-Riverhead complex, 2 to 8 percent slopes	None	0.0	0.0%
W	Water	None	0.3	3.6%
Totals for Area of Interest			**9.5**	**100.0%**

Rating Options—Ponding Frequency Class

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: More Frequent

Beginning Month: January

Ending Month: December

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APPENDIX D

PHASE I INDIANA BAT

SUMMER HABITAT SURVEY DATA SHEETS

Indiana Bat Phase 1 Summer Habitat Assessment (Jan 2013 Datasheet)

Project Name:	Camp Smith Access Control Alteration and Rehabilitation		
Date:	7/8/2014	**Surveyor:**	M.Wellins and J. Hecht
Tonship/Range /Section:	Cortland Manor		
Lat Long/ UTM/Zone:	73°56'35.869"W 41°17'57.981"N /UTM Zone 18N		

Brief Project Description:

The proposed project consists of alterations and rehabilitation of the existing permanent access control point with an approximately 1,400 square foot (sf) control building, access road re-alignment and road widening to meet current Army and National Guard regulations and design guidelines at the Camp Smith Training Site.

Project Area

	Total Acres	Forest Acres	Open Acres
Project	9.46	2.38	7.08

	Completely Cleared	Partially Cleared (will leave trees)	Preserve acres- no clearing
Proposed Tree Removal (ac)	unlikely	likely - clear as necessary during winter/early spring (Dec-Mar)	likely

Vegetation Cover Types

Pre-Project	Post-Project
Palustrine emergent wetland, forested wetland, successional northern hardwood forest, mowed lawn and paved roadway	Palustrine emergent wetland, forested wetland, successional northern hardwood forest, mowed lawn and paved roadway

Landscape within 5 mile radius

Flight corridors to other forested areas?

Putnam Creek forms a riparian corridor to the west of the project site and is located adjacent and east of a large tract of forested land. The area to the south consists of open water and the military base surrounded by forest to the north and east.

Describe Adjacent Properties (e.g. forested, grassland,commercial or residential development, water sources)

The site is adjacent to Putnam Creek on the west, a roadway and open water to the south and a military base surrounded by forest to the north and east.

Proximity to Public Land

What is the distance (mi.) from the project area to forested public lands (e.g., national or state forests, national or state parks, conservation areas, wildlife management areas)?

The site is located within a military reservation, approximately one-half mile west of the Annsville Preserve and approximately one mile southwest of Hudson Highlands Gateway Park and Sprout Brook Park.

Indiana Bat Phase 1 Summer Habitat Assessment (Jan 2013 Datasheet)

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting locations of sample sites if assessing discrete habitats at multiple sites in a project area. A single sheet can be used for multiple sample sites if habitat is the same.

Sample Site Description
Sample Site No.(s): IB-1 (See Photos 1-4)

Water Resources at Sample Site				
Stream Type (# and length)	**Ephemeral**	**Intermittent**	**Perennial**	Describe existing condition of water sources: Water sources within the project site include a tidal creek, identified as the unnamed tirbutary to Putnam Creek. A large wetland is associated with the tidal creek and recieves freshwater inputs from surrounding uplands.
	0	0	1/0.6 miles	
Pools/Ponds (# and size)	0	**Open and accessible to bats?**		
Wetlands (approx. ac.)	**Permanent**	**Seasonal**		
	1			

Forest Resources at Sample Site				
Closure/Density	**Canopy (>50')**	**Midstory (20-50')**	**Understory (<20')**	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
	3	3		
Dominant Species of Mature Trees	Black Locust and American Sycamore			
% Trees w/ Exfoliating Bark	1	3		
Size Composition of Live Trees (%)	**Small (3-8 in)**	**Med (9-15 in)**	**Large (>15in)**	
	2	3	4	
No. of Suitable Snags:		**2** (Photo 3)		

Standing dead trees with exfoliating bark, cracks, crevices, or hollows. Snags without these characteristics are not considered suitable.

Is the habitat Suitable for Indiana Bats?	**Yes**

Additional Comments

Forested fringe consisting of several scattered trees near a riparian area (Photo 1) and forested wetland area (Photo 2) consisting of trees with exfoliating bark or crevices providing potential summer habitat for bats. Some crevices are formed by thick vines vowen tightly against the trunk of trees. Photo 4 depicts an American sycamore with peeling and flaky bark providing potential Indiana bat summer roosting habitat.

Attach aerial photo of project site with all forested areas labeled and a general description of the habitat

Photgraphic Documentation: habitat shots at edge and interior from multiple locations; understory/midstory/canopy; Examples of potential suitable snags and live trees; water sources.

Photo 1: Potential habitat located at Sample Plot IB-1. Photo taken from western project boundary looking southeast. Potential habitat is between open grasses and emergent wetland.

Photo 2: Potential Inidana bat habitat within forested wetland adjacent to emergenct wetland. Photo taken from the north side of the wetland looking south toward Rt. 6.

Photo 3: Dead snag with 2 trunks (10" and 10.75" DBH) located within the emergent wetland. Both snags are greater than 8' tall. Loose bark and crevices provide potential roosting habitat.

Photo 4: Potential roosting habitat formed by exfoliating bark of American Sycamore tree (10" DBH).

Indiana Bat Phase 1 Summer Habitat Assessment (Jan 2013 Datasheet)

Project Name:	Camp Smith Access Control Alteration and Rehabilitation		
Date:	7/9/2014	**Surveyor:**	M.Wellins and J. Hecht
Tonship/Range /Section:	Cortland Manor		
Lat Long/ UTM/Zone:	73°56'35.869"W 41°17'57.981"N /UTM Zone 18N		

Brief Project Description:

The proposed project consists of alterations and rehabilitation of the existing permanent access control point with an approximately 1,400 square foot (sf) control building and 3,600 sf of overhead cover to meet current Army and National Guard regulations and design guidelines at the Camp Smith Training Site.

Project Area

	Total Acres	Forest Acres	Open Acres
Project	9.46	2.38	7.08

	Completely Cleared	Partially Cleared (will leave trees)	Preserve acres- no clearing
Proposed Tree Removal (ac)	unlikely	likely - clear as necessary during winter/early spring (Dec-Mar)	likely

Vegetation Cover Types

Pre-Project	Post-Project
Palustrine emergent wetland, forested wetland, successional northern hardwood forest, mowed lawn and paved roadway	Palustrine emergent wetland, forested wetland, successional northern hardwood forest, mowed lawn and paved roadway

Landscape within 5 mile radius

Flight corridors to other forested areas?

Putnam Creek forms a riparian corridor to the west of the project site and is located adjacent and east of a large tract of forested land. The area to the south consists of open water and the military base surrounded by forest to the north and east.

Describe Adjacent Properties (e.g. forested, grassland,commercial or residential development, water sources)

The site is adjacent to Putnam Creek on the west, a roadway and open water to the south and a military base surrounded by forest to the north and east.

Proximity to Public Land

What is the distance (mi.) from the project area to forested public lands (e.g., national or state forests, national or state parks, conservation areas, wildlife management areas)?

The site is located within a military reservation, approximately one-half mile west of the Annsville Preserve and approximately one mile southwest of Hudson Highlands Gateway Park and Sprout Brook Park.

Indiana Bat Phase 1 Summer Habitat Assessment (Jan 2013 Datasheet)

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting locations of sample sites if assessing discrete habitats at multiple sites in a project area. A single sheet can be used for multiple sample sites if habitat is the same.

Sample Site Description
Sample Site No.(s): IB-2 (See Photos 1-4)

Water Resources at Sample Site				
Stream Type (# and length)	**Ephemeral**	**Intermittent**	**Perennial**	Describe existing condition of water sources: Historic water storage tanks and wells identified on-site. Water tank is below ground level and mostly covered by steel sheeting but some open areas for access are present.
	0	0	0	
Pools/Ponds (# and size)	1	**Open and accessible to bats?**		
		below ground		
Wetlands (approx. ac.)	**Permanent**	**Seasonal**		
	0	0		

Forest Resources at Sample Site				
Closure/Density	**Canopy (>50')**	**Midstory (20-50')**	**Understory (<20')**	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
	5	3		
Dominant Species of Mature Trees	Black Locust			
% Trees w/ Exfoliating Bark	2	2		
Size Composition of Live Trees (%)	**Small (3-8 in)**	**Med (9-15 in)**	**Large (>15in)**	
	2	2	5	
No. of Suitable Snags:		**0**		

Standing dead trees with exfoliating bark, cracks, crevices, or hollows. Snags without these characteristics are not considered suitable.

Is the habitat Suitable for Indiana Bats?	**Yes**

Additional Comments

Forested slope (Photos 1 and 2) consisting of trees with exfoliating bark or crevices (Photos 3 and 4). While riparian areas aren't directly adjacent to this site, a wetlands and riparian areas are present within 0.25 miles of this site. Therefore, this site provides potential summer habitat for bats.

Attach aerial photo of project site with all forested areas labeled and a general description of the habitat

Photgraphic Documentation: habitat shots at edge and interior from multiple locations; understory/midstory/canopy; Examples of potential suitable snags and live trees; water sources.

Photo 1: Photo of IB-2 habitat (to the left) looking south adjacent to existing access road and entry point.

Photo 2: Photo of IB-2 habitat (to the right) looking north adjacent to existing access road.

Photo 3: Cavity and furrowed bark on a black locust tree (18.9" DBH).

Photo 4: Suitable roosting habitat formed by exfoliating bark of black cherry tree (22.5" DBH).

NOAA FISHERIES
NORTHEAST REGIONAL OFFICE
EFH ASSESSMENT WORKSHEET FOR
FEDERAL AGENCIES
(modified 08/04)

Introduction:

The Magnuson-Stevens Fishery Conservation and Management Act mandates that federal agencies conduct an EFH consultation with NOAA Fisheries regarding any of their actions authorized, funded, or undertaken that may adversely effect essential fish habitat (EFH). An adverse effect means any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

This worksheet was prepared to assist the U.S. Army National Guard and the New York State Office of General Services (the project owners) in determining whether an EFH consultation is necessary, and developing the needed information should a further consultation with NOAA Fisheries be required. The proposed project is located at the Camp Smith Training Site, a U.S. Army National Guard facility located in Cortlandt Manor, Westchester County, New York adjacent to an unnamed tributary to Putnam Creek (see Figure 1). The project would entail the repair and rehabilitation of the landside access control point to the facility including the rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. No in-water work is proposed as part of the project in either Putnam Creek or the unnamed tributary of Putnam Creek, but 0.095 acres of the wetland adjacent to the unnamed tributary would be filled to widen the entrance road and install a retaining wall. A one-to-one (1:1) mitigation ratio has been negotiated with the United States Army Corps of Engineers (USACE) and the New York State Department of Environmental Conservation (NYSDEC) for an on-site flood storage compensatory mitigation, northwest of the proposed access control point and within the wetland delineated at the project site. A Wetland Mitigation Plan is provided in Appendix H of this Joint Application for Permit.

In addition, Part 6 of the worksheet was completed to assess the effects of the proposed action on other NOAA-trust resources. The information contained on the HCD website (http://www.greateratlantic.fisheries.noaa.gov/habitat/) was used to assist in completing this worksheet including the information regarding: the EFH consultation process; Guide to EFH Designations which provides a geographic species list; Guide to EFH Species Descriptions which provides the legal description of EFH as well as important ecological information for each species and life stage; and other EFH reference documents including examples of EFH Assessments and EFH Consultations.

EFH ASSESSMENT WORKSHEET FOR FEDERAL AGENCIES (modified 08/04)

PROJECT NAME: Camp Smith Access Control Alteration and Rehabilitation **DATE:** 12/19/2014

PROJECT NO.: 147-234672 **LOCATION:** Cortlandt, Westchester County, NY

PREPARER: HDR, Inc.

Step 1. Use the Habitat Conservation Division EFH webpage, Guide to Essential Fish Habitat Designations in the Northeastern United States to generate the list of designated EFH for federally-managed species for the geographic area of interest (http://www.nero.noaa.gov/hcd/index2a.htm). Use the species list as part of the initial screening process to determine if EFH for those species occurs in the vicinity of the proposed action. Attach that list to the worksheet because it will be used in later steps. Make a preliminary determination on the need to conduct an EFH Consultation.

1. INITIAL CONSIDERATIONS		
EFH Designations	**Yes**	**No**
Is the action located in or adjacent to EFH designated for eggs?		X
Is the action located in or adjacent to EFH designated for larvae?		X
Is the action located in or adjacent to EFH designated for juveniles?		X
Is the action located in or adjacent to EFH designated for adults?		X
Is the action located in or adjacent to EFH designated for spawning adults?		X
If you answered no to all questions above, then EFH consultation is not required -go to Section 5. If you answered yes to any of the above questions proceed to Section 2 and complete remainder of the worksheet.		

Step 2. In order to assess impacts, it is critical to know the habitat characteristics of the site before the activity is undertaken. Use existing information, to the extent possible, in answering these questions. Please note that, there may be circumstances in which new information must be collected to appropriately characterize the site and assess impacts.

2. SITE CHARACTERISTICS	
Site Characteristics	**Description**
Is the site intertidal, sub-tidal, or water column?	The project site contains a tidal wetland adjacent to Putnam Creek and an unnamed tributary to Putnam Creek. A retaining wall and roadway widening would occur within the wetland, landward of the intertidal zone.
What are the sediment characteristics?	Putnam Creek and its unnamed tributary consist of unconsolidated sediment. The adjacent wetland consists of mucky peat soils.
Is Habitat Area of Particular Concern (HAPC) designated at or near the site? If so what type, size, characteristics?	There are no HAPCs designated in or near the site.
Is there submerged aquatic vegetation (SAV) at or adjacent to project site? If so describe the spatial extent.	Submerged aquatic vegetation is mapped within Annesville Creek to the south of the project site. No submerged aquatic vegetation is mapped within the project site, however, pickerelweed (*Pontederia cordata)*, coontail (*Ceratophyllum demersum)* and curly-leaf pondweed (*Potamogeton crispus)* were observed within Putnam Creek, west of the project site.
What is typical salinity and temperature regime/range?	The following water quality information was obtained from a USGS Hudson River gauge 01374019 located at the south dock in West Point, NY, approximately 7.5 miles upstream from the project site. Average monthly water temperature ranged from 0.7 ºC to 26 ºC over an annual cycle. Average salinity increased from June through November, reaching a maximum of 2 ppt, and remained less than 1 ppt for the remainder of the year.
What is the normal frequency of site disturbance, both natural and man-made?	Frequency of disturbance at the project site is minimal and limited to mowing upland areas to the north of the project site.
What is the area of proposed impact (work footprint & far afield)?	The repair and rehabilitation of the access point will result in approximately 2.5 acres of permanent impacts and 1 acre of temporary disturbance to uplands within the project site. Approximately 0.095 acres (~4,000 square feet) of permanent impacts are proposed along the northern edge of the wetland. No disturbance or in-water work is proposed within Putnam Creek or its unnamed tributary. Details on areas of disturbance are provided in Figure 1; Appendix C –Environmental Questionnaire; and in Appendix E – Project Drawings of the Joint Application for Permit.

Step 3. This section is used to describe the anticipated impacts from the proposed action on the physical/chemical/biological environment at the project site and areas adjacent to the site that may be affected.

3. DESCRIPTION OF IMPACTS			
Impacts	**Y**	**N**	**Description**
Nature and duration of activity(s)			The proposed project consists of a permanent access control point with an approximately 1,400 square foot (sf) control building and 3,600 sf of overhead cover. Work activities include the rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Construction activities would occur for up to 60 months. No work in open water is proposed as part of the project, but 0.095 acres of the wetland adjacent to the unnamed tributary to Putnam Creek would be filled to widen the entrance road and install a retaining wall. Silt fencing, a stabilized construction entrance, riprap outfalls and a stormwater drainage pond would be utilized to minimize soil erosion and sedimentation impacts to the adjacent wetlands and watercourses.
Will benthic community be disturbed?		**X**	No disturbance to the benthic community is proposed.
Will SAV be impacted?		**X**	No work is proposed within mapped SAV areas or sub-tidal areas where SAV is found.
Will sediments be altered and/or sedimentation rates change?		**X**	Sediments will not be altered as no work is proposed within Putnam Creek or its unnamed tributary. Sedimentation rates however, may increase temporarily during project construction. Silt fencing, a stabilized construction entrance, riprap outfalls and a stormwater drainage pond would be utilized to minimize soil erosion and sedimentation impacts to the adjacent wetlands and watercourses.
Will turbidity increase?		**X**	Elevated turbidity above ambient conditions would be minimized by the temporary nature of the work and relatively small area proposed for disturbance. All applicable soil erosion and sediment control BMPs including silt fencing, a stabilized construction entrance and a stormwater drainage pond will be utilized to prevent sediments from entering the wetlands and watercourses in the vicinity of the project.
Will water depth change?		**X**	No work is proposed within Putnam Creek and its unnamed tributary.
Will contaminants be released into sediments or water column?		**X**	Sediment contamination at the site is unknown. Minor, temporary re-suspension of sediments could occur. . However, because a stormwater drainage pond will be installed to allow for sediments to settle, and less than 0.1 acres of wetland will be disturbed and

			mitigation will restore functional values, no permanent adverse impacts are anticipated.
Will tidal flow, currents or wave patterns be altered?		**X**	No in-water work or structures that would change tidal flow, currents or wave patterns are proposed.
Will ambient salinity or temperature regime change?		**X**	No changes to ambient salinity or temperature regime are anticipated.
Will water quality be altered?		**X**	As described above, increases in turbidity above ambient levels are not anticipated and no changes to the water quality of Putnam Creek and the unnamed tributary are expected to occur.

Step 4. This section is used to evaluate the consequences of the proposed action on the functions and values of EFH as well as the vulnerability of the EFH species and their life stages. Identify which species from the EFH species list (generated in Step 1) will be adversely impacted from the action. Assessment of EFH impacts should be based upon the site characteristics identified in Step 2 and the nature of the impacts described within Step 3. The Guide to EFH Descriptions webpage (http://www.nero.noaa.gov/hcd/list.htm) should be used during this assessment to determine the ecological parameters/preferences associated with each species listed and the potential impact to those parameters.

4. EFH ASSESSMENT			
Functions and Values	**Y**	**N**	**Describe habitat type, species and life stages to be adversely impacted**
Will functions and values of EFH be impacted for:			
Spawning		**X**	There is no mapped EFH within the project site.
Nursery		**X**	There is no mapped EFH within the project site.
Forage		**X**	There is no mapped EFH within the project site.
Shelter		**X**	There is no mapped EFH within the project site.
Will impacts be temporary or permanent?			There is no mapped EFH within the project site.
Will compensatory mitigation be used?	**X**		A tidal estuarine wetland of approximately 0.1 acres will be created adjacent to the existing wetland.

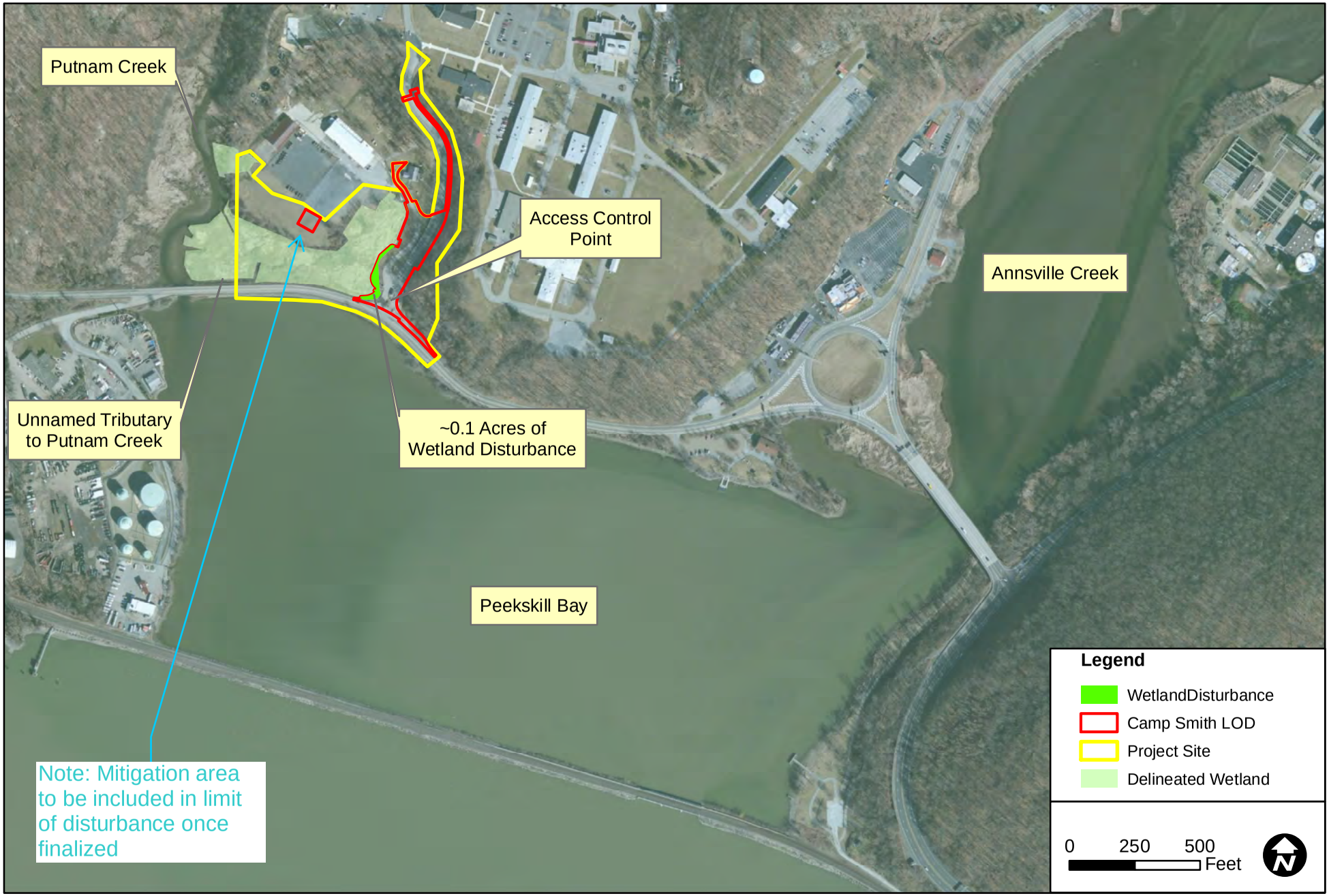
Step 5. This section provides the Federal agency=s determination on the degree of impact to EFH from the proposed action. The EFH determination also dictates the type of EFH consultation that will be required with NOAA Fisheries.

5. DETERMINATION OF IMPACT		
	/	**Federal Agency=s EFH Determination**
Overall degree of adverse effects on EFH (not including compensatory mitigation) will be: **(check the appropriate statement)**	X	**There is no adverse effect on EFH** EFH Consultation is not required
		The adverse effect on EFH is not substantial. This is a request for an abbreviated EFH consultation. This worksheet is being submitted to NMFS to satisfy the EFH Assessment requirement.
		The adverse effect on EFH is substantial. This is a request for an expanded EFH consultation. A detailed written EFH assessment will be submitted to NMFS expanding upon the impacts revealed in this worksheet.

Step 6. Consultation with NOAA Fisheries may also be required if the proposed action results in adverse impacts to other NOAA-trust resources, such as anadromous fish, shellfish, crustaceans, or their habitats. Some examples of other NOAA-trust resources are listed below. Inquiries regarding potential impacts to marine mammals or threatened/endangered species should be directed to NOAA Fisheries' Protected Resources Division.

6. OTHER NOAA-TRUST RESOURCES IMPACT ASSESSMENT	
Species known to occur at site (list others that may apply)	**Describe habitat impact type (i.e., physical, chemical, or biological disruption of spawning and/or egg development habitat, juvenile nursery and/or adult feeding or migration habitat).**
Alewife	Adults move upstream in the spring to spawn in non-tidal freshwater tributaries with relatively shallow water and slow currents and have been documented in Annesville Creek, located to the east of the project. No in-water work is proposed as part of the project in either Putnam Creek or its unnamed tributary and therefore no impacts on spawning or migrating alewife or their habitat is anticipated.
Blueback herring	Adults enter estuaries during annual (early spring) spawning runs. Because no in-water work is proposed as part of the project in either Putnam Creek or its unnamed tributary, no impacts on migrating herring or their habitat are anticipated.
Rainbow smelt	N/A
Atlantic sturgeon	Adults migrate to spawning habitat located between Kingston and Poughkeepsie, located to the north of the project site during spring. Some adults may range upriver (to Troy, NY); juveniles are rarely encountered north of the City of Hudson, NY. Because no in-water work is proposed as part of the project in either Putnam Creek or its unnamed tributary, no impacts on migrating or spawning sturgeon or their habitat is anticipated (see Appendix D - Joint Application Form Expanded Responses and Environmental Questionnaire for additional information).
Atlantic menhaden	N/A

American shad	Adults are primarily found in the tidal freshwater portion of the Hudson River Estuary during their spawning runs (March to June). Because no in-water work is proposed as part of the project in either Putnam Creek or its unnamed tributary, no impacts to migrating or spawning American shad or their habitat are anticipated.
American eel	This catadromous species reproduces in salt water and migrates to brackish or fresh water for growth to maturity. American eels are found throughout the Hudson River and in its freshwater tributaries to the north and south of the project site. Because no in-water work is proposed as part of the project in either Putnam Creek or its unnamed tributary, no impacts to American eel or their habitat are anticipated.
American lobster	N/A
Blue mussels	N/A
Soft-shell clams	N/A
Quahog	N/A
Other species:	
Shortnose sturgeon	Adult species migrate to upstream reaches of the Hudson River Estuary (north of Coxsackie, NY and the project site) to spawn. Because no in-water work is proposed as part of the project in either Putnam Creek or its unnamed tributary, no impacts to shortnose sturgeon or their habitat are anticipated. (see Appendix D - Joint Application Form Expanded Responses and Environmental Questionnaire for additional information).



NYARNG and NYS OGS
Camp Smith
Cortlandt, Westchester County, NY

Figure 1
Aerial Map
1/21/2015

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Appendix F

Memo

Date:	Friday, August 15, 2014
Project:	Access Control Alteration & Rehabilitation – Camp Smith Training Site
To:	New York Office of General Services
From:	HDR
Subject:	Camp Smith Traffic Study

Background

The Camp Smith Training Site is a military installation of the New York Army National Guard located approximately 30 miles north of New York City in Cortland Manor, New York. The installation primarily serves as a training site for the Army National Guard as well as other military units and law enforcement agencies. It operates as a mission-critical facility during adverse weather events and states of emergencies, as well as a staging area to the downstate region during domestic response events.

The primary function of the access control point (ACP) is to secure the installation from unauthorized access. Every vehicle is screened and must have proper identification before accessing the installation. Each ACP must be designed properly with safety features that protect against vehicle borne threats and illegal entry. The ACP standards are designed to ensure that a threat can be identified, intercepted and contained so that perimeter security for the installation can be maintained at all times.

The current ACP at Camp Smith is in need of alteration and rehabilitation, as the existing entrance to the facility does not comply with the current Army Standards in regards to safety, security, and traffic flow. The existing entrance does not provide adequate space to satisfy security functional requirements and meet current anti-terrorism and force protection standards. As a result of these deficiencies, the existing entrance compromises the mission of the facility and negatively impacts their ability to respond to State and Federal emergencies.

Purpose of Traffic Study

The assessment of traffic conditions is a fundamental component needed to properly plan and design the ACP. The purpose of the traffic study is to evaluate the traffic conditions to ensure that the ACP design can meet the needs of the installation, satisfy ACP functions and priorities, and accommodate anticipated development. The traffic study was conducted following the standards and methods identified in the *SDDCTEA Pamphlet 55-15 Traffic and Safety Engineering for Better Entry Control Facilities (May 2014)* and the *USACE Army Access Control Points (ACPs) Standard Design (May 2013).*

Data Collection

The data gathering and field data collection is one of the most important elements of the traffic study because the traffic data is used as a basis for the design of the new ACP.

Traffic Volumes

Camp Smith provided hourly count data at the ID check areas during a two-week period in April, 2014. These volumes are shown in **Table 1**.

Table 1. Summary of Two Week Traffic Volumes

Locations:				**CSTS**						**County: Westchester**					
Period of Study:				Sunday April 13 - 26, 2014						**City/Town: Cortland Manor**					
# of Inbound Lanes: 1										**Recorder: Multiple Security Pers.**					
Day	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**Max**
0100	0	0	3	5	10	0	6	0	0	0	0	3	0	6	10
0200	0	0	1	3	3	0	2	0	0	0	2	1	0	3	3
0300	0	0	0	0	6	0	8	0	0	2	0	1	0	1	8
0400	6	5	0	0	2	0	11	4	0	6	4	4	6	1	11
0500	3	12	8	4	0	21	16	2	3	19	9	9	12	5	21
0600	28	22	24	6	37	26	31	41	28	31	31	34	14	29	41
0700	30	35	71	20	58	60	68	48	58	49	55	39	64	51	71
0800	41	42	63	66	49	65	64	57	42	35	41	38	51	39	66
0900	32	29	34	32	34	49	57	46	31	37	38	35	14	28	57
1000	20	27	46	28	25	35	48	34	29	29	22	27	30	28	48
1100	28	35	35	15	34	29	31	21	14	5	19	20	19	15	35
1200	32	26	32	22	28	41	38	21	28	21	18	15	22	21	41
1300	21	15	36	80	26	26	42	29	36	29	34	28	31	24	**80**
1400	23	31	28	50	15	21	31	12	29	24	28	9	16	14	50
1500	15	21	20	40	12	35	21	15	15	21	22	16	12	19	40
1600	10	9	19	41	9	28	32	9	21	6	14	21	18	21	41
1700	22	21	28	10	13	36	48	26	19	26	16	4	24	31	48
1800	29	24	24	6	8	19	57	22	14	24	29	16	36	41	57
1900	8	9	19	10	30	38	46	15	18	18	10	14	29	26	46
2000	6	6	16	5	35	46	41	9	16	3	9	6	14	14	46
2100	9	10	22	6	26	19	35	8	12	19	2	0	12	12	35
2200	6	11	26	6	6	14	26	0	6	14	0	0	6	3	26
2300	2	7	6	8	9	13	9	0	3	9	0	2	2	0	13
2400	1	6	4	0	2	6	12	0	1	7	0	0	0	0	12
Sum	372	403	565	463	477	627	**780**	419	423	434	403	342	432	432	780

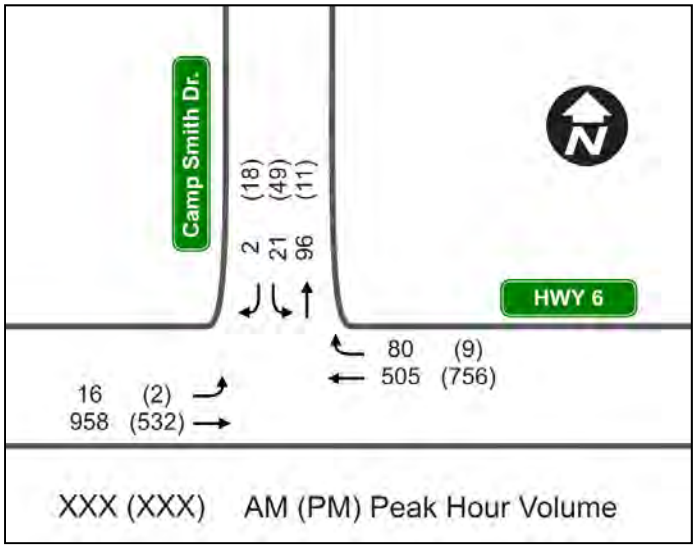
In addition, HDR conducted 15 minute turning movement counts at the intersection of U.S. Highway 6/Camp Smith Entrance Road on Thursday, June 26-28, 2014. During the data collection, the Force Protection Condition (FPCON) was Alpha, single processing was utilized, and the deployment rate was near 0%. Two guards were present at the ID check area. One guard manually checked credentials; the other guard manually raised the gate arm once

credentials were validated to permit vehicle entry into the installation. The maximum observed queue was 3-4 vehicles as shown in **Exhibit 1**, which did not spill back onto U.S. Highway 6.

Exhibit 1. Maximum Observed Queues

HDR utilized portable video collection technology and manually post processed the data to determine the turning movement counts for the intersection. The peak hour turning movement volumes of the traffic entering and exiting Camp Smith is from 07:15 – 08:15 and from 15:45 – 16:45 and are illustrated in **Figure 1**. The data collected by HDR matches closely to the maximum entering volume that was collected during the two-week period in April 2014 by Camp Smith staff.

Figure 1. Existing Turning Movement Counts



Safety Review

Crash Data

Historical crash data can be used to determine safety concerns within the existing transportation network. It can be used to identify high crash locations and correctable traffic control measures or geometric modifications to improve safety. Typically, crash data is analyzed by reviewing crash rates over a three-year period at either individual intersections or along specific segments in a corridor.

Crash data for the area was requested through Sgt. Christine Lopez of the New York State Police. The New York State Police responded to the request and noted that they “did not handle any accidents at that location on from 1/1/11 to present.” Sgt. Lopez was contacted and confirmed by phone that there were no crashes in this area in the last three years. HDR submitted an additional request for crash data thru the Freedom of Information Law (FOIL) to the New York State Thruway Authority. At the date of this memo, no response to the FOIL request has been received.

Speed Data

Speed data along U.S. Highway 6 near the Camp Smith entrance was calculated during the AM and PM peak hours. A GPS logger was used to collect the data along the corridor in each direction, and the data was gathered based on the floating car methodology. The data was processed by HDR utilizing iTREC software. Three runs were conducted per direction and the results were averaged as summarized in **Table 2.**

Table 2. Average Speeds at along U.S. Highway 6 near Camp Smith

Location	Average AM Speed		Average PM Speed	
Travel Direction	Westbound	Eastbound	Westbound	Eastbound
East of Camp Smith entrance	40 mph	39 mph	43 mph	45 mph
At Camp Smith entrance	38 mph	38 mph	38 mph	40 mph
West of Camp Smith entrance	40 mph	38 mph	38 mph	40 mph

The posted speed in this segment along U.S. Highway 6 is 40 mph. The data does not indicate that speeding is a concern within the study area.

Analysis

Design Volumes

In most municipal or state projects, traffic demands are projected 25-30 years into the future to accommodate future growth on the roadway network. On a military installation, the population is controlled and growth is dependent upon the installation mission. The Army Standard states that “the traffic engineering study shall be based on the largest anticipated design demand value that occurs between the current traffic volume and the projected traffic volume five (5) years in the future.” Discussions with Camp Smith staff revealed that there is no planned development, mission growth, or anticipated mission change that would occur within the next five years that

would increase the traffic volume above the existing level. Therefore, the peak design volume for traffic is 96 vehicles per lane per hour.

Lane Requirements

The volume that enters the ACP is directly tied to the processing rate of each vehicle. The processing rate can vary per vehicle so generally an average processing rate is calculated. The processing rate can fluctuate significantly depending on the security measures in place, which depend on the sensitivity level of the mission and the FPCON. **Exhibit 2** provides a description of the FPCONs and **Exhibit 3** provides the assumed processing rates for those FPCONS.

Exhibit 2. Description of Force Protection Conditions

FPCON	Application	Description	Typical Processing Characteristics
NORMAL	Applies when a general threat of possible terrorist activity exists but warrants only a routine security posture.	The baseline posture.	No direct checks; considered an open installation.
ALPHA	Applies when there is an increased general threat of possible terrorist activity against personnel or facilities, the nature and extent are unpredictable.	The measures must be capable of being maintained indefinitely.	Vehicle identification only.
BRAVO (including BRAVO+ used at some installations)	Applies when an increased or more predictable threat of terrorist activity exists.	The measures must be capable of being maintained for weeks without causing undue hardship or extreme traffic delays, affecting operational capability, or aggravating relations with local authorities.	Bravo: vehicle and driver identification, random vehicle inspections. Bravo+: All occupants identified, vehicle identification; random vehicle inspection.
CHARLIE	Applies when an incident occurs or intelligence is received indicating some form of terrorist action against personnel or facilities is likely.	Implementation of this measure for more than a short period may create hardship and affect the peacetime activities of the unit and its personnel.	Identification of vehicle and all vehicle occupants, more frequent random vehicle inspection.
DELTA	Applies in the immediate area where a terrorist attack has occurred or when intelligence has been received that terrorist action against a specific location or person is imminent. Normally, FPCON DELTA is declared as a localized warning.	Measures to be implemented in response to local warning and not intended to be sustained for lengthy periods of time.	ID checks of all vehicle occupants and complete inspections of all vehicles. Generally, only mission-essential personnel report for duty.

Exhibit 3. Processing Rates

Processing Technique	Assumed FPCON	Manual Checks[1]		Checks Using Handheld Devices[2]		Automated Lanes[3]	
		Single Checks Per Lane	Tandem Checks Per Lane	Single Checks Per Lane	Tandem Checks Per Lane	Without Traffic Arms	With Traffic Arms (Up/Down For Each Vehicle)
		vphpl	vphpl	vphpl	vphpl	vphpl	vphpl
No identification[4]	Normal	Capacity at Roadway	NA	NA	NA	NA	NA
Vehicle identification only	Alpha	800 to 1,200	NA	NA	NA	800 to 1,200	550 to 800
Vehicle and occupant identification[5]	Bravo, Bravo+ and Charlie	300 to 450	400 to 600	275 to 375	350 to 475	400 to 450	325 to 350
Inspection of mission essential vehicles only	Delta	20 to 120	NA	20 to 120	NA	NA	NA

BRAVO+ is the design standard for the planning and design of ACPs, and is the baseline for sustained operations. Currently, manual ID checks are performed but Camp Smith has expressed a desire to integrate handheld devices in the future. Note that data shows that the processing technique using the handheld devices will result in a lower processing rate.

The number of lanes required can be calculated based on the assumed lane processing rate and the design traffic volumes. The design rate assumed for the ACP is 275 vehicles per lane per hour, which is consistent with single processing using handheld devices under FPCON BRAVO+. With the design volume of 96 vehicles per hour per lane, the traffic volume can be handled in one lane.

The Army Standard previously required a minimum of two inbound lanes. The Army Standard now says that the ACP “includes the number of entry lanes sufficient to process the traffic volume identified in the traffic engineering study.” However, two inbound lanes are still recommended for the ACP. The second lane should be designated as a separate truck lane and could also be used for random inspections.

Other Functional Requirements

There are less than five trucks during the peak hour, and most of the trucks are routine delivery trucks. The existing ACP does not have a separate truck holding area. Trucks are diverted to the overflow parking area and held there for inspection, when required. Properly sizing a truck holding area depends on the number of commercial vehicles to be inspected and the amount of time it takes to inspect a vehicle. Thorough truck inspections typically take between two and five minutes. While a separate truck holding area is desirable, a typical truck inspection could be done in a dedicated truck lane or handled procedurally, similar to the current practice, given the low volume of trucks.

The existing ACP does not have a visitor control center (VCC). The Army Standard states that “if the installation accepts visitors and does not currently possess a VCC one should be included in the first available ACP project.” Therefore, a VCC is recommended with this project. The

processing and parking requirements are determined by the peak hourly demand. Discussions with Camp Smith staff revealed that the installation typically experiences a very low number of daily visitors, but visitor logs were not available to determine the specific sizing requirements for the VCC.

Intersection Analysis

The intersection analysis was completed using Syncho 8.0 software. Synchro replicates the analysis procedures defined in the *2010 Highway Capacity Manual*. The manual provides procedures for the analysis of both signalized and unsignalized intersections.

The concept of Level of Service (LOS) was developed to quantify a roadway's degree of congestion and to help describe traffic operations. LOS categories range from LOS 'A' (best) to LOS 'F' (worst), as shown in **Table 3**. Unsignalized intersections are analyzed by identifying the amount of delay at each lane or approach that conflict with other intersection movements (i.e. all movements except the free flow through lanes).

Table 3. Unsignalized Intersection LOS

Level of Service	Control Delay (sec/veh)	Description
A	0 ≤ 10	Free flow, insignificant delays
B	10 ≤ 15	Stable operations, minimal delays
C	15 ≤ 25	Stable operations, acceptable delays
D	25≤ 35	Restricted flows, regular delays
E	35 ≤50	Maximum capacity, extended delays. Volumes at or near capacity. Long queues form upstream from intersection.
F	>50	Forced flow, excessive delays. Represents jammed conditions. Intersections operate below capacity with low volumes.

The southbound approach operates at LOS 'E' during the AM peak hour and LOS 'D' during the PM peak hour. The analysis was conducted assuming both a left-turn and right-turn lane coming out of Camp Smith. Currently, the pavement is wide enough to support both movements, despite the exclusive lanes not being delineated. The through traffic along U.S. Highway 6 is fairly constant and at times there are limited gaps. However, the volume of traffic exiting Camp Smith does not meet the minimum volumes required to warrant a traffic signal.

An exclusive westbound right-turn lane along U.S. Highway 6 is recommended. The majority of traffic accessing Camp Smith originates from the east. The right-turning volume has the potential to create safety and operational problems. Turning vehicles slow down and create a speed differential between the turning vehicle and the through traffic. The speed differential can lead to a higher frequency of rear end crashes and increases the delay for traffic in the through lane. The right-turn lane could also provide additional storage for vehicles entering Camp Smith during high demand periods. Queues could create a safety problem since the queue may not be expected or visible to traffic due to the curvature of U.S. Highway 6.

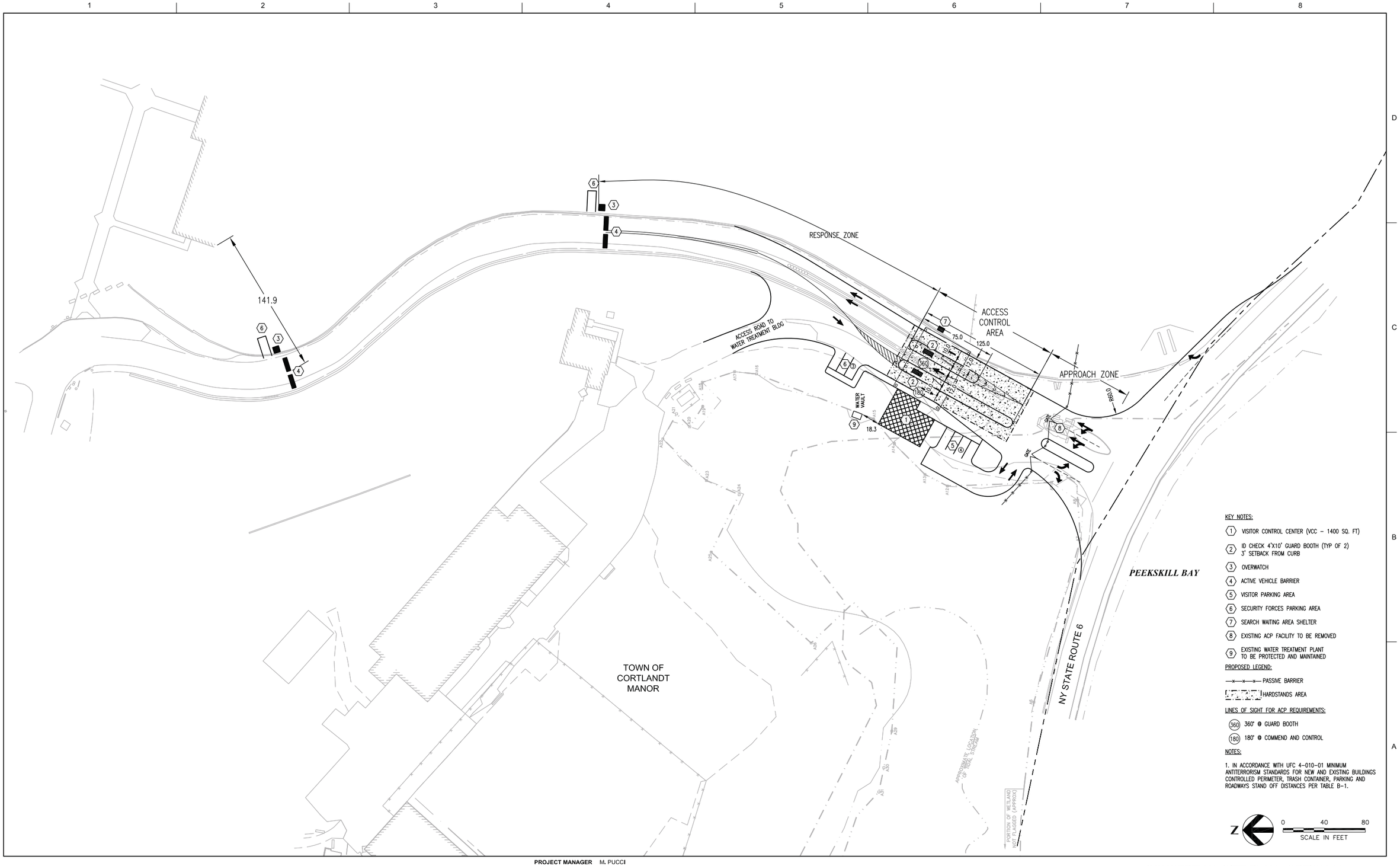
Consideration was given to an exclusive eastbound left-turn lane into the site. The existing turning movements are low for this movement and it would be challenging to fit the left-turn lane into the existing roadway section. Queuing does occur because there is a lack of gaps in traffic. However, there was no crash data to justify this improvement.

ACP Concepts and Design Requirements

Concept Development

Many different conceptual layouts and variations were presented to the stakeholders. Environmental impacts and topography were the main constraints of the concepts. The area adjacent to the existing ACP is a regulated wetland area with habitat potentially suitable for threatened and endangered species and may also contain possible historic resources. Additionally, areas of the project site are within the floodplain and contain navigable waters (tidal creeks). The stakeholder's main goals were to minimize environmental impacts given the potential impact to the project schedule from a permitting standpoint and potential costs associated with mitigation.

Topography also posed a challenge, as there is approximately a 9% grade from the main cantonment area to the existing access point at U.S. Highway 6 that limits the feasibility of several options. Stakeholders provided their expectations and priorities for the ACP, and selected two options to develop to a 10% design. The alternatives were evaluated during the 10% design charrette, and the preferred alternative was selected. The variations to the preferred concepts are shown in **Exhibit 4** and **Exhibit 5**.



ISSUE	DATE	DESCRIPTION
4	08/04/2014	©CONCEPTUAL PLANS

PROJECT MANAGER M. PUCCI

PROJECT NUMBER 000000000234672

CONCEPTUAL PLANS

DESIGN CHARRETTE
ACCESS CONTROL
ALTERATIONS & REHABILITATION
AT CAMP SMITH TRAINING SITE
CORTLANDT MANOR - NEW YORK
PROJECT NO. 44897

CONCEPTUAL SITE PLAN - OPTION 1A

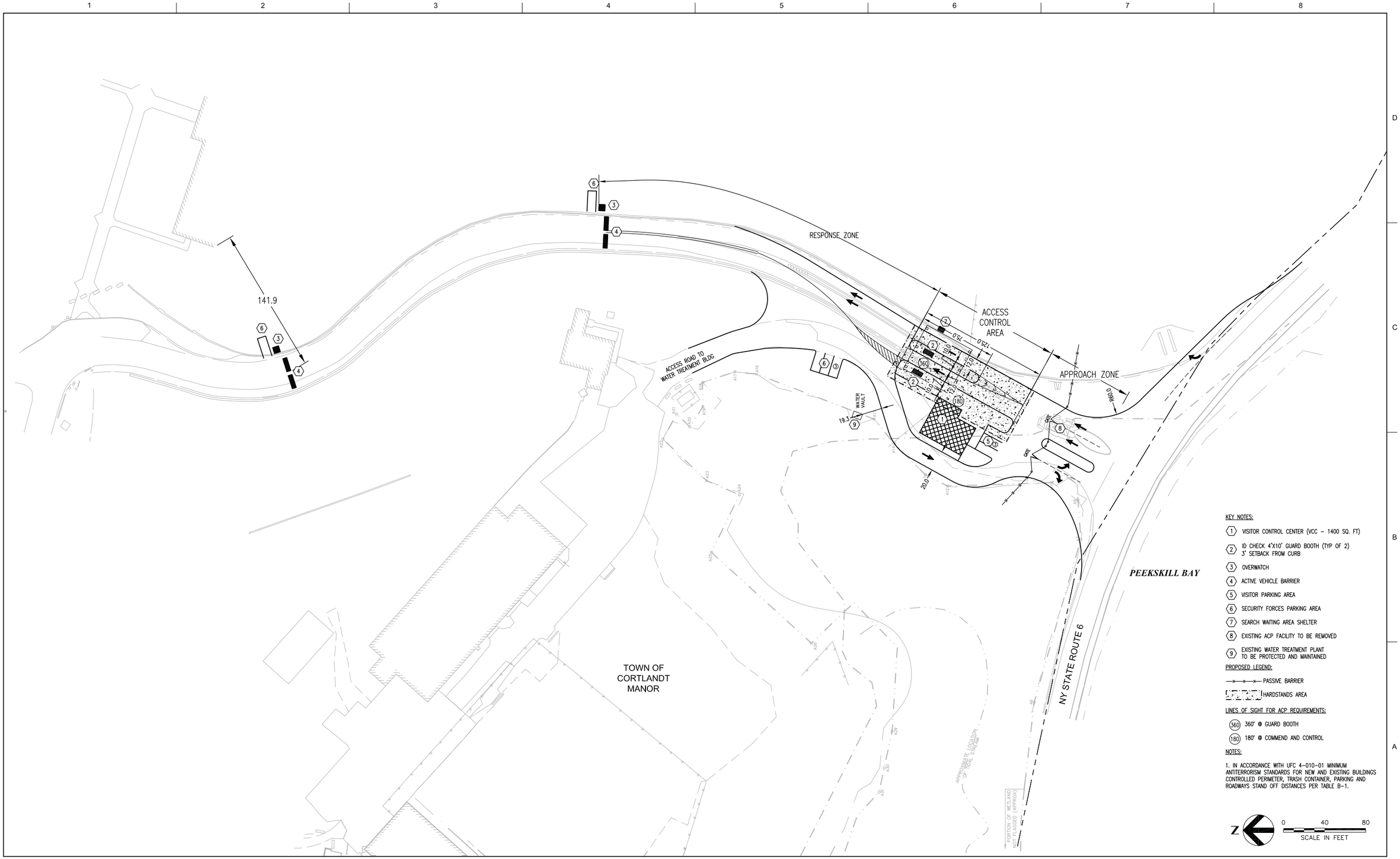
EXHIBIT 4

0 1" 2"

FILENAME C-01.dwg

SCALE 1" = 40'

SHEET C-01



ISSUE	DATE	DESCRIPTION
4	08/04/2014	CONCEPTUAL PLANS

PROJECT MANAGER M, PUCCI

PROJECT NUMBER 000000000234672

CONCEPTUAL PLANS

DESIGN CHARRETTE
ACCESS CONTROL
ALTERATIONS & REHABILITATION
AT CAMP SMITH TRAINING SITE
CORTLANDT MANOR - NEW YORK
PROJECT NO. 44897

CONCEPTUAL SITE PLAN - OPTION 1B

EXHIBIT 5

0 1" 2"

FILENAME C-02.dwg

SCALE 1" = 30'

SHEET C-02

Camp Smith is a National Guard site and is not bound by the Army Standards. However, the Army Standards were followed when developing the concepts. **Table 4** provides a summary of the features and design decisions for the preferred alternative.

Table 4. Summary of ACP Design Decisions

Features	Included	Comments
Entry Gate	Yes	
Passive Barrier	Yes	Wetlands and existing topography to serve as passive barrier. Threat vehicles will be able to access the existing road to the water treatment plant, but barrier will be placed on existing pedestrian trail (for overflow parking) to block access into the cantonment area.
Visitor Control & Command and Control	Yes	Combined Building. Requirements for minimum number of visitor parking stalls reduced per direction of client.
Rejection Lanes (pre-ID check area and post ID check area)	Yes	No separate truck rejection lane per direction of client – truck rejections will be handled on a procedural basis utilizing the existing road to the water treatment plant for trucks to turnaround.
ID Check Area	Yes	Two (2) guard booths, one for each inbound lane.
Separate Search Area for Random Inspection and Post-ID inspection	No	Search will be performed in lane or in designated truck lane. No separate search area is provided per direction of client. Shelter will be provided, similar to bus stop near the truck lane.
Active Vehicle Barrier	Yes	Will comply with either the “Stop Control” or “Conventional” safety scheme.
Overwatch Position	Yes	Building type specified by client – parking stall will not be provided per direction of client.
Design Vehicle	WB-67	14’ truck lane at the ID check area designated for tucks. Canopy will be set at 17.5’ – oversized trucks above this height cannot be accommodated through normal inbound lanes.
Truck Holding Area	No	Will be handled procedurally, utilizing the existing road to the water treatment plant.
Standoff Distance	Yes	Will be met with “Stop Control” safety scheme with presence detection. Additional analysis will be needed to confirm it is met for the “Conventional” safety scheme.
Speed Management in Approach Zone	No	Speed management such as chicanes or serpentines were not able to be incorporated into the design. Overspeed detection will be required.

Response Zone Calculations

Preliminary calculations were conducted to determine the length of the response zone and the location of the active vehicle barriers (AVBs). The location of the AVBs is dependent upon the initial velocity and location of the threat vehicle when it is detected; the acceleration rate of the threat vehicle; and the time required for guard response, safety, and deployment. All four threat scenarios specified in the Army Standards were considered. The calculations assumed overspeed detection and wrong way detection would be utilized.

According to the Army Standards, the “Active Vehicle Barriers and Access Control Point System types shall conform to a safety scheme, as identified by Surface Deployment Distribution Command Transportation and Engineering Agency (SDDC-TEA).” The safety scheme is necessary to allow all road users to either stop or safely clear the barrier prior to deployment.

Two types of safety schemes were reviewed: the “Conventional Traffic and Safety Control System for Active Vehicle Barriers” safety scheme and the “Stop Control” safety scheme utilizing presence detection.

The “Conventional” safety scheme operates like a traditional signal. The signal is always green unless the emergency fast operating (EFO) button is pushed. Once activated, the signal begins the clearance interval and changes to yellow followed by red. Once the signal is red, the AVB will be deployed as long as no vehicle is detected to be stopped on the barrier. This safety scheme requires 9 seconds of response time (3 seconds for guard reaction, 4 seconds for the signal clearance interval, and 2 seconds for barrier deployment). The preliminary calculations for this scheme place the AVBs at a minimum of 650’ from the end of the ID check area.

The “Stop Control” safety scheme is an alternative scheme to signalization. Each vehicle, both inbound and outbound, must stop at the stop sign located at the barrier every time they enter or exit the installation. This scheme utilizes stop signs instead of signalization in order to eliminate the clearance time (yellow and all red time) and reduce the response time from 9 seconds to 5 seconds. Therefore, the response zone length can be reduced. The preliminary calculations for this scheme place the AVBs at a minimum of 317’ from the end of the ID check area.

Currently, both safety schemes are included in the concept. As the design progresses, one of the two safety schemes will be need to be selected by the client to be incorporated into design. Additionally, as the concept is refined the response zone lengths will be recalculated to ensure the AVB is properly located.

Appendix G

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Camp Smith Access Control Alteration and Rehabilitation		
Project Location (describe, and attach a general location map): Camp Smith Training Site, 11 Bear Mountain Bridge Road, Cortland Manor, NY		
Brief Description of Proposed Action (include purpose or need): The proposed project involves the construction of a rehabilitated/improved access control point (ACP) at the entrance to the Camp Smith Training Site, located in the Town of Cortlandt, Westchester County, New York. The project consists of a permanent access control point with an approximately 1,680 square foot (sf) control building and 2,950 sf of overhead cover to meet current Army and National Guard regulations and design guidelines. The project also includes rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, fire protection, IT systems, conduits for low voltage wires, and a design for backup power generation would also be provided.		
Name of Applicant/Sponsor: NY Army National Guard - Division of Military and Naval Affairs	Telephone: 518-786-4548 E-Mail:	
Address: 330 Old Niskayuna Road		
City/PO: Latham	State: New York	Zip Code: 12110-3514
Project Contact (if not same as sponsor; give name and title/role): Peter Jensen	Telephone: 518-786-4548 E-Mail: carle.p.jensen.nfg@mail.mil	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): People of the State of New York	Telephone: E-Mail:	
Address: 330 Old Niskayuna Road		
City/PO: Latham	State: NY	Zip Code: 12110-3514

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☐Yes☑No		
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYS Office on General Services, NYSDEC, NYARNG	
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

1) Remediation Site 360140- small arms ranges located along Putnam Brook. 2)American Heritage River - Hudson River is designated by Congress as a National Heritage Area from Troy to New York City.

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Camp Smith Reuse B and Parks, Recreation and Open Space (PROS) district

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Hendrick Hudson School District

b. What police or other public protection forces serve the project site?
New York State Police and Westchester County Police

c. Which fire protection and emergency medical services serve the project site?
Continental Village Fire Department and Peekskill EMS

d. What parks serve the project site?
Hudson Highlands State Park, Hudson River Valley Greenway Trail System (Camp Smith Trail)

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Institutional/Military

b. a. Total acreage of the site of the proposed action? 15.0 acres
b. Total acreage to be physically disturbed? 1.85 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1,613 acres

c. Is the proposed action an expansion of an existing project or use? ☑ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % less than 1% Units: square feet

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed?
iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 6 months
ii. If Yes:
- Total number of phases anticipated
- Anticipated commencement date of phase 1 (including demolition) month year
- Anticipated completion date of final phase month year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 3

ii. Dimensions (in feet) of largest proposed structure: 20' height; 48 width; and 61 length Canopy structure

iii. Approximate extent of building space to be heated or cooled: 1,680 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment:

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: million gallons; surface area: acres

v. Dimensions of the proposed dam or impounding structure: height; length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i .What is the purpose of the excavation or dredging?

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe.

v. What is the total area to be dredged or excavated? acres

vi. What is the maximum area to be worked at any one time? acres

vii. What would be the maximum depth of excavation or dredging? feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑Yes ☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): 0.08 acres of freshwater emergent wetland on the outer edge of Camp Smith Marsh

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
excavation and fill for site preparation-.08 acre of shallow emergent marsh.

iii. Will proposed action cause or result in disturbance to bottom sediments? ☑ Yes ☐ No
If Yes, describe: It will be necessary to remove unsuitable soils (organic soils) for the construction of a retaining wall within the wetland.

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☑ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: Emergent wetland vegetation primarily limited to Phragmites
- expected acreage of aquatic vegetation remaining after project completion: Remaining Camp Smith Marsh
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): Excavation and fill for project
- proposed method of plant removal: Excavation
- if chemical/herbicide treatment will be used, specify product(s): None

v. Describe any proposed reclamation/mitigation following disturbance:
None required.

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☑ No
If Yes:

i. Total anticipated water usage/demand per day: 60 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑ Yes ☐ No
If Yes:

- Name of district or service area: Camp Smith utilizes an on-site system- Public Water Supply Permit 5902878- adequate capacity exists
- Does the existing public water supply have capacity to serve the proposal? ☑ Yes ☐ No
- Is the project site in the existing district? ☑ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☑ No
- Do existing lines serve the project site? ☑ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☑ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
  1.5 inch domestic water service will connect to the new control building to existing system-no increase in capacity is required.
- Source(s) of supply for the district: 2 on-site wells with a 500,000 gallon storage tower.

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑ No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: 60 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
sanitary wastewater- the existing system has a capacity of 240,000 gpd;

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☑ No
If Yes:

- Name of wastewater treatment plant to be used:
- Name of district:
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☑Yes ☐No
- Will line extension within an existing district be necessary to serve the project? ☑Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

line extension to connect the new control building to the existing system.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- What is the receiving water for the wastewater discharge?

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

Site is served by an on-site wastewater treatment plant. Treated effluent is discharged to the lower portion of Putnam Creek in accordance with SPDES permit number 0030503.

vi. Describe any plans or designs to capture, recycle or reuse liquid waste:

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 0.1* acres (impervious surface) *Additional impervious. Parcel is partially developed

_____ Square feet or 1613 acres (parcel size)

ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Majority of flow from the site will be conveyed via a closed stormwater system to a pocket pond that will provide water quality treatment prior to discharge to adjacent Camp Smith Marsh.

- If to surface waters, identify receiving water bodies or wetlands:

Camp Smith Marsh

- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

construction vehicles and construction equipment

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

no

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

no

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 AM to 4 PM
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 24 hrs.
- Saturday: 24 hrs.
- Sunday: 24 hrs.
- Holidays: 24 hrs.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Potential increases during construction will be a result of construction equipment and vehicles. No increase during operation. No nearby sensitive receptors

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

New lighting will be limited to a wall-mounted fixture on the back of the command and control building and lighting beneath the canopy where vehicles are checked. The existing pole fixtures at the entrance will be replaced with full cut-off, energy efficient LEDs fixtures that will reduce existing light spillage.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: Note that there are no sensitive receptors in the immediate vicinity of the existing entrance. Lighting will have no adverse effects on existing land uses.

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per TBD (unit of time)
- Operation : .25 tons per month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: All construction debris will be disposed of at a properly permitted construction debris landfill.
- Operation: All solid waste will be disposed of at a properly permitted sanitary landfill. The proposed facility will have an occupancy of 4 people at any given time. Waste generation will be very small and will not increase over existing operations.

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☑ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:
The project will not generate hazardous wastes but hazardous materials may be present in the adjacent wetland and may be encountered during construction. Lead contamination from upstream firing ranges and potentially PCBs from Hudson River.

ii. Generally describe processes or activities involving hazardous wastes or constituents:
Prior to construction, areas potentially containing lead and PCBs will be tested for contamination. This will determine the appropriate methods for handling and disposing of excess soils during construction. Lead contaminated soils may be reused on-site at firing ranges.

iii. Specify amount to be handled or generated N/A tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☑ No

If Yes: provide name and location of facility:

Not anticipated. Lead contamination is the only known contaminate within the wetland and can be reused on-site.

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:
Assuming lead contamination only, excess soils can be respread on the firing ranges. If PCBs are present at hazardous levels, the materials will be disposed of in a hazardous materials landfill.

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☑ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☐ Agriculture ☑ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:
The project location is generally surrounded by Camp Smith property.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.6	2.7	+0.1
• Forested	3.8	3.8	
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	4.4	4.4	0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: mowed lawn	4.2	4.1	-0.1

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes ☑No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 360140

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes ☐No

If yes, provide DEC ID number(s): 360140, 546031

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

360140- previous investigations indicate that small arms ranges located upstream along Putnam Brook are contributing metals munitions to the Camp Smith tidal marsh. NYARNG is developing plans for range reconfiguration to address this.546031- relates to PCB pollution from the GE manufacturing plants in Hudson Falls and Fort Edward and applies on the Hudson River from Hudson Falls to the Battery in NYC. Remediation is ongoing.

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 4-6 feet *varies across site

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Riverhead Loam	20 %
Ipswich mucky peat	70 %
Udorthents & Urban Land	10 %

d. What is the average depth to the water table on the project site? Average: 0-4 feet

e. Drainage status of project site soils:
☑ Well Drained: 70 % of site
☐ Moderately Well Drained: _____ % of site
☑ Poorly Drained 30 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 80 % of site
☐ 10-15%: _____ % of site
☑ 15% or greater: 20 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No
ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Putnam Creek Classification SC/C
- Lakes or Ponds: Name Dickiebusch Lake Classification _____
- Wetlands: Name Camp Smith Marsh. Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100 year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:
i. Name of aquifer: According to NYSDEC Map of Principal and Primary Aquifers, the project is not located over a primary aquifer.

m. Identify the predominant wildlife species that occupy or use the project site:

white-tailed deer	muskrat	American Goldfinch
red-winged blackbird	gray squirrel	American crow
Canada Goose	red-tailed hawk	

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): Brackish Intertidal Mudflats, Appalachian Oak-Hickory Forest, Brackish tidal Marsh; Brackish tidal marsh is located adjacent to Action Area;

ii. Source(s) of description or evaluation: Brackish Intertidal Mudflats and Appalachian Oak-Hickory do not occur in Action area

iii. Extent of community/habitat:

- Currently: 4.0, 70.96, 6.96 acres
- Following completion of project as proposed: no change acres
- Gain or loss (indicate + or -): no chnage acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

According to the NYSDEC Natural Heritage Program (NHP) the shortnose sturgeon, Atlantic sturgeon, and bald eagle may occur within the project vicinity. The USFWS IPaC identified the following species: Northern long-eared bat, Indiana bat, and New England cottontail.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

None identified by NYSDEC NHP.

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☑ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use: There are no opportunities on the site itself. There may be fishing opportunities within the Annsville Creek impoundment and on the Hudson River.

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No

If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site?

ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☑ Yes ☐ No

If Yes:

i. CEA name: Hudson River

ii. Basis for designation: Exceptional or unique characater

iii. Designating agency and date: Westchester County - Date: 1-31-90

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Peter Jensen Date 3/18/15

Signature  Title Env. Branch Chief, NYARNG

PRINT FORM

Agency Use Only [If applicable]

Project :

Date :

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
If "Yes", answer questions a - j. If "No", move on to Section 2.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☑	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☑	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑NO ☐YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☐NO ☑YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☑	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☑	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☑	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☑	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☑	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☑	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2,h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐NO ☑YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☑	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☑	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☑	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☑	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☑	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☑	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☑	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☑	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☑	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑NO ☐YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources
The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
☑ NO ☐ YES
If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☐ ☐	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources
The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
☐ NO ☑ YES
If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☑	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☑	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☑	☐

11. Impact on Open Space and Recreation
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☑	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☑	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☑	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☑	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☑	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: _____ _____		☐	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [If Applicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The project is not expected to result in any potentially large impacts, as identified in Part 2. However, there may be small or minor impacts to some resources such as wetlands, floodplains, threatened and endangered species, and human health. Human health issues are related to the potential for excavating material from the adjacent wetland (0.08 acre) that is known to contain lead and may contain PCBs from the Hudson River. The potential impacts from the project have been minimized through site design and best management practices to ensure that none of the impacts will be significant. All the potential impacts and the best management practices incorporated into the project are discussed in detail in Sections 4 and 5 of the National Environmental Policy Act (NEPA) Environmental Assessment (EA). The Camp Smith ACP EA serves to satisfy the requirements of NEPA and provide the documentation required to satisfy a SEQR determination of no significant adverse impact.

The EA includes an analysis of the potential environmental consequences of the Proposed Action, Alternative(s) to the Proposed Action and the No Action Alternative. In accordance with 40 CFR 1501.7 (a)(3), the EA addresses the environmental resources and impact topics that could potentially be affected by the Proposed Action and as such represents Part 3 of the Full EAF. This Full EAF is included as an Appendix I in the EA. A federal coastal zone consistency assessment form and associated discussion/documentation was prepared for the Camp Smith ACP and is included in Appendix B of the NEPA EA.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
NEPA Environmental Assessment including all attachments prepared for the Camp Smith Access Control Alteration and Rehabilitation project.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
NY Army National Guard - Division of Military and Naval Affairs as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Camp Smith Access Control Alteration and Rehabilitation

Name of Lead Agency: NY Army National Guard- Division of Military and Naval Affairs

Name of Responsible Officer in Lead Agency: Peter Jensen

Title of Responsible Officer: Environmental Branch Chief

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Peter Jensen, Environmental Branch Chief, Facilities Management and Engineering

Address: NYS Division of Military and Naval Affairs, 330 Old Niskayuna Road, Latham, NY 12210

Telephone Number: (518) 786-4548

E-mail: carle.p.jensen.nfg@mail.mil

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

ENVIRONMENTAL ASSESSMENT

NEW YORK ARMY NATIONAL GUARD
ALTERATION AND REHABILITATION OF AN ACCESS CONTROL POINT AT CAMP SMITH

Camp Smith Training Site
11 Bear Mountain Bridge Road
Cortlandt Manor, NY 10567

August 2015

Finding of No Significant Impact
Alteration and Rehabilitation of an Access Control Point at Camp Smith
Westchester County, New York

Introduction

The New York Army National Guard (NYARNG) has prepared an Environmental Assessment (EA) to identify and evaluate the potential environmental and socioeconomic impacts of the proposed Camp Smith Access Control Alteration and Rehabilitation Project. The NYARNG prepared the EA in accordance with the National Environmental Policy Act (NEPA) and implementing regulations issued by the Council on Environmental Quality (CEQ) and 32 Code of Federal Regulations (CFR) Part 651.

1. Description of the Proposed Action and Alternatives

Proposed Action

The New York Army National Guard (NYARNG) has proposed an access control point (ACP) alteration and rehabilitation project for the entrance to the Camp Smith Training Site, located in the Town of Cortlandt, Westchester County, New York. The project consists of a permanent ACP with an approximately 1,680 square foot (sf) control building and approximately 2,950 sf of overhead cover to meet current Army and National Guard regulations and design guidelines, including UFC 4-010-01 DoD Minimum Antiterrorism Standards for Buildings and UFC 4-022-01 Security Engineering: Entry Control Facilities/Access Control Points. The project also includes rehabilitation of the entrance road, drainage, parking, curbs, sidewalks, retaining wall, paving, site lighting, control fence and gate, traffic control and maintenance, signage and plantings. Utilities such as water, sanitary sewer, storm sewer, electric, fiber, fire protection, IT systems, conduits for low voltage wires, and a design for backup power generation would also be provided. The Proposed Action is the NYARNG's preferred alternative.

Alternatives Considered

Two alternative entrance location options and two alternative design options were initially considered in the alternatives screening process. The developable areas of the Camp Smith property are significantly constrained by steep slopes, wetlands and streams. The alternative locations for a new entrance/ACP were limited to the northern portion of the site along Route 9. Significant construction costs for site preparation and associated environmental impacts precluded these alternatives from further consideration. The two design alternatives did not meet functional and cost considerations during the screening process. They also involved greater environmental impacts than the preferred alternative. Therefore, the Preferred Alternative became the alteration and rehabilitation of the existing ACP.

The NYARNG evaluated both the Preferred Alternative and the No Action Alternative in the EA. Under the No Action Alternative, the existing ACP will not be constructed and the NYARNG will not be able to meet ARNG standards for safety and security and existing traffic delays and vehicle stacking into the highway would continue. An environmental analysis of the No Action Alternative is performed to serve as a benchmark against which the Proposed Action can be evaluated.

2. Environmental Analysis

Based on the analysis contained in the EA, NYARNG has determined that the known and potential impacts of the Proposed Action on land use, geology and soils, water resources, biological resources, infrastructure, traffic, and hazardous and toxic materials will not be significant. Best Management Practices (BMPs) will be employed while the ACP is being built to minimize any impacts. These BMPs include measures such as installing erosion and sediment controls, and seeding and/or stabilizing disturbed earth as soon as practicable, timing the removal of trees to avoid impacts to the northern long-eared bat and migratory birds, and utilizing standard testing and construction methods to properly handle potentially contaminated soils. There is a potential for a significant adverse impact on the 100 year floodplain of the Hudson River and a wetland adjacent to the ACP. Compensatory mitigation/flood storage will reduce these impacts to less-than-significant levels.

Mitigation

Compensatory storage will be provided for the loss of flood storage within the 100-year floodplain of the Hudson River in the form of an emergent wetland, excavated in uplands adjacent to an existing tidal marsh. Specific wetland mitigation will not be required by the U.S. Army Corps of Engineers but is included to comply with the intent of Executive Order 11990. The mitigation will provide a minimum of 1:1 replacement of the existing, highly degraded emergent wetland and will reduce the impact below significant levels by fully compensating for the flood storage and water quality benefits associated with the project impact area.

Since the Proposed Action is located within the 100-year floodplain and no practical alternative exists for locating the Proposed Action outside the 100-year floodplain, the NYARNG is currently pursuing a floodplain waiver from Headquarters, Department of the Army (HQDA) to execute military construction within a known floodplain. Prior to construction, the NYARNG will obtain all necessary approvals and/or authorizations from the NGB and the U.S Army.

3. Regulations

The Proposed Action will not violate NEPA, the CEQ Regulations, 32 CFR 651 or any other Federal, state or local environmental regulations.

4. Commitment to Implementation

The National Guard Bureau (NGB) and NYARNG affirm their commitment to implement this EA in accordance with NEPA. Implementation is dependent on funding. Adequate funding from NGB is in place for fiscal year 2015 to achieve the goals and objectives set forth in this EA.

5. Public Review and Comment

The Final EA and this Draft FNSI will be available for public review and comment for 30 days following the publication of a Notice of Availability (NOA) in The Journal News, a local newspaper of general circulation. This review period extends from August 16-30, 2015. As announced in the NOA, these documents will be available for public review at the Field Library, 4 Nelson Ave., Peekskill, NY 10566 (914) 737-1212. By way of this FNSI, the Documentation of Compliance with Executive Order 11988 (Floodplain Management) is also made available for public review and comment as Sections 3.5.3 and 4.5.3 of the EA.

Copies of the Final EA and/or Draft FNSI are available from, and written comments are requested to be directed to, Peter Jensen, Environmental Branch Chief, at New York Army National Guard, Division of Military and Naval Affairs, 330 Old Niskayuna Road, Latham, New York 12110, (518) 786-4548 or carle.p.jensen.nfg@mail.mil.

6. Finding of No Practical Alternative

Due to the mission requirements of the proposed ACP, the need to maintain this facility at the primary Camp Smith entrance, and that the entire ACP is located within the 100-year floodplain, no practical alternative exists for locating the Proposed Action outside the 100-year floodplain. The NYARNG is currently pursuing a floodplain waiver from HQDA in accordance with Executive Order 11988, 24 May 1977, to execute military construction within a known floodplain. The waiver will contain data and information confirming the lack of impacts of the proposed construction on the neighboring communities. Prior to construction, the NYARNG will obtain all necessary approvals and/or authorizations from the NGB and the U.S. Army.

7. Finding of No Significant Impact

After careful review of the EA, I have concluded that implementation of the Proposed Action will not generate significant controversy or have a significant impact on the quality of the human or natural environment. This analysis fulfills the requirements of NEPA and the CEQ Regulations. An Environmental Impact Statement will not be prepared, and the National Guard Bureau is issuing this Finding of No Significant Impact.

_____ _____

Date

William M. Myer
Colonel, US Army
Chief, Environmental Programs Division