Appendix E

Wetland Delineation Report & Wetland Impact and Mitigation Report

Public Notice

Applicant:
The DeMarco Group
dba/Rowley 96, LLC

Published: April 3, 2015
Expires: May 4, 2015

U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Application No: 2008-00768
Section: NY

RECEIVED 4/6/15

All written comments should reference the above Application No. and be addressed to:
U.S. Army Corps of Engineers
(Attn:) Judy A. Robinson
US Army Corps of Engineers, Buffalo District
7413 County House Road
Auburn, NY 13021

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344)

APPLICANT:
The DiMarco Group
dba Rowley 96, LLC
1950 Brighton-Henrietta Town Line Road
Rochester, New York 14623

WATERWAY & LOCATION: Various emergent wetlands and intermittent streams that outfall to culverts under Route 96 to an unnamed tributary to Irondequoit Creek. The 95-acre parcel is located between the New York State Thruway and Route 96 with access from Route 96 across from Route 251, Town of Victor, Ontario County, New York.

LATITUDE & LONGITUDE: Latitude North: 42.99822
Longitude West: -77.43102

EXISTING CONDITIONS: (Sheet 1 of 43). Portions of the site have been mined for gravel in the past, and there are several existing gravel roads and trails on the site. The site generally slopes from north to south with elevations ranging from 750 feet to 600 feet above mean sea level with slopes ranging up to 25%. Dense scrub/shrub communities and patches of deciduous forest dominate the site. Open fields are present in the northern portion below the New York State Thruway. Soils are mapped as Ontario fine sandy loam, Ontario gravelly loam, Ontario, Lansing, and Honeoye soils, Palmyra and Howard soils, and Palmyra gravelly loam. None of these soils are listed as hydric in the National List of Hydric Soils or the Soil Survey for Ontario County. Drainage is generally to the south. Four (4) streams and associated wetlands discharge to culverts under Route 96 and enter a wetland complex associated with Irondequoit Creek which flows to Lake Ontario.

Description of delineation of waters of the US, if applicable: On January 26, 2009, an Approved Jurisdictional Determination (JD) was authorized by the USACE. The Approved JD expired and was reauthorized as a Preliminary JD on March 6, 2014 (Sheets 2-7 of 43).

Wetland A is a 1.01 acre linear emergent wetland which directly abuts Stream A (described below) and is connected from the upper to lower reach by drainages or culverts.

Wetland B is a 0.75 acre linear scrub-shrub wetland directly abutting Stream B (described below) located along the southeastern site boundary.

Wetland BB is a 0.33 acre linear wetland comprised of 0.16 acre forested wetland in the northern portion and 0.17 acre scrub-shrub wetland in the southern portion. The northern and southern portions of the wetland are connected by a non-jurisdictional linear conveyance. This wetland directly abuts Wetland B in the southeastern section of the site.

Wetland C is a 0.04 acre emergent (wet meadow) wetland that directly abuts Stream C (described below) and is located east of Wetland A.

Wetland E is a 0.33 acre linear scrub-shrub wetland that directly abuts Stream E (described below) and is located in the southwestern portion of the site.

Stream A is a 2,030 linear foot intermittent stream with a silt and cobble channel ranging from three – four (3-4) feet wide and flows through Wetland A. This stream enters the site from under the New York State Thruway on the northern boundary, flows through the center of the site and outfalls to a culvert under Route 96 that directs flow to an unnamed tributary to Irondequoit Creek. Approximately 100 feet of the stream has been culverted near the center of the site.

Stream B is a 1,038 linear foot intermittent stream with a sand and silt channel ranging from one-two (1-2) feet wide and flows through Wetland B. The stream outfalls to a "drop in" storm drain on Route 96.

Stream C is a 307 linear foot intermittent stream with a sand and silt channel ranging from one-two (1-2) feet wide and flows through Wetland C. Stream C connects to the lower reach of Wetland A through a 127-foot culvert.

Stream E is an 842 linear foot intermittent stream with a sand and silt channel ranging from two-three (2-3) feet wide. Portions of the stream were channelized during previous gravel mining operations on the site. The stream outfalls to a "drop in" storm drain on Route 96.

PROPOSED WORK: Preferred Alternative – (Sheets 8-16 of 43). The DeMarco Group (dba Rowley 96, LLC) proposes to conduct a phased development of the 95-acre site known as Fishers Ridge. The development would consist of commercial space, hotel, office space, residences, green areas and recreational trails, sidewalks, parking lots, and paved public roadways. The design is intended to provide a living center where people can work, shop, and recreate all within a 'walkable' community. It is anticipated that the proposed project would provide 1,500 construction jobs and 1,900 permanent employment opportunities. Phase 1 proposes construction of a large anchor retail store to define the geographic extent of the retail trade area on the northern boundary adjacent to I-90 with a hotel proposed east of the anchor store. Bass Pro Shops is the Fishers Ridge anchor retail store and is characterized as a super-regional anchor with a retail trade area defined from Buffalo to Syracuse, an approximate 90-mile radius from the site. Residences and office space are proposed on the west side of the parcel. Phase 2 proposes office buildings, restaurants, a variety of retail stores, and multi-residential units. This design plan provides a 'ring road' which was determined to be the best solution to managing vehicular circulation through the site and to eliminate traffic congestion at the Route 96/251 intersection. The project is also designed to connect to existing Town and County trail systems.

In addition, the project meets the Town of Victor's Draft Comprehensive Plan objectives to support retail, professional/high tech offices, and tourism. Associated zoning and other municipal regulations are in place to support and promote this type of growth. The Bass Pro Shop designation as a super-regional anchor represents the tourism generator called for by the Comprehensive Plan, and the high-tech office and multi-residential housing are primed to support the goal of attracting and retaining professionals in the Victor area.

Under this Preferred Alternative, the proposed work would entail permanent impacts to 1.61 total wetland acres (0.95 acre emergent; 0.16 acre forested; 0.50 acre scrub/shrub) and 2,707 linear feet of intermittent stream channel as follows: 0.91 acre to emergent Wetland A; 0.33 acre to Wetland BB (0.16 acre forested, 0.17 acre scrub/shrub), and 0.04 acre to emergent Wetland C, 0.33 acre to scrub/shrub Wetland E.

Approximately 1,558 linear feet of Stream A will be impacted by piping, impoundment, and reshaping portions of the stream which is being designed as an aesthetic amenity for the overall site development. Streams C and E will be filled entirely (307 and 842 linear feet respectively). Flow from Streams C and E was originally directed to 'drop in' storm culverts along Route 96 to an unnamed tributary to Irondequoit Creek. Development of the site will redirect flow to stormwater management ponds adjacent to Route 96, which will outlet to the same unnamed tributary to Irondequoit Creek. It is anticipated that the treated discharge will have a positive effect on water quality to two trout streams - Irondequoit Creek and the tributary to Irondequoit Creek - which flow through a large wetland complex regulated by both the New York State Department of Environmental Conservation and the USACE, and ultimately to Lake Ontario.

PROJECT PURPOSE:

Basic: Housing and Commercial

Overall: To provide an integrated development with retail stores, commercial office space, hotel and conference center and residential housing along the Route 96 corridor within the Town of Victor in Ontario County, New York.

Water Dependency Determination (describe only if project affecting Special Aquatic Site): The discharge of fill material into wetlands for the purpose of developing the site for commercial and residential use is not a water dependent activity because it does not require access or siting within the special aquatic sites in question to fulfill its basic purpose. Therefore, practicable alternatives that do not involve special aquatic sites are presumed to be available, unless clearly demonstrated otherwise.

AVOIDANCE AND MINIMIZATION INFORMATION:

Off-Site Alternatives:

To identify a site location that would represent the least environmentally damaging practicable alternative, a matrix of siting criteria was developed to evaluate four (4) off-site alternatives, with the results compared to the proposed site's score. Ten (10) factors for site selection were considered, each with a ranking score from 0 to 5 (low to high) allowing a maximum score of 50. The highest ranking score would represent the site having the most economical and practical advantages, and the least environmental damaging, cost, and difficult or impractical disadvantages. Analysis results are summarized in Table 4 (Sheet 17 of 43). Additional information regarding the Off-Site Alternatives is provided in Sheets 18-23 of 43. The applicant determined that the proposed project site would result in the least environmental impacts while maximizing their preferred criteria.

On-Site Alternatives: Note: Physical constraints associated with the configuration of all On-Site Alternatives include the fixed location of the main access road as designated by the Town of Victor Design Guidelines. The main access road must be aligned with the existing Route 251 at the south entrance and must intersect with Route 96 at the north entrance. Another constraint is the steep topography of the site. There is a 100-foot change in elevation between the upper and lower tiers of the site which limits lay-out options for the access roads. In addition, configuration of the site depends on the recruitment of a large retail anchor store visible from the New York State Thruway.

Alternative 1 (Sheet 24 of 43): This is the only alternative which provides less impact to aquatic resources than the Preferred Alternative from 1.61 acres of wetland impacts to 1.45 acres and intermittent stream impacts reduced from 2,707 linear feet to 2,235 linear feet. Specifically, impacts associated with Alternative 1 include 0.75 acre to emergent Wetland A (which is a reduction of 0.16 acre from the Preferred Alternative), 0.33 acre to Wetland BB (0.16 acre forested, 0.17 acre scrub/shrub), 0.04 acre to emergent Wetland C, and 0.33 acre to scrub/shrub Wetland E, Stream A - 1086 linear feet (which is a 472 linear foot reduction from the Preferred Alternative), Stream C – 307 linear feet, and Stream E – 842 linear feet.

However, minimization of impacts compromises the overall design intent of the development. This site plan configuration places two large anchor retail stores located on the northeastern property

boundary adjacent to the New York State Thruway (I-90) and a mix of junior anchor and in-line style retail stores throughout the remainder of the development. This Alternative lacks streetscape or pedestrian friendly design elements, residential housing, office spaces, or mixed-use buildings, nor does it lend itself to the practical placement of pedestrian trails connecting the community with Town or County recreational trails. This Alternative was not chosen because it does not fulfill the basic project purpose of creating a community where people can live, work, shop, and recreate.

Alternative 2 (Sheet 25 of 43)**:** This Alternative would require more impacts to aquatic resources than the Preferred Alternative increasing wetland impacts from 1.61 acres to 1.71 acres (1.05 acres emergent; 0.16 acre forested; 0.50 acre scrub/shrub) and increasing intermittent stream impacts from 2,707 linear feet to 3,179 linear feet. Specifically, impacts associated with Alternative 2 would impact 1.01 acre to emergent Wetland A (an increase of 0.10 acre), 0.33 acre to Wetland BB (0.16 acre forested, 0.17 acre scrub/shrub), 0.04 acre to emergent Wetland C, 0.33 acre to scrub/shrub Wetland E, Stream A - 2,030 linear feet (an increase of 472 linear feet), Stream C – 307 linear feet, and Stream E – 842 linear feet.

This site plan places two large anchor stores located at the northwestern property boundary adjacent to I-90. This layout begins to incorporate a town center component where mixed use buildings could be viable, instead of being exclusively retail space. The goal of achieving a pedestrian friendly environment is not possible with this layout as one of the main project roadways is directed through the project center. In comparison, the Preferred Alternative directs traffic around a perimeter ring road with intersecting secondary streets proposed to route drivers to the residential, retail stores, hotel and town center shopping areas. The town center will only be viable if it incorporates the appropriate amount of retail, office, residential, and restaurant uses in an environment that provides a "sense of place", which is lacking in this Alternative. Alternative 2 does not provide open or public space within the project center and lacks pedestrian paths connecting to the extensive off-site Town and County trail systems

Alternative 3 (Sheet 26 of 43)**:** This site plan would require the same impacts to aquatic resources as Alternative 2 (1.71 acre of fill in wetlands and 3,179 linear feet of fill in intermittent streams).

This site plan places medium and junior sized anchor retail stores located at the northwestern property boundary on the uppermost tier adjacent to I-90. A 'street of shoppes' is introduced in the middle tier and includes on-street parking in an attempt to create a pedestrian friendly streetscape. The plan also includes outparcels along Route 96 and a hotel/ conference center. This plan was not chosen because it does not include a super-regional anchor retail store that represents dominant use of the site, as describe above in the Preferred Alternative. The upper tier shown in Alternative 3 is not large enough to accommodate this type of retail anchor and the overall plan lacks residential housing and is not conducive to user-friendly vehicular circulation. This alternative does include a main project roadway through the center 'street of shoppes'; however, the volume of traffic anticipated at the intersection of Route 96/251 makes the configuration undesirable. In addition, the goal of creating a mixed-use project is not possible without an appropriate combination of retail, office, multi-residential living, hotel, recreation – a place where people can live, work, shop, and recreate.

Alternative 4 - No USACE Permit Action Required (Sheet 27 of 43) – This Alternative was not considered viable for the following reasons:

1. In order to avoid all impacts to aquatic resources the super-regional anchor retail store would have to be oriented so that the rear of the store would be towards the rest of the development. The marketing strategy for the Bass Pro Shop requires a 132,200 square foot building plus the attached restaurant, which is an operational requirement for the Outdoor World concept. With this orientation, the anchor is disconnected from the rest of the project and does not function as a contiguous center.

2. Access points for the two (2) main commercial driveways remains the same as the Preferred Alternative; however, to avoid Wetland E, the western site driveway would be moved to the west. This would impact the side slope to the Hillside Residential development and results in an approximately 20% reduction in units and loss of common area space which is dedicated to providing amenities such as outdoor pool and gathering spaces. The common area is important to the rental community and influences leasing decisions for potential residents.

3. This Alternative eliminates the town center concept. The 'street of shoppes', with offices above, would be replaced by junior retail anchors and an at-grade parking field, typical of a power center layout. Wetland A severs the project in half, essentially disconnecting and separating the retail area to the extent that a 'walkable' community is no longer possible.

4. Outparcels fronting Route 96 are still present; however, they are disconnected from one another, forcing patrons to repeatedly drive and park to access their destinations.

5. A residential apartment area would be eliminated. Integration of apartments into the town center would not be possible and would be replaced with standard retail stores. The desired balance of offices over retail stores and multi-residential apartments would not be feasible under this Alternative.

6. This alternative limits office space to the area between Wetland BB and Wetland B. The office space offered is professional office space with at grade parking with close proximity to individual entrances. This type of office space does not meet the Ontario County goal for providing high-tech work force office space to compliment the workforce housing offered on the Hillside Residential project.

7. The common area and open space offered by this plan surrounds existing wetlands and all of the common area is located in the rear of proposed retail or office buildings. This does not offer the welcoming environment to encourage gathering and enjoyment of open public spaces.

Although this Alternative represents a version of a multi-use development with two or more land uses; it does not offer the degree of project planning and integration as desired in a live, work, shop, and recreate community.

Alternative 5 - No Build: Under this alternative the site would not be developed, eliminating the benefits associated with providing a substantial tax base for the Town of Victor and Ontario County, temporary construction jobs, permanent retail, service, and office employment, provision of work force housing needed to meet the existing and growing demands of the expanding high-tech

job market in Ontario County. Further, it is anticipated that not building the community would result in the loss of approximately 1,500 temporary construction jobs and 1,900 permanent employment opportunities.

PROPOSED MITIGATION:

Wetland Mitigation: To compensate for the loss of 1.61 acres of wetlands consisting of 0.95 acre emergent; 0.16 acre forested; 0.50 acre scrub/shrub, the applicant proposes the following:

Off-Site Wetland Mitigation: Creation of two (2) vernal pools ranging from 0.10 to 0.25 acre in size within the Irondequoit Creek floodplain on Ontario County land at Fisher's Park (Sheets 28, 29, 31, 35, 40, 41 of 43) and the purchase of 1.61 credits from the Ducks Unlimited In-Lieu Fee Program. The details for the proposed mitigation are in process.

Stream Mitigation: To compensate for the loss of 2,707 linear feet of intermittent stream channel (Stream A – 1,558 feet; Stream C – 307 feet; Stream E – 842 feet), the applicant proposes the following:

On-Site Stream Mitigation: Enhancements to Stream B including removal of invasive species, improved in-stream habitat diversity, improved riparian zone diversity, and bank stabilization. Design plans are not available at this time. Note that Stream B is part of the 95-acre parcel, but not included within the project impact area.

Off-Site Stream Mitigation: 1) Bank restoration to approximately 110 feet of an unnamed tributary to Irondequoit Creek. This is a trout stream and the subject reach is adjacent to a county recreational field which is severely eroding into the playing field. Restoration methods include construction of a toe-wood sod mat consisting of the installation of root wads, creation of a bank full bench, and laying back the slope above the bench to achieve stabilization. Stream banks and adjacent riparian zone areas will be planted with tree and shrub species. These activities will improve bank and channel condition, improve in-stream fish habitat diversity, aquatic invertebrate habitat, riparian area quality, and canopy cover (Sheets 28, 29, 31-34 of 43).

2) Bank stabilization and enhancements to approximately 1,335 linear feet of Irondequoit Creek, which is a trout stream. Work includes removal of steel sheetpiling that was installed nearly three-quarters of the way across the channel many years ago. The purpose of the sheetpiling is not known; however, it is causing erosion, bank undercutting and sediment accumulation in the channel. In addition, a log vane will be installed to direct flow from the banks and root wads will be installed to stabilize eroded bank areas (Sheet 28, 29, 31, 36, 36a, 37-39 of 43).

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this Public Notice (Notice) should reference the Application Number and be directed to the attention of Judy Robinson, who can be contacted at the above address, by e-mail at: judy.a.robinson@usace.army.mil, or by calling 315-704-0255. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

Historic and Cultural Properties:
The Fishers Ridge development, as shown on Sheet 1 of 43, is located within an archaeological sensitive area as identified by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). The applicant coordinated with NYSOPRHP previous to the issuance of this Notice. In their letter dated August 20, 2007, (NYSOPRHP Project No. 07PR04452), it was the NYSOPRHP's opinion that the project would have No Impact upon cultural resources listed in or eligible for inclusion in the State and National Registers of Historic Places, which is consistent with the Corps findings. All currently available historic resource information pertaining to this proposed project if any has been provided to the NYSOPRHP. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this Notice. The Corps will forward that information to the NYSOPRHP for their review.

The two (2) off-site mitigation areas located on the Town of Victor land in Fishers Park are within an archaeological sensitive area. In their letter pertaining to the off-site mitigation sites proposed for construction of the vernal pools and stream restoration activities along Irondequoit Creek and the unnamed tributary to Irondequoit Creek, dated November 24, 2014, the NYSOPRHP determined that no historic properties would be affected by the undertaking.

Endangered Species:
Pursuant to Section 7 of the Endangered Species Act (16 USC 1531), the Corps is consulting, under separate cover, with the U.S. Fish and Wildlife Service to evaluate any potential impacts to the northern long-eared bat (*Myotis septentrionalis*) and to ensure that the proposed activity is not likely to jeopardize its continued existence or result in the destruction or adverse modification of critical habitat.

This Notice is promulgated in accordance with Title 33, Code of Federal Regulations, Parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this Notice.

Comments submitted in response to this Notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, or a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this Notice be posted continuously and conspicuously for **30** days from the date of issuance.

Terrestrial Environmental Specialists, Inc.
23 COUNTY ROUTE 6, SUITE A, PHOENIX, NY 13135
(315) 695-7228 fax: (315) 695-3277 www.tesenvironmental.com

March 5, 2015

Ms. Judy Robinson
Regulatory Branch
U.S. Army Corps of Engineers
7413 County House Road
Auburn, New York 13021

Re: Revisions to the Request for Public Notice of Proposed Fishers Ridge Development,
Town of Victor, Ontario County, New York.
Department of the Army File No. 2008-00768
TES File No. 3050

Dear Judy:

Please find enclosed all the pertinent replacement pages of the supplemental submission dated February 16, 2015. These have been revised as a result of your comments during several phone conversations with me.

Specifically the revisions included:

1. Correcting an error which reduced the length of impact to Stream A from 1,808 linear feet to 1,558 linear feet. This also affected the total which changed to 2,707 linear feet.

   And,

2. A request to refer to the streams as streams consistently and eliminate referring to them as drains.

The enclosures include any page of the original submittal which was affected by these changes. Specifically this includes:

1. Page 4 of the original letter (p. 4 of the original submission pdf);

2. Section 10.0 of the *Wetland Impact Analysis and Mitigation Report Fishers Ridge* ***Supplemental Submission*** (p. 20 of the original submission pdf);

3. Table 3. from the *Wetland Impact Analysis and Mitigation Report Fishers Ridge* ***Supplemental Submission*** (p. 24 of the original submission pdf);

4. The entire text of the *Wetland & Stream Mitigation Plan for the Fishers Ridge Project* (pp. 33-44 of the original submission pdf);

5. Table 1a. from the *Wetland & Stream Mitigation Plan for the Fishers Ridge Project* (p. 46 of the original submission pdf);

6. Figure 2. from the *Wetland & Stream Mitigation Plan for the Fishers Ridge Project* (p. 53 of the original submission pdf); and

7. Figure 15. and Figure 15. Wetland Waters Impacts Details Key from Item 14 *(*pp. 132 and 133 of the original submission pdf).

An electronic version of the entire submission which has been updated and revised is available at the following web address:

https://www.dropbox.com/s/y6nsh8r7z70edrp/3050-JRobinson-PN-Ltr-FINAL-rev-3-4-15.pdf

As per our phone conversation on March 4th, 2015 this completes the items you need to proceed with the public notice.

Sincerely,
TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.

Phil Rizza
Environmental Scientist

PRR/prr
Enclosures

Cc: P. Colucci
G. Winterkorn (letter only)
K. Merchant (DEC)

Developing a project like Fishers Ridge comes with significant expense. As such downsizing or limiting any of the project components not only impacts the balance described above, it also presents a heavy financial burden and economic challenge that puts the entire concept at risk. Due to the projects topography, providing access roads, utilities and other necessary infrastructure is expensive. The sense of place being created with pedestrian walkways, park like amenities and infrastructure to support the proposed uses can be enjoyed by all the local residents and visitors alike. The amount and level of each uses has been carefully examined and determined to be necessary to meet high fixed costs associated with this type of development.

In addition to economics, the concept of a mixed residential/commercial complex can only be achieved when there is a critical mass of both the residential and the supporting commercial development. If short on the residential component, the restaurant and small retail component suffers. If short on the restaurant and small retail, the residential component becomes less attractive. Without a critical mass of residential use, supporting retail/trade does not enter the market and without supporting retail/trade, residential development flounders from lack of demand.

The project sponsor has carefully balanced the need for critical mass in the Town Center and surrounding residential development with the economic incentive provided by the presence of a large retail anchor and the smaller road-oriented restaurant uses to create an economically sustainable community providing benefits to the entire region.

Item 2: In the meeting on 7/17/2014 further detail was requested regarding mitigation. Specifically:

"Identify specific compensatory mitigation provided for each impact."

Please see the attached report entitled, *"Wetland & Stream Mitigation Plan for the Fishers Ridge Project"* which details all of the proposed mitigation.

In summary, there will be 1.61 acres of wetland impact which will be mitigated by creation of 0.10-0.25 acre of created vernal pools and 1.52-1.67 credits purchased through Ducks Unlimited. This will yield a total of 1.77 credits which offset the entire wetland impacts including the forested wetlands at a 2:1 ratio. There will also be 2,707 linear feet of intermittent stream impacts which will be mitigated by 2,483 linear feet of stream enhancement.

Additional mitigation credit for intermittent stream impacts shall be generated from educational and recreational opportunities provided to the public by the project (see section 5.3). Peter Krakowiak specifically stated that these opportunities can provide credit during the 7/17/14 meeting.

10.0 UNAVOIDABLE WETLAND IMPACTS

The preferred site plan can be seen in Figure 13. It consists of a large retail anchor store on the north side of the site adjacent to I-90 complete with aquatic features in front of the store. In the store's parking lot there is a pond area proposed that will connect to a cascading stream and pool complex which flows south through the center of the site roughly following the path of former Wetland A. There is a hotel proposed to the east of a large retail anchor store adjacent to I-90 as well. On the west side of the preferred plan there are residences and office space proposed. The next phase of the site plan is the center area which will consist of office, restaurant, and shopping, as well as multi-residential units. The entire site will be interconnected with recreational (hiking and biking) trails so consumers and workers can work, live, shop, and play within the site.

Unavoidable impacts to aquatic resources from the proposed development are shown on Figure 15 and listed in Table 3. Unavoidable impacts total 1.61 acres of Corps jurisdictional wetlands and 2,707 linear feet of intermittent streams. The inflexibility of the road locations due to site grading, road requirements, and entrance locations as well as the location of the anchor store are the foremost reasons for these unavoidable impacts. The entire site was previously quarried and the low quality streams being impacted developed as a result of past human activities.

The proposed project plan avoids Wetland B (0.75 acre) and Stream B (1,038 linear feet) and the lowest 0.10 acre of Wetland A. The proposed plan has a water feature, which will roughly correspond with the location of impacted Wetland A and Stream A (Figure 8).

Table 3.

Wetland/Waters Impacts, Fishers Ridge Site
Town of Victor, Ontario County, New York

Corps Wetlands/Waters Impacts

Wetland/Water Name	Impact Area (acres)	Stream Impact Length (linear ft.)
Wetland A/Stream A	0.91	1,558
Wetland BB	0.33	-
Wetland C/Stream C	0.04	307
Wetland E/Stream E	0.33	842
Total	**1.61**	**2,707**

WETLAND & STREAM MITIGATION PLAN FOR THE FISHERS RIDGE PROJECT

TOWN OF VICTOR
ONTARIO COUNTY, NEW YORK

U.S. Army Corps of Engineers File No. 2008-00786

Prepared for:

ROWLEY 96 LLC
1950 Brighton-Henrietta Townline Road
Rochester, New York 14623

Prepared by:

TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.
23 County Route 6, Suite A
Phoenix, New York 13135

February 2015

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Fishers Ridge Site, Town of Victor, Ontario County, New York

Table 1a. Stream Impacts with Proposed Compensatory Mitigation
Fishers Ridge Site, Town of Victor, Ontario County, New York

Table 2. Proposed Planting Detail – Stream B

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1.0 INTRODUCTION

Terrestrial Environmental Specialists, Inc. (TES) was contracted by The DiMarco Group, d/b/a Rowley 96 LLC, to develop a proposed wetland mitigation plan for the proposed development on a site in the Town of Victor, Ontario County, New York. The site is approximately 95 acres in size and is located south of Interstate 90 near Exit 45, and north of NYS Route 96 (Figure 1). The site is proposed for a mixed use development known as Fishers Ridge. The project will result in the permanent disturbance 2,707 feet of intermittent streams and 1.61 acres of wetland along those streams. The impacts are located within the Irondequoit Creek drainage basin. To compensate for the unavoidable disturbance to wetlands, on-site and off-site mitigation is proposed. To meet any additional mitigation requirements, mitigation credits will be purchased from the Ducks Unlimited in-lieu fee program (DUILFP).

TES prepared this report for The DiMarco Group. This report includes details regarding the mitigation plan required by the U.S. Army Corps of Engineers (Corps). This mitigation plan is designed to meet and exceed the standards for compensatory mitigation outlined in Title 33 of the Code of Federal Regulations Part 332.4(c) (7)-(14).

2.0 OBJECTIVES

The wetlands present on this site are riparian areas associated with intermittent stream corridors. These are low quality wetlands on very steep slopes and vegetated with invasive plants (*Phragmites australis*). The total amount of wetlands to be impacted by the development is 1.61 acres. 0.85 acre of on-site wetlands will be completely avoided (Figure 2).

Mitigation for the 1.61 acres of wetland impacts (Wetlands BB, C, E, and some parts of Wetland A) is proposed in the form of wetland creation in the form of vernal pools at Fishers Park. Mitigation credits needed above what is offset through wetland creation will be mitigated using the DUILFP.

Mitigation for the impacts to the intermittent streams will be in the form of significant enhancement along the on-site Stream B and Irondequoit Creek and a tributary to Irondequoit Creek both located off-site in Fishers Park.

3.0 BASELINE INFORMATION

TES performed a wetland delineation and a vegetation and wildlife survey on the Fishers Ridge site. Detailed results of wetland boundaries and characteristics of the site are available in those reports (TES 2007, TES 2013).

TES collected and reviewed available background information and maps, including topographic maps, wetland maps, soils maps and descriptions, and an aerial photograph to locate potential wetlands on the site. TES delineated wetlands on the site on November 15, 2005 and May 7, 2007 using methods described in the U.S. Army Corps of Engineers 1987 Wetlands Delineation Manual.

The site is disturbed, with much of it having been mined in the past. It now largely consists of open field and scrub-shrub upland communities with patches of deciduous forest upland, which are intersected by a number of dirt roads and trails. Drainage on the site is to the south, through an unmapped intermittent stream to Irondequoit Creek. No mapped NYSDEC wetlands occur on the site, although the NWI maps indicate some small excavated ponds. Most of the mapped soils on the site are gravelly.

A field survey for vegetation and wildlife information was conducted on July 12, 2007. No endangered or threatened plants or animals are known from the site or vicinity and none were observed.

Based on the TES mapping, uplands represent a total of 93.4 acres or 98% of the site. About half of the upland area is shrub land. The remainder of the uplands found on the site are developed, successional old field, and successional northern hardwoods. About 2.5 acres or 2.6% of the site is wetlands. There are three wetland types that are found throughout the site. They are shallow emergent marsh, shrub swamp, and deciduous forest wetland.

4.0 DETERMINATION OF CREDITS

4.1 Wetland Mitigation

Fishers Ridge will result in the permanent disturbance of 1.61 acres of riparian wetlands. Fishers Ridge will have a permanent impact to these wetlands, however, the current functions and values of these wetlands are quite low. This is described in the Impact Analysis Report (TES 2013).

It is considered that wetlands can provide up to nine broadly defined functions. They are:

- Ground water recharge
- Ground water discharge
- Floodflow alteration
- Sediment stabilization
- Wildlife diversity/abundance
- Sediment/toxicant retention
- Nutrient removal/transformation
- Production export
- Aquatic diversity/abundance

Wetlands must have both the opportunity and the ability to provide these functions. Opportunity for a wetland to provide a particular function is related to its hydro-geomorphic setting or position in the landscape. Ability relates to the innate characteristics of a wetland to provide a given function.

As discussed in Section 8.2 of the Impact Analysis report, the wetlands found on-site provide few functions and values. They are choked with invasive common reed (*Phragmites australis*). Wetland A channels runoff from the Thruway. It serves as little more than drainage for this runoff. It has very low habitat diversity and poor bank stabilization, especially in the lower reaches. Wetlands BB, C, and E all lack diversity and the quality of habitat is poor. The following functions and values are not provided; groundwater recharge functions, flood flow

alteration, aquatic/diversity abundance, or wildlife diversity/abundance (TES 2013). Please see Section 8.2 of the Impact Analysis report for additional details (TES 2013).

The loss of functions and values associated with the permanent removal of 1.61 acres of riparian wetlands will be mitigated by creating between 0.1 acre and 0.25 acre of vernal pools off-site and purchasing the remaining needed mitigation credits through the DUILFP.

Due to the low quality of the impacted wetlands a mitigation ratio of 1 credit per acre of impact is appropriate. There is one section of Wetland BB which is a forested wetland cover type. This section shall receive a 1:2 mitigation ratio. The total mitigation credits required for wetland impacts due to this project is therefore 1.77 (Table 1).

4.2 Stream Mitigation

TES delineated wetlands/water resources on the site on November 15, 2005 and May 7, 2007. Four low quality intermittent streams were identified on the site and are shown on Figure 2. These streams were designated by TES as Stream A, B, C, and E.

Stream A crosses the center of the site from the northern site boundary at the Thruway to the southern site boundary along NYS Route 96. This stream is an intermittent stream that is fed by a small watershed above the site which includes portions of a subdivision and the NYS Thruway. None of the water entering the site receives any treatment. Stream A discharges off-site through a culvert under Route 96. There is 2,030 feet of stream length on-site which is considered seasonal relatively permanent water (RPW). The project proposes to impact 1,558 linear feet of this stream.

Stream B is 1,038 feet in length. Stream B is a seasonal RPW and also drains a small watershed which includes some houses along Lane Road. There are no impacts proposed for Stream B.

Streams C and E are short streams of even lower quality than streams A and B. Stream C is a 307 linear feet and Stream E is 842 linear feet. These are both highly disturbed streams whose watersheds are located completely on-site. They are both seasonal RPWs. Stream E has been channelized and has erosion control structures installed. The project proposes to impact both of these streams entirely.

The total stream impact for the entire project is 2,707 linear feet of low quality intermittent stream. Impacts to these intermittent streams will be mitigated by sound and sufficient erosion and stormwater control plans in the final development. Mitigation will include on-site enhancements to 1,038 linear feet of intermittent Stream B. Mitigation will also include enhancement to 1,445 linear feet of high quality, perennial streams located off-site in Irondequoit Creek and its tributary. Finally, if needed, enhancement to the lowermost reach of Stream A can be provided.

5.0 PROPOSED MITIGATION

5.1 Wetland Mitigation

Off-site wetland mitigation will consist of small vernal pools constructed in the Irondequoit Creek floodplain in Fishers Park Town of Victor, Ontario County, New York. The vernal pools will total between 0.10 acre and 0.25 acre. Any additional wetland mitigation needed will be provided by purchasing credits in the DUILFP. Through these measures the total mitigation needed for stream impacts will be met (Table 1).

The proposed vernal pool complex in the floodplain of Irondequoit Creek will contain between 0.1 and 0.25 acre of vernal pools (Figure 6, Table 5 & 6). The vernal pools will generally be elliptical in shape with length to width ratio of 2.4 to 1 (Colburn, 2004). The vernal pool will have maximum final depth range of 1.5 feet to 3.0 feet. Rough grading will be 0.5 feet deeper to allow for the placement of leaf mulch and woody material. The leaf mulch and woody material provides the starting point for a food web within the vernal pools. Final layout of vernal pools will be done to avoid trees to the greatest extent possible. The vernal pools will be built when the other work is performed on Irondequoit Creek.

The vernal pools are planned to provide physical diversity to the landscape and provide breeding habitat for amphibians. It is anticipated that the vernal pools would be used as breeding habitat by American toad (*Anaxyrus americanus*), wood frog (*Lithobates sylvaticus*), and spring peepers (*Psuedacris crucifer*). The vernal pools could also provide breeding habitat for moles salamanders if currently present in the vicinity. Success of the vernal pools will be measured by the types of animals using the area.

The vernal pools will provide riparian zone habitat diversity (Figure 6). Once constructed, the vernal pools will be seeded (Table 5 & 6). The vernal pools provide additional important functions including flood storage, groundwater recharge/discharge, and nutrient and sediment retention.

5.2 Stream Mitigation

5.2.1 On-site Stream Mitigation

Based on the preferred development plan only the lower portion of Wetland A will remain and Wetland B and Stream B will not be impacted. Stream B provides the best opportunity for on-site mitigation. The on-site portion of the Stream B watershed is small and has not been disturbed since mining activities ended. Most of the Stream B watershed is located on and controlled by the DiMarco Group. The DiMarco Group will be able to implement corrective actions as needed.

Enhancements to Stream B include removal of invasive species, improved in-stream habitat diversity, improved riparian zone diversity, and bank stabilization.

Specifically, the lower 338 feet of Stream B will have bank condition improved by stabilizing banks. The riparian area quantity and quality will be improved by improved plantings along both banks and by control and removal of invasive plant species. These changes are also responsible for improvements to aquatic invertebrate habitat in the stream

.

The upper 700 feet of Stream B will have bank condition, riparian area quantity, and riparian area quality improved by removing invasive species and planting native trees and shrubs. Native vegetation suitable for the designed hydrologic regime will be planted in both of these areas. Table 2 identifies the plant material, size, quantities, and spacing to be used.

If needed, an on-site planting plan for the lowermost portion of Stream A will be developed as the site plan and grading are finalized.

Success of the enhancements to Stream B will be identified by increased native shrubs along the banks of Stream B, and an increase in stream diversity.

Through these improvements 1,038 credits of on-site stream mitigation will be generated (Table 1a).

5.2.2 Off-site Stream Mitigation

Off-site stream mitigation will come from improvements to Irondequoit Creek and its tributary located in Fishers Park (Figure 3). Plans for Irondequoit Creek and its tributary were developed in consultation with the Corps, US Fish and Wildlife and NYSDEC during a site visit on November 18th, 2013.

The lower portion (110 feet) of the tributary to Irondequoit Creek is proposed to be enhanced as follows. Enhancements for the tributary will be a toe-wood sod mat. The toe wood sod mat includes installation of root wads, creation of a bench at bank full elevation and laying back the slope above the bench to achieve stabilization. The banks of the stream and adjacent riparian zone will be planted with floodplain tree and shrub species (Table 3, Figure 4). These enhancements will improve bank and channel condition, improve in-stream fish habitat diversity, aquatic invertebrate habitat, riparian area quality, canopy cover, and provide pools to this section of the stream. The lower reach is adjacent to a baseball field and has started to erode the outfield. Success in this area will be measured by stable banks and increased native vegetation in this reach.

Irondequoit Creek itself is a high quality perennial stream. Enhancements to Irondequoit Creek (1,445 feet) will include removal of old sheet piling which is causing bank erosion, sedimentation, and stabilization problems (Figure 5a). Additional improvements include installing a log vane to direct water flow away from eroding and undercutting banks and installing root wads in several areas of un-stabilized banks (Figures 5a-7, Table 4). These enhancements will improve bank condition and riparian area quality of Irondequoit Creek.

Through these improvements 1,445 credits of off-site stream mitigation will be generated (Table 1a). In addition, the following section discusses additional mitigation measures which are unable to be quantified directly but nevertheless exist.

5.3 Other Mitigation

The proposed development and mitigation measures improve recreation and educational opportunities. Both on-site and off-site mitigation will provide enhanced access to the streams for educational opportunities, including permanent information kiosks. Recreation will be improved along Streams A and B on-site by improving access to those areas with a trail system. Off-site fishing will be improved by providing varied habitat types along Irondequoit Creek and its tributary. Also provided by this mitigation plan are increases in functions and values afforded to adjacent wetlands from the stream enhancements.

The combination of on-site stream enhancement to Stream B and off-site stream enhancement to Irondequoit Creek and its tributary offset linear feet of stream impacts from the project. These enhancements, in conjunction with the immeasurable mitigation benefits like those discussed above, as well as the benefits from proper handling of storm water runoff shall be sufficient to mitigate the impacts to the low quality on-site intermittent streams.

6.0 ADAPTIVE MANAGEMENT

The DiMarco Group will be the party responsible for the construction and future management of mitigation areas. Site management will begin by ensuring that the mitigation areas have been constructed in accordance with this plan and the Special Conditions of Permit. Future site management will consist of three key components: a maintenance plan, an adaptive management plan, and a long-term management plan.

TES will monitor the construction of the mitigation areas and ensure that the mitigation areas have been developed in accordance with this plan and the Special Conditions of Permit. Groundwater monitoring wells and a staff gauge will be installed once grading is completed and an as-built survey will be prepared and submitted to the Corps within 90 days of completion of each mitigation area.

If performance standard deficiencies are noted during the monitoring periods, a corrective action plan will be proposed. The mitigation area maintenance plan will therefore rely heavily on the findings of the monitoring reports. In the initial years of wetland and/or plant establishment, some maintenance activities may be required. Maintenance activities that might be anticipated are listed below.

6.1 Adaptive Management Plan

Problem/Deficiency	Corrective Actions
Browsing damage	Reinstall protective measures around plantings and replace lost plantings.
Plant disease/Insect infestation	Identify disease/vector, remove/destroy diseased/infested plantings, apply appropriate treatment, and replace lost plantings.
Appearance of invasive plant species	(See below)
Inadequate hydrology regime	Modify/reshape grades and/or modify outlet structure(s).
Insufficient plant cover	Apply more seed of the appropriate mix and/or plant additional trees and shrubs.

6.1.1 Non-native Invasive Plant Species

The primary control measure for many invasive species includes the use of Rodeo® (a glyphosate-based herbicide). Rodeo® is regularly used to control common reed grass and reed canary grass (*Phalaris arundinacea*). The application of Rodeo® requires a licensed aquatic herbicide applicator. Rodeo® is most often applied late in the growing season.

There are well established bio-control methods for controlling purple loosestrife such as the use of herbivorous beetles. Two beetle species—*Galerucella calamariensis* and *G. pusilla* are specifically used to control purple loosestrife.

6.2 Long-Term Management Plan

Monitoring of the mitigation areas will occur over a five-year period. If vegetation control methods are required for invasive species, a proposed course of action will be identified in the monitoring report and approval from the Corps will be obtained prior to commencing any action. Mowing and other maintenance activities may be required in the mitigation areas.

No long-term management needs are anticipated besides the adaptive management measures mentioned above.

7.0 WETLAND PROTECTION AND FINANCIAL ASSURANCE

The undisturbed and enhanced wetlands on this site (Figure 2) will be preserved with a restrictive covenant. The DiMarco Group will coordinate with the Town of Victor and the Corps to develop the deed restriction for the off-site mitigation on Town of Victor property.

The DiMarco group will secure a letter of credit to pay for repair to the mitigation during the monitoring period. The DiMarco group will negotiate with the Corps to determine the value of the letter of credit.

If DUILP credits are used, then Ducks Unlimited will be responsible for long term protection of their created wetlands.

8.0 SUMMARY

TES developed this conceptual wetland mitigation plan to address the proposed impacts to 1.61 acres of wetlands on the Fishers Ridge site in the Town of Victor, Ontario County, New York. There are 1.61 acres of wetland impacts and 2,707 linear feet of intermittent stream impacts proposed for this project. The existing wetlands/waters on-site are low quality and provide few functions and values due to the wetland locations on steep hill slopes and being dominated by invasive species.

Wetland mitigation will be off-site in the form of vernal pool creation in Fishers Park, a Town of Victor Park. Additional wetland mitigation will be completed through purchasing mitigation credits from the Ducks Unlimited In-lieu Fee program.

Stream mitigation will be in the form of stream enhancement along on-site Stream B. Additional stream mitigation will be in the form of off-site stream enhancement to Irondequiot Creek and its tributary.

The DiMarco group will be the responsible party for created and managing the on-site and off-site mitigation areas. TES will be the party responsible for monitoring the on-site and off-site vernal pools and enhancement areas and suggesting, if necessary, any steps for adaptive management. Adaptive management may include, but is not limited to, control of invasive species, adjustments to grading, installations of protective barriers, additional plantings, and long term monitoring. The undisturbed and enhanced wetlands on site will be preserved with a deed restriction. The off-site mitigation areas will be protected by the Town of Victor.

9.0 REFERENCES

Colburn, Elizabeth A. 2004 Vernal Pools Natural History and Conservation. The McDonald and Woodward Publishing Company. Blacksburg, VA.

TES. 2007. Wetland Delineation Report, Victor Town Square, Town of Victor, Ontario County, New York. Terrestrial Environmental Specialists, Inc., Phoenix, NY.

TES. 2013. Vegetation and Wildlife Report, Fishers Ridge, Town of Victor, Ontario County, New York. Terrestrial Environmental Specialists, Inc., Phoenix, NY.

TES. 2013. Wetland Impact Analysis and Mitigation Report, Fishers Ridge, Town of Victor, Ontario County, New York. Terrestrial Environmental Specialists, Inc., Phoenix, NY.

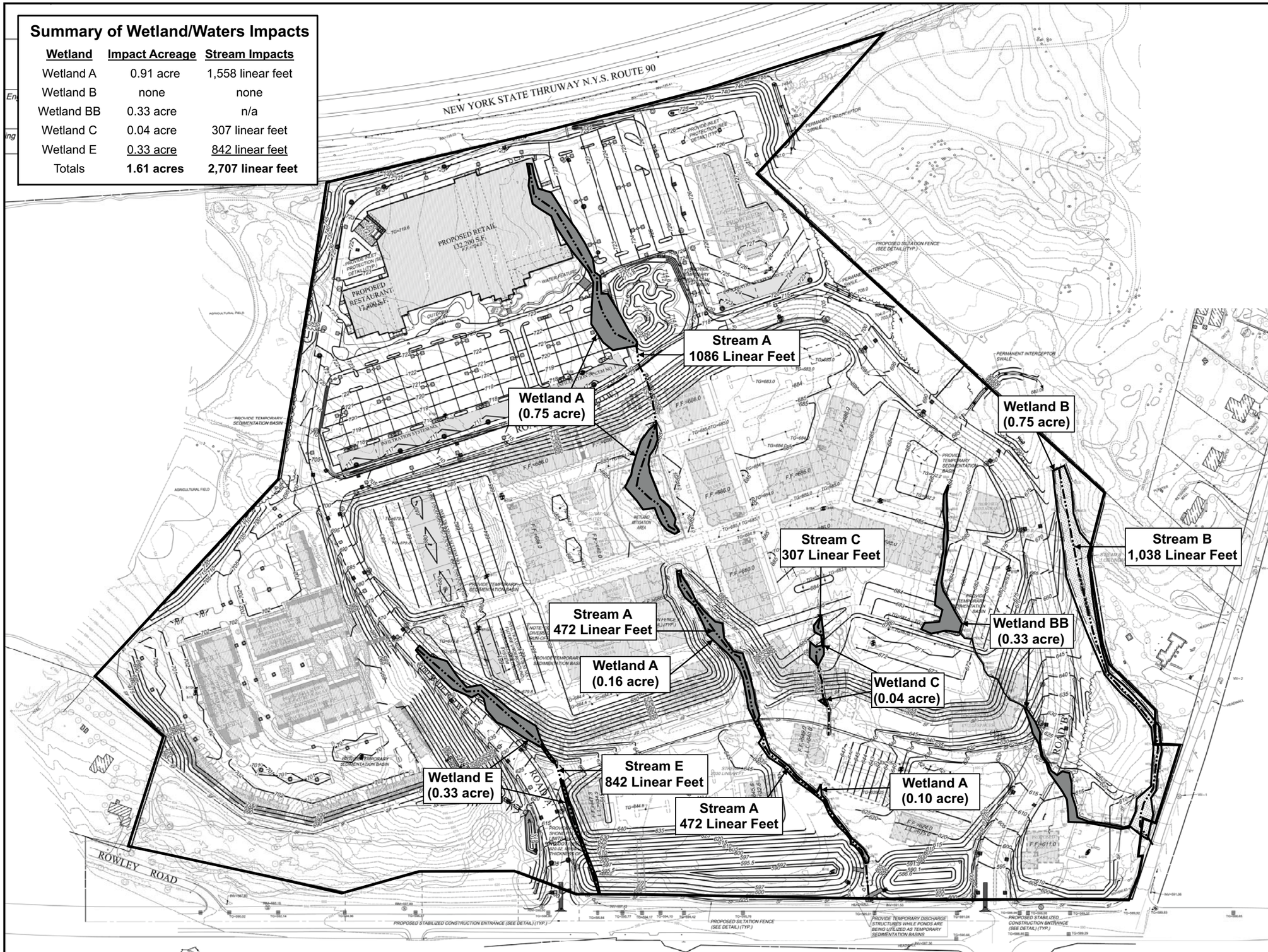
Table 1a.

Stream Impacts with Proposed Compensatory Mitigation
Fishers Ridge Site, Town of Victor, Ontario County, New York

Stream ID	Impact Linear Feet (l.f.)	Mitigation Ratio	Mitigation Credits Required	Specific Compensatory Mitigation
Stream A	1,558	1:1	1,558	Enhancement to 1,334 l.f. of off-site Irondequoit Creek and its tributary
Stream B	0	—	0	None needed
Stream BB	N/A	—	0	None needed
Stream C	307	1:1	307	Enhancement to remaining 196 l.f. of on-site Stream B and to 111 l.f. of off-site Irondequoit Creek and its tributary
Stream E	842	1:1	842	Enhancement to 842 l.f. of on-site Stream B
	2,707 l.f. of total impact		**2,707**	Total credits required
			2,483	Credits from off-site and on-site stream enhancement
			224	Credits generated through educational components of the project and trail improvements or equivalent credits to be purchased through DUILFP or by improvements to the lowest section of Stream A or through other mitigation (see Section 5.3)

Summary of Wetland/Waters Impacts

Wetland	Impact Acreage	Stream Impacts
Wetland A	0.91 acre	1,558 linear feet
Wetland B	none	none
Wetland BB	0.33 acre	n/a
Wetland C	0.04 acre	307 linear feet
Wetland E	0.33 acre	842 linear feet
Totals	**1.61 acres**	**2,707 linear feet**



LEGEND

- Impacted Wetlands
- Unimpacted Wetlands
- Intermittent Streams

NORTH

0 125' 250'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Base Map Provided by Costich Engineering

Figure 2.

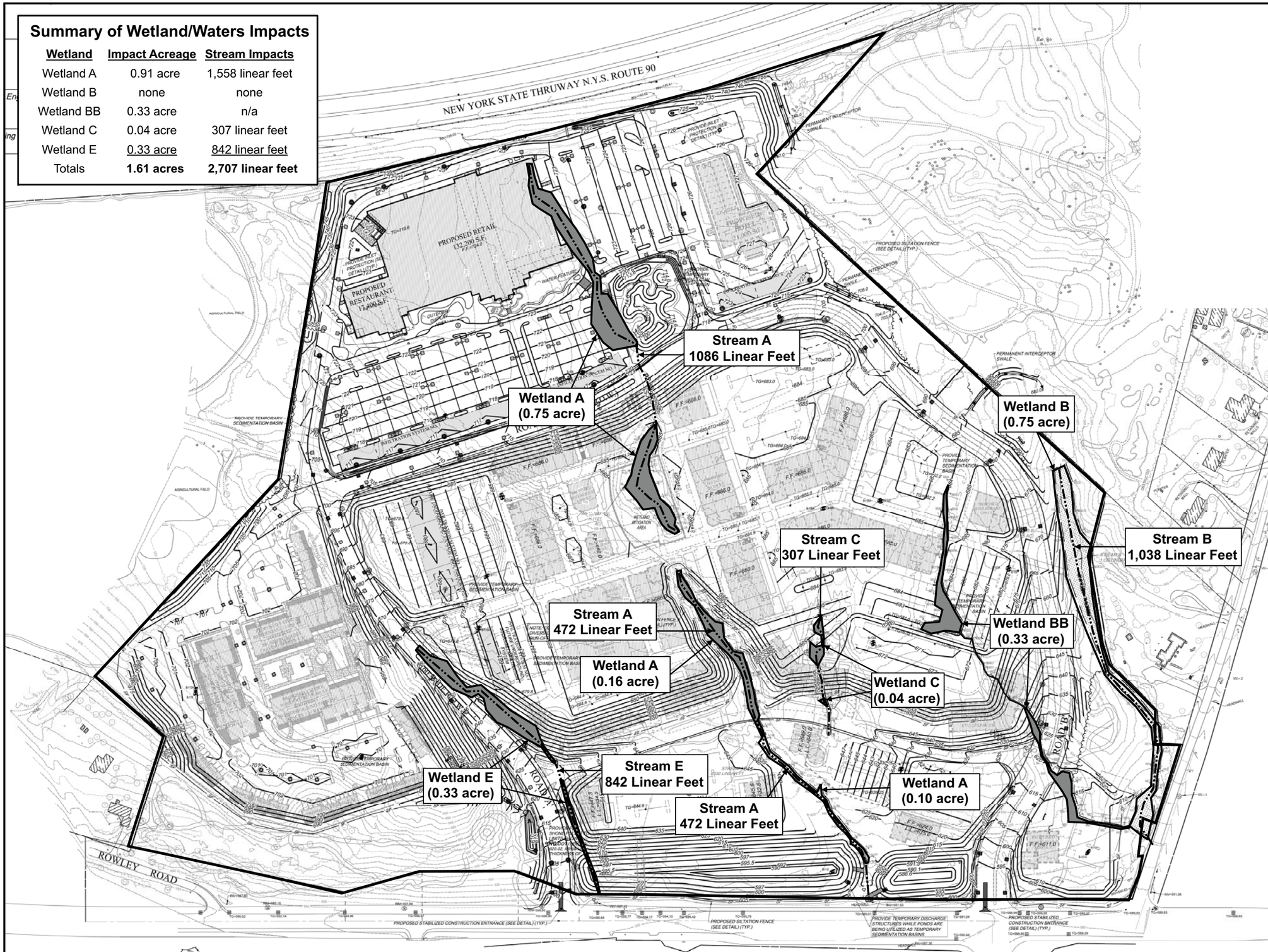
Wetland/Waters Impacts

(revised Feb. 2015)

TES File: COS-3050\3050-Report\3050-ImpAnalysisRpt-SuppSubmission\3050-impacts-fig2-revised.cdr\2-27-15

Summary of Wetland/Waters Impacts

Wetland	Impact Acreage	Stream Impacts
Wetland A	0.91 acre	1,558 linear feet
Wetland B	none	none
Wetland BB	0.33 acre	n/a
Wetland C	0.04 acre	307 linear feet
Wetland E	0.33 acre	842 linear feet
Totals	**1.61 acres**	**2,707 linear feet**



LEGEND

- Impacted Wetlands
- Unimpacted Wetlands
- Intermittent Streams

NORTH

0 125' 250'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial Environmental Specialists, Inc.

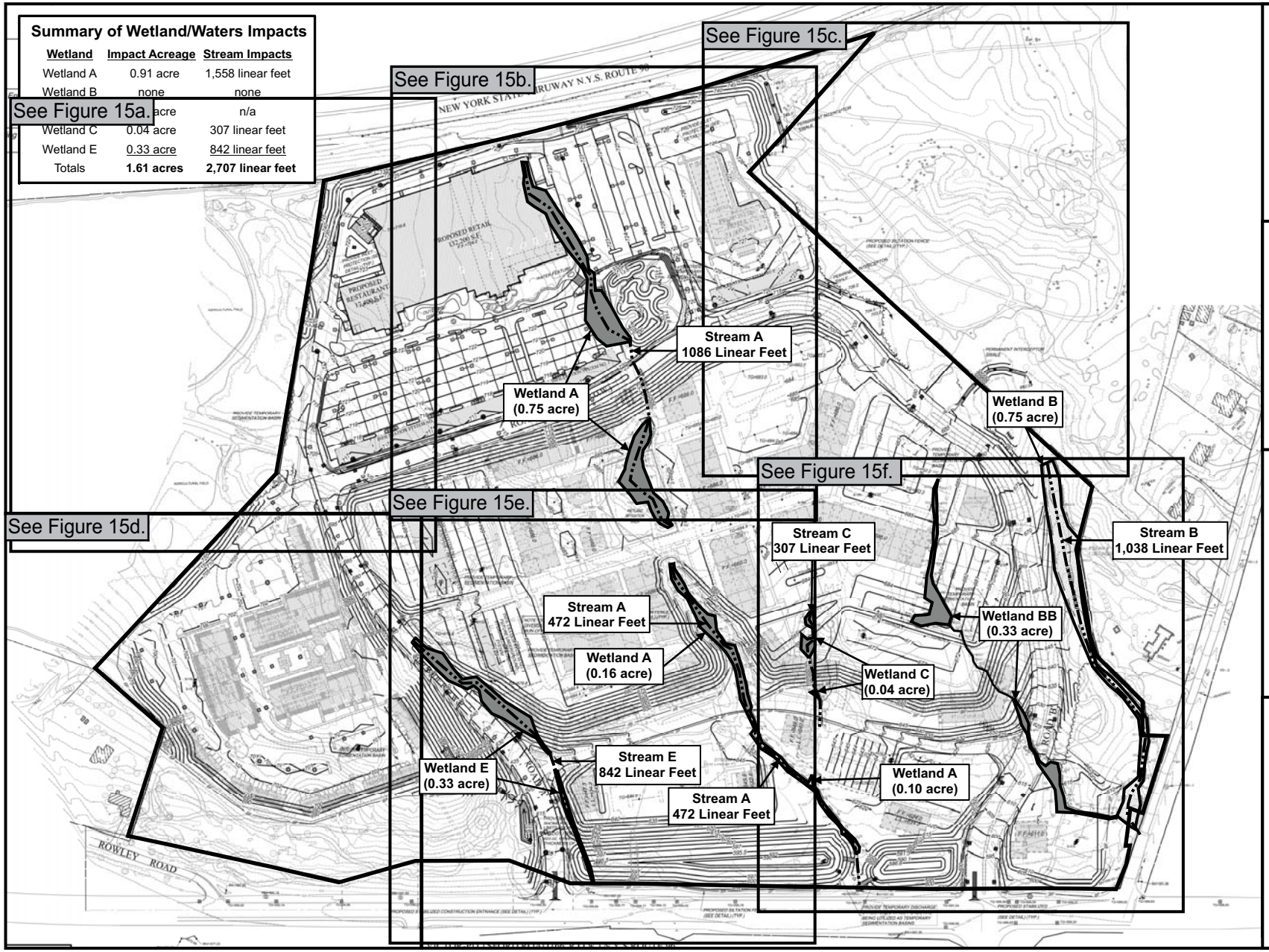
Base Map Provided by Costich Engineering

Figure 15.

Wetland/Waters Impacts

(revised Feb. 2015)

TES File: COS-3050\3050-Report\3050-ImpAnalysisRpt-SuppSubmission\3050-impacts-fig15-revised.cdr\2-27-15



Summary of Wetland/Waters Impacts

Wetland	Impact Acreage	Stream Impacts
Wetland A	0.91 acre	1,558 linear feet
Wetland B	none	none
[illegible]	[illegible] acre	n/a
Wetland C	0.04 acre	307 linear feet
Wetland E	0.33 acre	842 linear feet
Totals	**1.61 acres**	**2,707 linear feet**

LEGEND

- Impacted Wetlands
- Unimpacted Wetlands
- Intermittent Streams

NORTH

0 125' 250'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Base Map Provided by Costich Engineering

Figure 15.

Wetland/Waters Impacts Details Key

(revised Feb. 2015)

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WETLAND IMPACT ANALYSIS AND MITIGATION REPORT
FISHERS RIDGE

TOWN OF VICTOR
ONTARIO COUNTY, NEW YORK

U.S. Army Corps of Engineers File No. NAN-2005-676-WSH

Prepared For:

Rowley 96 LLC
1950 Brighton-Henrietta Townline Road
Rochester, New York 14623

Prepared By:

TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.
23 County Route 6, Suite A
Phoenix, New York 13135

June 2013

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1.0 INTRODUCTION

Terrestrial Environmental Specialists, Inc. (TES) was contracted by The DiMarco Group d/b/a Rowley 96 LLC to prepare an Individual Permit application on a site in the Town of Victor, Ontario County, New York. The site is approximately 95 acres in size and is located south of Interstate 90 near Exit 45 and north of NYS Route 96. The site is proposed for a construction of a lifestyle center consisting of a mix of commercial and residential development.

This report is intended to support an individual wetland permit application to the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act and an individual Water Quality Certification permit application to the New York State Department of Environmental Conservation (NYSDEC) under Section 401 of the Clean Water Act.

TES delineated wetlands on the proposed Fishers Ridge site on November 15, 2005 and May 7, 2007. The delineated wetland boundaries were surveyed by Bergmann Associates and a map and wetland delineation report (TES 2007) was produced. The wetland boundaries were field reviewed by the Buffalo District Corps field office on June 16, 2008. The Corps issued a Jurisdictional Determination letter on January 26, 2009. This determination was revised in a letter from the Corps dated February 25, 2009 (provided in Appendix A). A final wetlands map was prepared (revised December 2, 2008) and was used to assess impacts and plan mitigation areas for the proposed project.

2.0 PERMITTEE INFORMATION

The permit applicant information for this project is as follows:

Rowley 96 LLC
c/o The DiMarco Group
1950 Brighton-Henrietta Townline Road
Rochester, New York 14623
Telephone: (585) 272-7760
Attention: Mr. Paul Colucci

3.0 PROJECT PURPOSE, NEED, AND PUBLIC BENEFIT

The purpose of the proposed project is to construct a mixed use development called Fishers Ridge in the Town of Victor, Ontario County, New York (Figure 1). The development would consist of commercial space, a hotel, office space, residences, green areas and recreational trails, sidewalks and parking lots, and paved public roadways. The project is designed to connect to the existing Town of Victor trail system.

Fishers Ridge is designed to be a lifestyle center where residents and the public at large can live, shop, work, and recreate. It will accomplish this by providing retail and office space, residences, and recreational trails.

A major retailer (to become the anchor store) identified a market with demand that they wish to enter. This location is consistent with the chain's goals, guidelines, and marketing plan for brand expansion and store locations.

The public benefits of this development are numerous. The entire development will generate additional revenue for the town, county, and state through increased property and sales tax benefits. Additionally, the project will generate numerous construction jobs for many years as the project will be completed in phases. These jobs are in addition to the permanent jobs created by the retail, commercial, and other service industry tenants which will utilize the commercial space within Fishers Ridge. Another additional benefit is increased recreation opportunities for residents and the public within Fishers Ridge through its trail system and wooded and aquatic features. Finally, the project will reduce pollution and emissions by providing residents with employment and shopping opportunities adjacent to their homes, thereby reducing or eliminating their need to drive.

4.0 SITE DESCRIPTION

The following section of the report provides a characterization of the Fishers Ridge site based on the review of the background resource information and field investigations. A description of the wetlands/water resources found on the site is also included in Section 8.0. More detailed information can be found in the vegetation and wildlife report (TES 2013).

The 95-acre site is located south of the NYS Thruway (I-90) and northeast of NYS Route 96. Coordinates of the approximate center of the proposed project site are E 301845 meters and N 4763607 meters (UTM Zone 18N, NAD 83). The topography of the site is characterized by sloped hillsides, with slopes of 25% or more. Profiles of the topography of the site were created to illustrate the levels of slope present on the site (Figure 14). The site generally slopes from north to south with elevations ranging from 750 feet above mean sea level (amsl) to 600 feet amsl near NYS Route 96. A hill in the western section of the site reaches an elevation of 725 feet amsl (Figure 1).

Drainage on the site is generally to the south. One intermittent stream is shown on the topographic map in the center of the site; it is a tributary to Irondequoit Creek. No streams are shown on the site on the Surface Water Classification map (Figure 5), although several drainages are shown on the soil survey map (Figure 4).

According to the NYSDEC New York State freshwater wetlands map there are no state-regulated wetlands on the site. The nearest mapped wetland (FA-2) is approximately 500 feet to the southwest of the site (Figure 2).

The USFWS NWI map (Figure 3) shows two small ponds on the site; one is an impoundment and the other excavated. The impoundment is part of the wetlands delineated on the site. The excavated pond is either an error on the NWI map or it no longer exists.

The NRCS soil survey map (Figure 4) shows a variety of gravelly soils on the property, which include: Ontario fine sandy loam, 3 to 10% slopes; Ontario fine sandy loam, eroded, 10 to

20% slopes; Ontario gravelly loam, 3 to 10% slopes; Ontario gravelly loam, eroded, 10 to 20% slopes; Ontario, Lansing, and Honeoye soils, 30 to 60% slopes; Palmyra and Howard soils, 25 to 35% slopes; Palmyra gravelly loam, 5 to 15% slopes; and Palmyra gravelly loam, 15 to 25% slopes. Ontario and Palmyra are the most common soils on the site. None of the soils on the site are hydric (wetland) soils or soils with potential hydric inclusions. In the southeastern portion of the site, areas of moderate sheet erosion are shown within the Palmyra soil. A fairly large area in the southern part of the site is shown on Figure 4 as having moderate sheet erosion.

The Surface Water Classification map (Figure 5) shows that no mapped streams are present on the site.

According to the FEMA Flood Insurance Rate Map the entire area is in Zone C. Zone C is a designation of areas of minimal flooding. The FEMA Flood Insurance Rate Map for the area that includes this site is not printed because the entire area is in Zone C (Figure 6).

The 2002 aerial photograph (Figure 7) shows a mostly vacant site, with old roads and trails throughout. Portions of the site have been mined in the past, and there are numerous mine roads and trails evident on the aerial photograph. Dense shrub communities and patches of deciduous forest dominate the site. Open fields are present in the northern portion of the site.

5.0 SITE ECOLOGY

Vegetation cover types found on the property are shown on Figure 7, with the acreage of each cover type presented in Table 1. Vegetation cover types were classified according to *Ecological Communities of New York State* (Edinger *et al.* 2002). More detailed information can be found in the vegetation and wildlife report (TES 2013).

5.1 Upland Vegetation

Based on the TES mapping (Figure 7), uplands represent a total of 93.1 acres or 97.7 percent of the site (Table 1). About half of the upland area is successional shrubland cover type (Table 1 and Figure 7). Each upland vegetation cover type is described in the following section.

Developed

A driveway enters the southwestern portion of the site from NYS Route 96 (Figure 7). This driveway leads to an old building and parking lot, which covers about 2.1 acres or 2.2 percent of the site (Table 1). This area represents the only developed portion of the site. Plant species characteristic of disturbed areas occur in this area. The dominant species in this area are spotted knapweed (*Centaurea maculosa*) and mugwort (*Artemisia vulgaris*).

Successional Old Field

Successional old field represented about 16.3 acres or 17.1 percent of the site (Table 1 and Figure 7). This area contained poor topsoil and portions were disturbed for ATV riding. The fields were dominated by timothy (*Phleum pratense*), Canada goldenrod (*Solidago canadensis*),

smooth brome (*Bromis inermis*), narrow leaf plantain (*Plantago lanceolata*), spotted knapweed, daisy fleabane (*Erigeron annuus*), and Canada bluegrass (*Poa compressa*). Portions of this cover type were densely populated with broom sedge (*Andropogon virginicus* var. *abbreviatus*). Butterfly weed (*Asclepias tuberosa*) and poverty grass (*Danthonia spicata*) were also dominant species of these successional old fields.

Successional Shrubland

Successional shrubland covered 45.4 acres or 47.8 percent of the site (Table 1 and Figure 7). Some of these areas were disturbed as part of the former mining activities. This cover type is a mix of shrubs and fields with clumps of trees scattered throughout. Common woody plants noted in the shrubland community included: Scot's pine (*Pinus sylvestris*), green ash (*Fraxinus pennsylvanica*), multiflora rose (*Rosa multiflora*), staghorn sumac (*Rhus hirta*), and dense areas of gray stemmed dogwood (*Cornus foemina* ssp. *racemosa*). In the more disturbed areas, cottonwood (*Populus deltoides*) and autumn olive (*Eleagnus umbellata*) were dominant species. In some places herbaceous plants were abundant and included: Canada goldenrod, wild strawberry (*Fragaria virginiana*), Virginia creeper (*Parthenocissus quinquefolia*), orchard grass (*Dactylis glomerata*), wild carrot (*Daucus carota*), and daisy fleabane.

Successional Northern Hardwoods

Successional northern hardwoods cover 29.3 acres or 30.6 percent of the site (Table 1 and Figure 7). Northern hardwoods dominate this community. They vary in size, but are generally 60 to 80 feet in height and 8 to 24 inches in diameter. Common tree species included: white oak (*Quercus alba*), cottonwood, sweet cherry (*Prunus avium*), sugar maple (*Acer saccharum*), and white ash (*Fraxinus americana*). Cottonwood was abundant in northern hardwood areas that were previously disturbed by mining activities. Shagbark hickory (*Carya ovata*) was fairly dense in the southeastern portion of the site, while red maple (*Acer rubrum*) was dominant in the eastern portion. The shrub layer was quite dense under the trees and was dominated by: privet (*Ligustrum vulgare*), musclewood (*Carpinus caroliniana*), gray dogwood, multiflora rose, and honeysuckle (*Lonicera morowii*). Common herbaceous species included: garlic mustard (*Alliaria petiolata*), Virginia creeper, poison ivy (*Toxicodendron radicans*), enchanter's nightshade (*Circaea lutetiana* ssp. *canadensis*), scouring rush (*Equisetum hyemale*), and avens (*Geum* sp.). Tree seedlings were also abundant in the southeastern portion of the site.

5.2. Wetland Vegetation

As previously indicated, wetlands on the site were formally delineated and are described in detail in a separate wetland delineation report (TES 2007). A brief description of the wetland communities and the plant species are presented in this report.

Based on the vegetation cover map (Figure 7), wetlands represent a total of 2.46 acres or 2.3 percent of the site (Table 1). There are two wetland types that are found on the site. They are shallow emergent marsh and shrub swamp wetlands. The characteristics of each wetland cover type are described below.

Shallow Emergent Marsh

Shallow emergent marshes can be found in the northeastern portion of the site (Figure 7). These wetlands cover approximately 0.8 acre or 0.8 percent of the site. An intermittent drain occurs in these emergent marshes, with patches of trees and shrubs. American elm (*Ulmus americana*) and green ash were two common trees in this wetland. Common elderberry (*Sambucus canadensis*) was found in the shrub layer. The herbaceous layer was dominated by common reed (*Phragmites australis*) and reed canary grass (*Phalaris arundinacea*). Common reed and reed canary grass are considered invasive species by the Corps and the USFWS and are indicators of a degraded wetland.

Shrub Swamp

Shrub swamps occur in places along the main intermittent drain, along another intermittent drain along the southeastern site boundary, and near the developed area (Figure 7). These wetlands cover 1.6 acres or 1.5 percent of the site (Table 1). In the southeastern portion of the site the soils were mucky with small rivulets running through the wetland. Common trees in the shrub swamps were willow (*Salix* sp.) and green ash. Spicebush (*Lindera benzoin*), silky dogwood (*Cornus amomum*), honeysuckle, gray stemmed dogwood, and nannyberry (*Viburnum lentago*) were common shrub species in this cover type. Aster (*Aster* sp.), touch-me-not (*Impatiens capensis*), sensitive fern (*Onoclea sensibilis*), Joe-pye-weed (*Eupatorium maculatum*), and skunk cabbage (*Symplocarpus foetidus*) were dominant species in the herbaceous layer.

6.0 ENDANGERED AND THREATENED SPECIES

A contact letter to the NYSDEC New York Natural Heritage Program (NYNHP) was submitted on March 30, 2012. TES also reviewed the USFWS website to determine whether any records existed for known occurrences of federal and listed endangered or threatened species on the site. Results of the NYNHP contacts and the USFWS website review (updated 6/13/13) are presented in Appendix A.

6.1. State-listed Species

The NYNHP response was received on April 12, 2012 and stated; "*We have no records of rare or state-listed animals or plants, significant natural communities or other significant habitats, on or in the immediate vicinity of your site.*"

However, in a letter from the NYSDEC Region 8 permitting division dated November 13, 2007, the DEC indicated two records of twin leaf (*Jeffersonia diphylla*) occurring near the project area (Appendix A). Twin leaf is state-listed as threatened. TES addressed this issue by performing a field survey on May 9, 2008. All potential areas of the site were thoroughly searched and no twin leaf was found. TES concluded that it is highly unlikely that twin leaf occurs on the site. The details of this survey are included in Appendix A in a letter report to Kim Thompson dated May 14, 2008.

6.2. Federally-listed Species

The USFWS website listed bog turtle (*Glyptemys muhlenbergii*) as the only endangered or threatened species known from Ontario County (Appendix A). Bog turtle is a state-listed endangered species and a federal-listed threatened species. Bog turtles are semi-aquatic and have specialized habitat requirements that include a mix of wet and dry areas, deep mucky soils, low-growing vegetation, and open canopy. In this region of New York, bog turtles are known from specific wetland types that are classified as medium and rich fens (USFWS 2001, USFWS 2006). No fens occur within the site, and based on the TES field review, there is no potential for bog turtles to occur on the site.

7.0 CULTURAL RESOURCES

A Phase 1 Cultural Resource Survey was performed by Scott A. Crowder under the guidance of the Rochester Museum & Science Center Regional Heritage Preservation Program. The survey was performed during the months of June and July 2007. The investigation was conducted to locate potential prehistoric or historic cultural resources that may be impacted by construction of the proposed project. Historical files were reviewed and investigated to discover if any potentially sensitive historical events may have left artifacts on the site. There was also a physical survey conducted on the site consisting of dug test pits along transects to search for historic artifacts. The survey concluded that the site was not in need of further archeological investigation (Crowder 2007).

The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) was contacted regarding the presence of cultural resources listed or eligible for listing in the National Register of Historic Places. In a letter dated August 20, 2007, the OPRHP responded,

"it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places."

This letter is included in Appendix A.

8.0 DESCRIPTION OF WETLANDS/WATERS

8.1 Wetland/Waters Descriptions

Wetlands on the site were delineated by TES and the results were presented in a wetland delineation report (TES 2007). TES delineated wetlands/water resources on the site on November 15, 2005 and May 7, 2007. Five wetlands/water resources were delineated on the site and are shown on the Wetland Location Map (Figure 8). These wetlands/water resources were designated by TES as Wetlands A, B, BB, C, and E. The boundaries were delineated using the federal criteria for vegetation, soils, and hydrology (Environmental Laboratory 1987, Reed 1988, USSCS 1989). The survey of the wetland boundaries was completed by Costich Engineering. A Wetland Delineation Report was prepared by TES in 2007 and contains detailed wetland descriptions (TES 2007). Wetland acreage on site totaled 2.46 acres and 4,217 linear feet of intermittent stream was present (Table 2).

Wetland A is a 1.01-acre linear wetland consisting of three parts connected by drainages or culverts. It crosses the center of the site from the northern site boundary at the Thruway to the southern site boundary along NYS Route 96 (Figure 8). This wetland is associated with an intermittent stream, which drains through a culvert under Route 96. Stream A is 2,030 feet in length and is considered a seasonal relatively permanent water (RPW). The stream channel is 3 to 4 feet wide and is cobble and silt substrate in the lower reach, with a substrate consisting of more silt and sand in the upper reach. Wetland A is an emergent wetland with a dense herbaceous layer dominated by great willow-herb (*Epilobium hirsutum*), reed canary grass, common reed, redtop (*Agrostis gigantea*), and cattail (*Typha* sp.).

Wetland B is a linear, scrub-shrub wetland along the southeastern site boundary (Figure 8). It is 0.75 acre in size. The shrub layer in this wetland is sparse, but includes nannyberry and gray-stemmed dogwood. The herbaceous layer in various portions of this wetland was dominated by skunk cabbage and garlic mustard. Sedges (*Carex* spp.) and goldenrods (*Solidago rugosa* and *S. gigantea*) dominated other portions of this wetland. Wetland B also contains an intermittent stream, Stream B, which is 1,038 feet in length. Stream B is a seasonal RPW. The stream channel is 1 to 2 feet wide and primarily consists of a sand and silt substrate.

Wetland BB is a linear wetland which is made up of two portions (Figure 8). The southern portion is a scrub-shrub wetland and the northern portion is a deciduous forest wetland. Wetland BB is 0.33 acre in size and connects to Wetland B in the southeastern section of the site. The scrub-shrub portion of the site contains a sparse covering of green ash in the tree layer. Silky dogwood and privet dominate the shrub layer. The herbaceous layer is dominated by horsetail (*Equisetum* sp.) and skunk cabbage. The deciduous forest portion of Wetland BB is dominated by green ash in the overstory. The shrub layer consists of privet and nannyberry and privet and aster dominate the herbaceous layer.

Wetland C is a small (0.04 acre) wet meadow wetland located just east of Wetland A. This wetland consists of a dense herbaceous layer dominated by sedges, goldenrods and boneset (*Eupatorium perfoliatum*). Wetland C has a short (307 linear feet) intermittent stream which flows south and connects to Wetland A through a culvert. Stream C averages 1 to 2 feet in width and consists of a silt/sand substrate.

Wetland E is a linear, scrub-shrub wetland located in the southwestern portion of the site (Figure 8). It is 0.33 acre in size. The shrub layer in this wetland is dominated by tartarian honeysuckle (*Lonicera tatarica*) and silky dogwood. Skunk cabbage and grass (*Poa* sp.) dominated the herbaceous layer. Within Wetland E is an intermittent stream (Stream E) which is 842 linear feet in length and is a seasonal RPW. Portions of Stream E have been channelized, it is 2 to 3 feet wide, and has a sand/silt substrate.

The wetland boundaries were field reviewed by the Buffalo District Corps field office on June 16, 2008. A letter from the Corps, dated January 26, 2009, which issued their Jurisdictional Determination (JD) was received. This determination was revised in a letter from the Corps dated February 25, 2009. A final wetlands map was prepared with these revisions. The final wetlands map (revised December 2, 2008) was used to assess impacts and plan mitigation areas

for the proposed project (Figure 8). Correspondence relating to the JD can be found in Appendix A.

8.2 Wetland Function and Values

The following ten attributes and one value are routinely considered in evaluating a wetland. These functions are defined in the Wetland Evaluation Techniques (WET) Manual (Adamus *et al.* 1987 published by the U.S. Army Corps of Engineers and the Federal Highway Administration).

- Groundwater Recharge
- Groundwater Discharge
- Flood Flow Alteration
- Sediment Stabilization
- Wildlife Diversity/Abundance
- Sediment/Toxicant Retention
- Nutrient Removal/Transformation
- Production Export
- Aquatic Diversity/Abundance
- Recreation

Groundwater Recharge – Potential to provide flow to a subsurface groundwater system.

Groundwater Discharge – This function is provided where groundwater discharges into a wetland or waterbody.

Flood Flow Alteration – This function is provided when peak flows from runoff, surface flow, and other sources are stored or delayed.

Sediment Stabilization – This function is attributed to shoreline anchoring by vegetation or dissipation of erosive forces.

Wildlife Diversity/Abundance – Wildlife diversity and abundance is the ability of a wetland to support wetland-dependent species.

Sediment/Toxicant Retention – Sediment/toxicant retention is the process by which suspended solids and chemical contaminants are retained and deposited within a wetland.

Nutrient Removal/Transformation – Nutrient removal and transformation are the processes in which nutrients are stored in the sediment of a wetland.

Production Export – Production export is the flushing of relatively large amounts of organic material from the wetland to downstream adjacent waters.

Aquatic Diversity/Abundance – Aquatic diversity and abundance relates to the contribution of the wetland to open water or an aquatic ecosystem.

Recreation – Recreation is a wetland value that reflects the human use of a wetland habitat. Recreational uses can include hunting, bird watching, and hiking.

The on-site wetlands that will be affected by the proposed development were qualitatively assessed for the above attributes. This functional assessment is somewhat redundant as the wetlands are directly associated with, and a part of, an intermittent stream complex that directs water downslope into culverts that flow under State Route 96. Most of the functions that would be lost are considered with the stream evaluation.

Wetland A channels runoff from the NYS Thruway across the site. Wetland A is dominated by common reed, an invasive species. Wetland A may intercept some groundwater and also has a small area of retained flow in a small area of deciduous forest wetland. The common reed provides some sediment/toxicant retention and nutrient removal functions. Wetland A does not provide groundwater recharge, sediment stabilization, wildlife diversity/abundance, production export, aquatic/diversity abundance, or recreation functions.

Wetland BB channels water and serves as a stormwater conveyance. There is limited potential for this wetland to provide sediment/toxicant retention and sediment/toxicant retention. Wetland BB does not provide groundwater recharge, flood flow alteration, aquatic/diversity abundance, or wildlife diversity/abundance.

Wetland C is a small 0.04-acre wetland that intercepts groundwater. There were no other functions noted for Wetland C. Wetland C does not provide groundwater recharge, flood flow alteration, aquatic/diversity abundance.

Wetland E is a shrub wetland in its upper portion. This portion of the wetland provides a small amount of wildlife habitat and it also provides a groundwater discharge function. Wetland E does not provide groundwater recharge, flood flow alteration, aquatic/diversity abundance and production export functions.

Due to the location of the wetlands on a steep hillside (see Figure 14), these wetlands do not provide the opportunity for many of the wetland functions such as flood storage, sediment stabilization, production export, and aquatic diversity abundance. Recreation values are limited as there is no public access.

9.0 ALTERNATIVES

The DiMarco Group performed due diligence in order to select a site and development plan in order to minimize environmental impacts while still being a viable and economical plan. Numerous sites were analyzed before selecting Fishers Ridge in order to select a site with minimum environmental resources present. Likewise, after site selection numerous plans were assessed and reviewed to ensure the best preservation of environmental resources practicable.

9.1 Off-site Alternatives

The DiMarco Group strove to select a site which minimized environmental impacts. When conducting an initial screening, the Fishers Ridge site had no mapped NWI wetlands, no NYSDEC freshwater wetlands, and the soils were soils series that were considered to be uplands.

In addition to the preferred site location, the DiMarco Group considered other off-site alternatives.

In order to determine if the proposed site location will be the least environmentally damaging practicable alternative, the applicant developed a matrix of site alternatives. Ten factors for site selection were considered (Table 4). Each factor was given a ranking score from 0 to 5, with 5 being the best and 0 being the worst. This would yield a total score of 50 for the ideal alternative site with the most economical and practical advantages and the least damaging, costly, difficult, or impractical disadvantages.

The first of the ten factors was proximity to the population center in Rochester. The project would not be practical if it was located far away from where people work, live, and recreate. Therefore alternatives located in Victor and Henrietta are ideal with high scores of 4 and 5, while sites located in Manchester are low scoring sites with values of 1.

The next two factors are separate but influence each other. They are wetland impact and developable acreage. The acreage of wetlands on the alternative sites must be subtracted from the total site size. This yields the amount of developable acreage before any wetland impacts are taken into consideration. For many alternatives this leaves far too few developable acres for the project footprint, which means in order to use those alternatives, many acres of wetland impact would need to occur.

Another two factors are zoning and whether or not the site is located in an agricultural district. If an alternative site is located in a designated agricultural district that would preclude site development. The zoning designation of a potential site is an important factor because getting the zoning changed to an appropriate designation for the project type can be a lengthy and difficult process.

The sixth important factor to determine if an alternative is practical is site visibility from Interstate 90 (I-90). In order for the project to be viable the site must be easily visible from I-90.

The seventh, eighth, and ninth factors are; site accessibility, the location of a secondary highway near the site, and the significance of the feeder road on which the site is located. Site accessibility is an important factor for this project in order to ensure consumers, residents, and workers can easily get to and from the site. A secondary highway located adjacent to the site is also a valuable asset to shunt more people easily to and from the site. Likewise, the feeder road on which the site is located should be a major thoroughfare capable of handling the traffic generated by the project as well as directing more people by the site.

Finally, the tenth factor considered in the alternative site matrix is the difficulty of acquisition of each alternative site. The proposed project site is currently owned by the developer and therefore has a large advantage over the other alternatives. The other alternatives are all owned by multiple owners and consist of multiple parcels. The cost and difficulty of acquiring such pieces of land may be prohibitively high.

Several alternative sites were assessed and consideration of these factors was completed to assure that the proposed site is the least environmentally damaging practicable alternative. These alternative sites are presented in Figures 9A to 11B. Five alternative sites were found that could potentially be used for the proposed project site.

The first alternative is located south of the proposed site, on the west side of NYS Route 96. While this site has optimal proximity to the population center and is not located in an agricultural district, it has no visibility from I-90, is zoned as residential, and consists of many parcels (each with different owners). Also, this site is heavily encumbered by NYS DEC Wetland VT-2 (Figure 9A) and therefore has a very low number of developable acres. This site is not the least environmentally damaging practicable alternative due to the high amount of wetland impacts required to develop it. It is also an impractical alternative due to the lack of visibility from I-90 as well as zoning and ownership issues which would make the site very difficult and costly to acquire and re-zone. Alternative site 1 scored 28 out of 50 in the alternative site ranking matrix.

Alternative site 2 (Figure 10A) is located over 10 miles west of the proposed site on the east of Middle Road and north of I-90. This site has good proximity to the population center and good visibility from I-90, however, the feeder road on which it is located is not significant enough for the proposed project. In addition, this site has NYS DEC Wetland HR-20 covering most of the site and would not be the least environmentally damaging practicable alternative due to the need to fill many acres of wetlands if developed. This site is also zoned as residential and consists of many parcels (each with different owners). Therefore the site would be very difficult and costly to acquire and re-zone. Alternative site 2 scored 27 out of 50 in the alternative site ranking matrix.

Alternative sites 3, 4, and 5 are located approximately 10 miles to the east of the proposed site in the Town of Manchester around the interchange of the Thruway and NYS Route 21 (Figure 11A). While these sites have good visibility from I-90, these sites are further than practical from the population center for a project of this type and scope. Also, there is no secondary highway present near these sites. Site 3 is zoned for a project of this type and sites 4 and 5 are located in agricultural districts. All three alternative sites are encumbered by wetlands as can be seen in Figure 11B. Additionally, all three alternatives consist of multiple parcels with multiple owners and would be difficult and costly to acquire. Alternative sites 3, 4, and 5 scored 25, 22, and 21 out of 50, respectively, in the alternative site ranking matrix.

All five alternatives are encumbered by mapped wetlands and are also likely to contain additional unmapped Corps wetlands. Development on these alternative sites would result in more wetland impact than the proposed site. Other reasons for rejecting these alternatives include, zoning issues, cost and difficulty of acquisition, access and visibility from the major highways, and unknown potential environmental impacts (i.e. endangered and threatened plants or animals present). For those reasons, the five alternative sites were not chosen as the proposed project site because they are not the least environmentally damaging practicable alternative.

The proposed site is well suited for the proposed project and has no physical conditions that would limit the construction or operation of the development. The proposed site was chosen

because it is close to the population center, has 93 acres of developable area, has no mapped wetlands or mapped hydric soils, is zoned commercial/light industrial, is not located in an agricultural district, has excellent visibility to I-90, has excellent site accessibility, has an adjacent secondary highway, has a significant feeder road, and is owned by the developer. It also has a desirable lack of environmental constraints such as DEC wetlands and endangered or threatened animal or plant species. The proposed site scored 48 out of 50 in the alternative site ranking matrix. Therefore the proposed site is considered the least environmentally damaging practicable alternative.

9.2 On-site Alternatives

In order to ensure the preferred plan is the least environmentally damaging practicable alternative, the applicant also considered on-site alternative layouts of the project plan. This project site is located on a hillside. The topography slopes down from I-90 to Route 96. The topography makes the access road layout possibilities very limited (Figure 14). The main access road must align with Route 251 on one end and intersect Route 96 north of Route 251 on the other end. The Town of Victor Design Guidelines require maximum road inclines, declines, and slopes through intersections which means the location and layout of the road is relatively fixed as can be seen by its mainly fixed layout across all three on site alternatives and the preferred plan. The configuration of the site depends on recruiting a large retail outlet (anchor store) which will be visible from I-90. Three on-site alternatives were created.

On-site alternative 1 (Figure 12A) had two large anchor stores located on the northeastern border of the site adjacent to I-90. This alternative reduces the impact to the lower portion of Wetland A. However, the upper portion will be impacted and piped to discharge into the lower portion of Wetland A thereby degrading its quality. This layout contains no mixed use or pedestrian trails connecting the community with walking and biking paths. There is no residential housing or office spaces proposed. This layout does not achieve the project goal of creating one community where people can work, live, and recreate. This layout was rejected as a viable alternative because it lacks these important benefits and features.

On-site alternative 2 (Figure 12B) is a similar layout to on-site alternative 1 with the anchor stores located adjacent to I-90. This layout incorporates more mixed use buildings, instead of being exclusively retail space. It is lacking pedestrian paths and has the most wetland impact of all the alternatives. It was rejected as a viable alternative because of the lack of multi-residential areas, the lack of recreational trails, and the additional wetland impact.

On-site alternative 3 (Figure 12C) also locates the large anchor stores by I-90 and this layout does not include any residential areas. This layout is a slight variation of alternative site 1 with a center retail corridor for consumers and workers to utilize. However, with the lack of multi-residential spaces does not promote the true “mixed” use center the developer wishes to create. This does not accomplish the goal of having one area where people can live, work, and shop. Therefore, alternative site 3 was rejected as a viable alternative.

Communities where people have recreational, work, and shopping opportunities within walking and biking distance have many benefits including reductions in auto emissions and noise

pollution. Another benefit of this type of community is education and incorporation of the public into a natural environment complete with aquatic features. Communities created by developments of this type become a desirable area to live, complete with a sense of "place" felt by its residents.

10.0 UNAVOIDABLE WETLAND IMPACTS

The preferred site plan can be seen in Figure 13. It consists of a large retail anchor store on the north side of the site adjacent to I-90 complete with aquatic features in front of the store. In the store's parking lot there is a pond area proposed that will connect to a cascading stream and pool complex which flows south through the center of the site roughly following the path of former Wetland A. There is a hotel proposed to the east of a large retail anchor store adjacent to I-90 as well. On the west side of the preferred plan there are residences and office space proposed. The next phase of the site plan is the center area which will consist of office, restaurant, and shopping, as well as multi-residential units. The entire site will be interconnected with recreational (hiking and biking) trails so consumers and workers can work, live, shop, and play within the site.

Unavoidable impacts to aquatic resources from the proposed development are shown on Figure 15 and listed in Table 3. Unavoidable impacts total 1.71 acres of Corps jurisdictional wetlands and 3,179 linear feet of intermittent streams. The proposed project plan avoids Wetland B (0.75 acre) and Stream B (1,038 linear feet).

The proposed plan's creek water feature, which will roughly correspond with the location of impacted Wetland A and Stream A (Figure 8), will offset some of the wetland and waters impacts by creating aquatic features on site.

11.0 MITIGATION

Numerous strategies were used to avoid, minimize, and reduce wetland impacts from the site development. Erosion and sediment control measures have been specified to minimize the possibility of sediment entering wetland areas (Figure 17). Costich Engineering, developed a Stormwater Pollution Prevention Plan (SWPPP) to mitigate water quality in full compliance with the General Stormwater Pollution Discharge Elimination System (SPDES) permit requirements of New York State (Appendix B). As mitigation measures, the construction of a stormwater collection and treatment system, an aquatic feature through the middle of the site, and the use of landscaping and hiking trails to create a visually pleasing development are proposed as well.

11.1 Avoidance/Minimization/Reduction

As discussed in Section 9, numerous alternative configurations and alternative sites were examined before the preferred site plan was selected. From initial concept to proposed design, the overall development footprint of Fishers Ridge was created in order to avoid, minimize, and reduce potential impacts to wetland areas to the greatest extent practicable.

Due to the location and configuration of wetlands on the proposed site, avoidance of all wetland areas is impracticable. Alternative site development plans had so slight a reduction in impact acreage (reductions of approximately 0.5, 0.3, and 0.2 acre, respectively, Figures 12A-12C) they would not be practicable. These plans were past configurations that are no longer viable. Further, the on-site alternatives do not produce the type of development that creates a sense of place that is desired by the community.

11.2 Erosion and Sediment Control

Costich Engineering developed a Stormwater Pollution Prevention Plan (SWPPP) that specifies erosion and sediment control measures for the site which is subject to NYSDEC review and acceptance prior to the start of construction (Appendix B). The measures employed are described in New York State's Guidelines for Urban Erosion and Sediment Control (Urban Soil Erosion and Sediment Control Committee 1997). The comprehensive plan includes three main types of erosion and sediment control practices: temporary structural, permanent structural, and vegetative. Temporary practices include the use of dust control, sediment basins, sediment traps, silt fence, storm drain inlet protection, and a stabilized construction entrance. Permanent practices include the use of land grading and rock outlet protection. Vegetative practices will be top soiling, seeding, and aquatic feature creation.

11.3 Stormwater Pollution Prevention Plan

Costich Engineering has prepared a Stormwater Pollution Prevention Plan (SWPPP) for the proposed development. The text of this document is provided in Appendix B. The SWPPP has been prepared according to the guidelines provided by the NYSDEC and meets the requirements given in the General Permit for Stormwater Discharges from Construction Activity, General Permit No. GP-0-08-001. The plan has been developed to assure that post-development runoff rates will be equal to or less than pre-development runoff rates. Stormwater management facilities were designed considering 1-year to 100-year design storms. The criteria for the design of these facilities were obtained from the New York State Stormwater Management Design Manual.

11.4 Wetland Mitigation Plan

Wetland mitigation will be in the form of stream mitigation because the wetlands located on the Fishers Ridge site are linear and directly associated with the stream courses. TES conducted stream assessments using the Corps Guidelines and *Stream Visual Assessment Protocol (SVAP) Version 2*. The on-site stream disturbance required 10,241 mitigation credits to be generated. Mitigation measures on-site will account for 5,839 credits and off-site mitigation will account for 2,983 credits. The remaining 1,419 credits will be accounted for in functions not identified in the Guidelines. These include groundwater recharge/discharge and flood storage of the vernal pools and educational and recreational uses of the streams on-site and off-site. Specific details of this mitigation plan can be found in Appendix C - Stream Mitigation Plan.

12.0 SUMMARY

Terrestrial Environmental Specialists, Inc. (TES) was contracted by The DiMarco Group d/b/a Rowley 96 LLC to prepare an Individual Permit application on a site in the Town of Victor, Ontario County, New York. The site is approximately 95 acres in size and is located south of Interstate 90 near Exit 45, and north of NYS Route 96.

This report is intended to support an individual wetland permit application to the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act and an individual Water Quality Certification permit application to the New York State Department of Environmental Conservation (NYSDEC) under Section 401 of the Clean Water Act.

The purpose of the project is to develop of a lifestyle center comprised of retail and office spaces, multi-family residences, and recreational trails. The benefits of this development include, increased revenues from taxes, additional jobs (both permanent and temporary), increased recreational opportunities, and decreases in pollution through reduction or elimination of commuting times.

The site can be described as a hillside sloping south from the Thruway to Route 96. The cover types present on the site were mostly upland types, such as old field, shrubland, and northern hardwoods. Most of the site has been disturbed, developed, modified or otherwise cleared. Wetland cover types present include shallow emergent marsh and shrub swamp. These wetland areas are directly associated with intermittent drains which flow north to south across the site.

Endangered and threatened species issues were investigated to ensure that the project would not negatively effect and important natural resources. Any and all state listed or federally listed species were addressed through contact letters to the state and inquiries to the USFWS website. The state concluded that there are no records of state listed animals or plant on the site with the exception of twin leaf. The site was investigated for twin leaf habitat and TES concluded that the site was unlikely to support that species. The only species of concern of the USFWS was bog turtle; however there is no habitat on-site which could support any population of bog turtles.

Cultural resources were investigated to ensure development of the site would not negatively impact any sensitive historical artifacts or locations. A Phase 1 Cultural Resource Survey was performed by Scott A. Crowder under the guidance of the Rochester Museum & Science Center Regional Heritage Preservation Program. The survey concluded that the site was not in need of further archeological investigation. Likewise, the NYS OPRHP was contacted regarding cultural resources and concluded the project will have no impact on cultural resources.

Five wetlands/water resources were delineated on the site. These wetlands/water resources were designated by TES as Wetlands A, B, BB, C, and E and are all narrow, linear wetlands which serve as drainages for the steeply sloping site. Wetlands A, B, C, and E each contain an intermittent stream within their boundaries. The Corps issued a Jurisdictional Determination letter on January 26, 2009 which was revised in a letter from the Corps dated

February 25, 2009. A total of 2.46 acres of wetlands exist on the site and a total of 4,217 linear feet of intermittent stream exist on the site.

The wetlands present are directly associated with the intermittent drains they surround, and drainage is the main function they provide. The wetlands provide little to none of the following function and values; groundwater recharge, flood flow alteration, sediment stabilization, wildlife diversity/abundance, sediment/toxicant retention, nutrient removal/transformation, production export, aquatic diversity/abundance, or recreation.

Many alternatives, both on-site and off, were considered in order to find the least environmentally damaging practicable alternative. Off-site alternatives were considered. However none could be chosen as viable alternatives due to environmental resource encumbrance, as well as costly or impossible zoning, ownership, or location details. On-site alternatives which were considered are past configurations that are no longer viable.

The proposed site plan generates unavoidable impacts totaling 1.71 acres of Corps jurisdictional wetlands and 3,179 linear feet of intermittent streams. The proposed project plan avoids Wetland B (0.75 acre) and Stream B (1,038 linear feet). The proposed plan contains an aquatic creek feature which will roughly correspond with the location of impacted Wetland A and Stream A and will offset some of the wetland and waters impacts.

Mitigation of the impacts will include as much avoidance and minimization of impacts as practical (Wetland B and Stream B are being avoided) as well as appropriate and standard erosion and sediment control practices. A thorough Stormwater Pollution Prevention Plan that specifies erosion and sediment control measures for the site will be in place and utilized prior to the start of construction. Additionally, mitigation for the loss of waters resources will be in the form of stream improvements both on-site and off. A detailed stream mitigation plan is included in this report which specifies guidelines for stream creation and improvement. The on-site stream disturbance required 10,241 mitigation credits to be generated. Mitigation measures on-site will account for 5,839 credits and off-site mitigation will account for 2,983 credits. The remaining 1,419 credits will be accounted for in functions not identified in the Guidelines. These include groundwater recharge/discharge and flood storage of the vernal pools and educational and recreational uses of the streams on-site and off-site.

13.0 REFERENCES

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Table 1.

Acreage of Vegetation Cover Types, Fishers Ridge Site,
Town of Victor, Ontario County, New York

Vegetation/Land Use Type	Acreage	% of Total Site
Developed (DEV)	2.1	2.2%
Successional Old Field (SOF)	16.3	17.1%
Successional Shrubland (SS)	45.4	47.8%
Successional Northern Hardwoods (SNH)	29.3	30.6%
Shallow Emergent Marsh (SEM)	0.9	0.8%
Shrub Swamp (SSW)	1.6	1.5%
Total	95.6	100.0%

Table 2.

Area of Delineated Wetlands, Fishers Ridge Site
Town of Victor, Ontario County, New York

Wetland/Waters Area	Wetland Cover Type(s)	Area of Wetland/ Waters (acres)	Length of Associated Intermittent Stream (approx. linear feet)
A	Successional Emergent Marsh/Shrub Swamp	1.01	2,030
B	Shrub Swamp	0.75	1,038
BB	Shrub Swamp	0.33	-
C	Shrub Swamp	0.04	307
E	Shrub Swamp	0.33	842
	Total	2.46	4,217

Table 3.

Wetland/Waters Impacts, Fishers Ridge Site
Town of Victor, Ontario County, New York

Corps Wetlands/Waters Impacts

Wetland/Water Name	Impact Area (acres)	Stream Impact Length (linear ft.)
Wetland A/Stream A	1.01	2,030
Wetland BB	0.33	-
Wetland C/Stream C	0.04	307
Wetland E/Stream E	0.33	842
Total	**1.71**	**3,179**

Table 4.

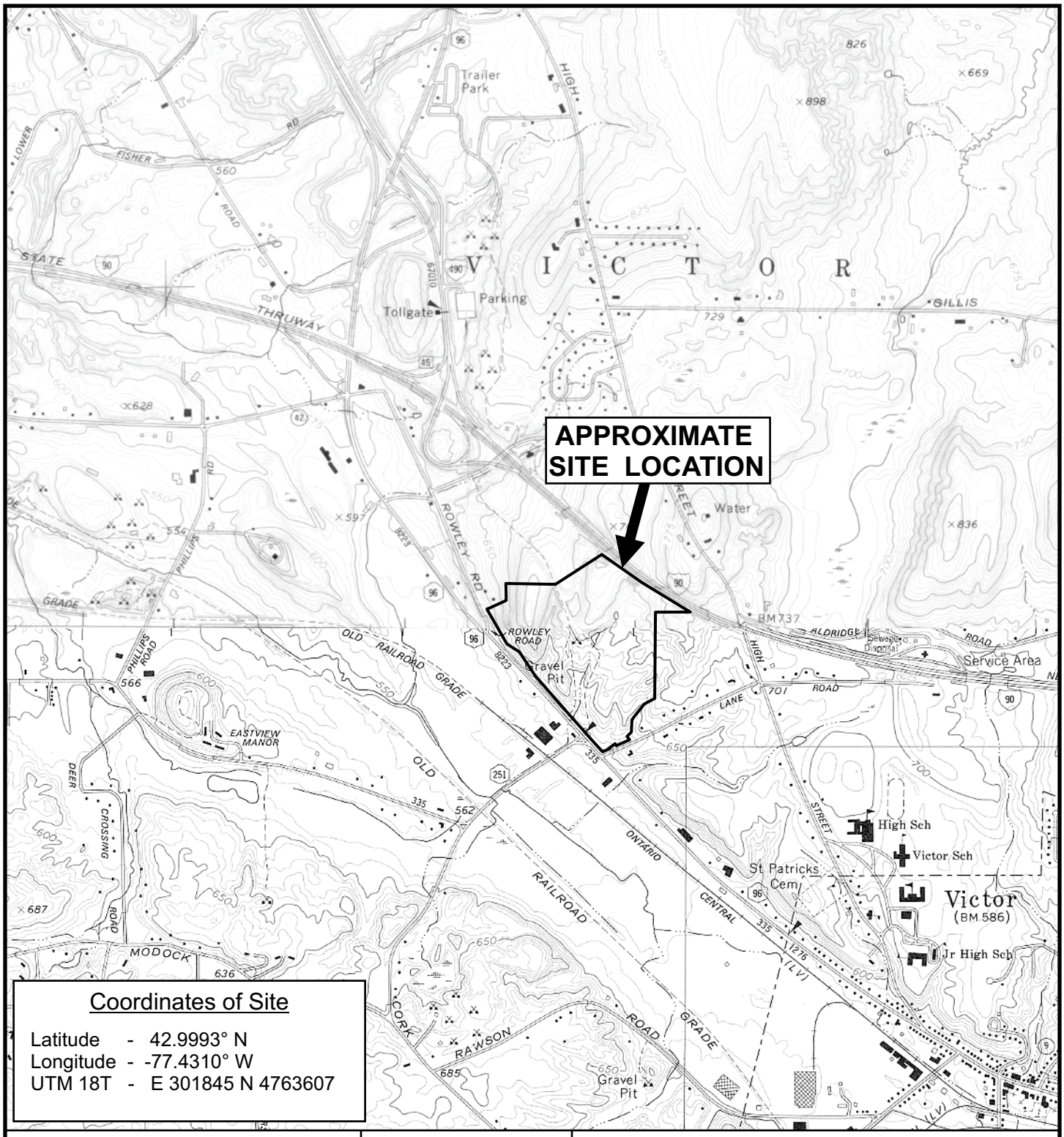
Alternative Site Identification and Analysis, Fishers Ridge Site, Town of Victor, Ontario County, New York

	Proposed	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
Location	Route 96 & Lane Road	Route 96 near 251	Middle Road and Rte. 90	Route 96 & Pratt Road	Hackett Road & 21	Outlet Road and 21
Town	Victor	Victor	Henrietta	Manchester	Manchester	Manchester
County	Ontario	Ontario	Monroe	Ontario	Ontario	Ontario
Acreage	96	87	90.4	81.5	128	72
Wetlands	2.75	60	50	15	25	5
Zoning	Commercial/Light Industrial	Multiple Dwelling/ Light Industrial	R-1-15	Agricultural A-1, Commercial C-1	Agricultural A-1, Light Industrial M-2	Agricultural A-1
Agricultural District	None	None	None	None	Ag District 8	Ag District 8
Visibility	Excellent	None	Excellent	Good	Poor	Excellent
Site Accessibility	Excellent	Fair	Decent	Good	Good	Good
Second Major Highway	490	490	390	None	None	None
Feeder Road	96	96	Middle Road	21 & 96	21	21
Ownership	Owned by Developer	6 parcels, 6 owners	5 parcels, 5 owners	9 parcels, 8 owners	5 parcels, 5 owners	7 parcels, 7 owners
Current Use	Vacant Land	Businesses and Vacant Land	Vacant Land	Homes	Farm	Homes

Ranking Matrix
Scale of 0-5, 5 Being Best, 0 Being Worst
Maximum Score 50 Points

	Proposed	**1**	**2**	**3**	**4**	**5**
Proximity to Population	4	4	5	1	1	1
Developable Acreage	5	0	0	3	5	3
Wetland Impact	4	0	0	2	2	3
Zoning	5	5	1	1	3	1
Agricultural District	5	5	5	5	0	0
Interstate Visibility to 90	5	0	5	5	3	5
Site Accessibility	5	3	3	4	4	4
Secondary Highway	5	5	5	0	0	0
Significant Feeder Road	5	5	2	3	3	3
Acquisition	5	1	1	1	1	1
TOTAL SCORE	48	28	27	25	22	21
AVERAGE SCORE	4.80	2.80	2.70	2.50	2.20	2.10

Wetland Impact Rank	6	1	2	4	3	5
% Land Impacted	3%	69%	55%	18%	20%	7%
Developable Acres	93.25	27	40.4	66.5	103	67
Conclusion	Least environmentally damaging practicable alternative.	Not a suitable alternative due to wetland encumbrance.	Not a suitable alternative due to present zoning, access and wetland encumbrance.	Not a suitable alternative due to wetland encumbrance.	Not a suitable alternative due to ag district designation.	Not a suitable alternative due to ag district designation.



0 1000' 2000'

SCALE 1" = 2000'

NORTH

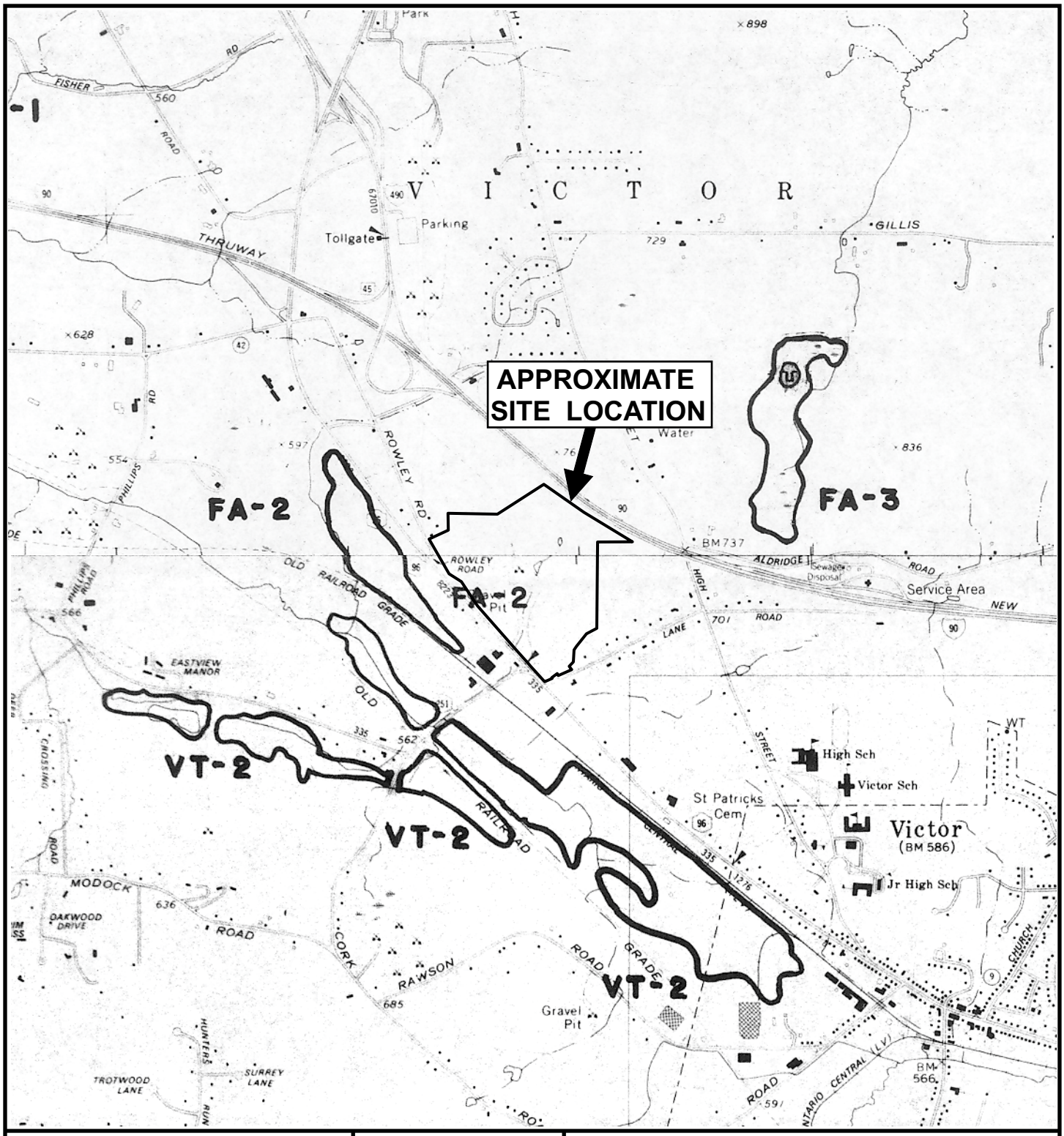
Figure 1. Site Location

NYS DOT Topographic Map

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig1.cdr\2/15/13



0 1000' 2000'

SCALE 1" = 2000'

NORTH

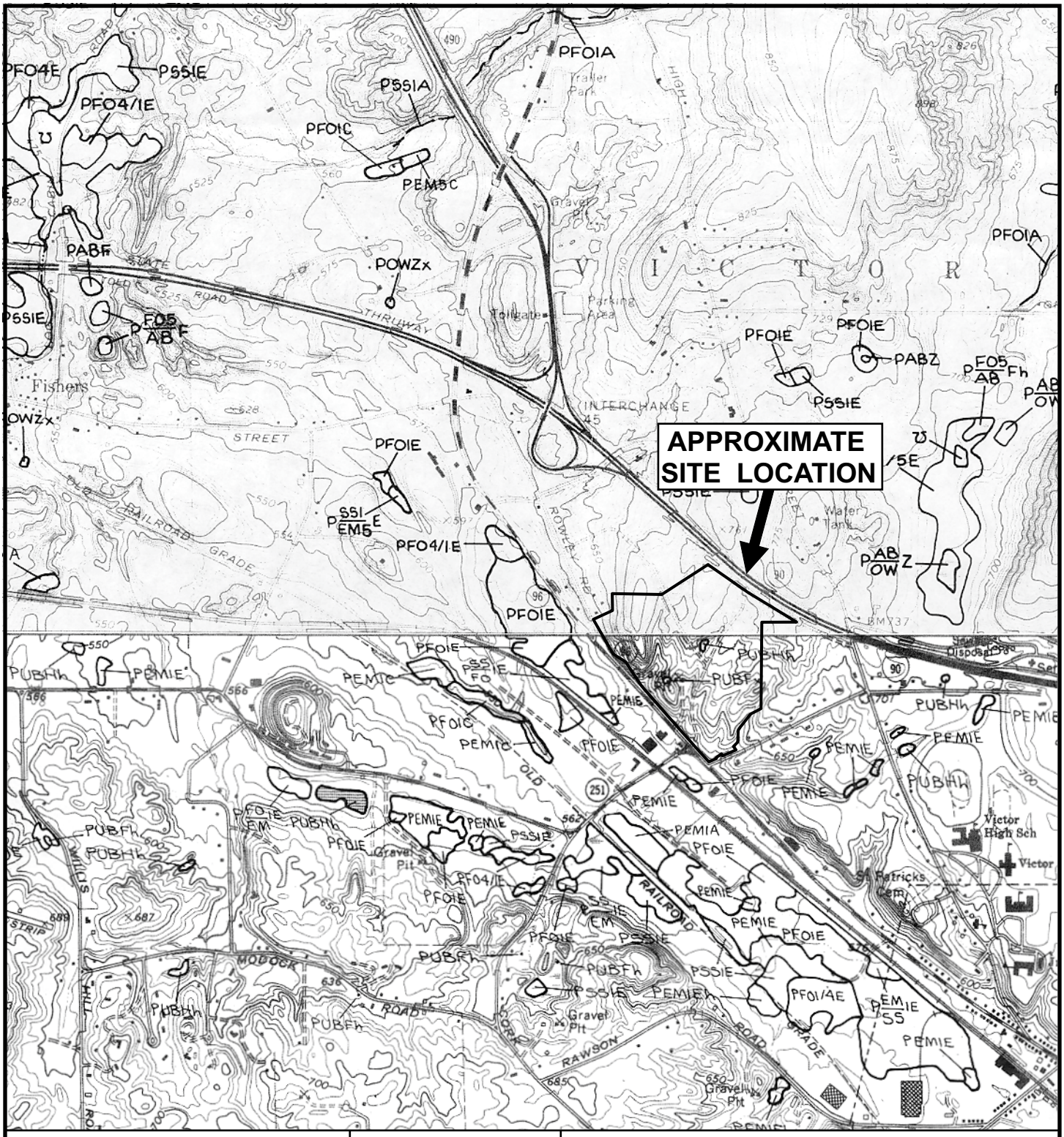
Figure 2. NYS Freshwater Wetlands Map

NYS Department of Environmental Conservation

Victor Quadrangle 1986
Fairport Quadrangle 1986

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig2.cdr\6-20-07



QUADRANGLE LOCATION

0 1000' 2000'

SCALE 1" = 2000'

NORTH

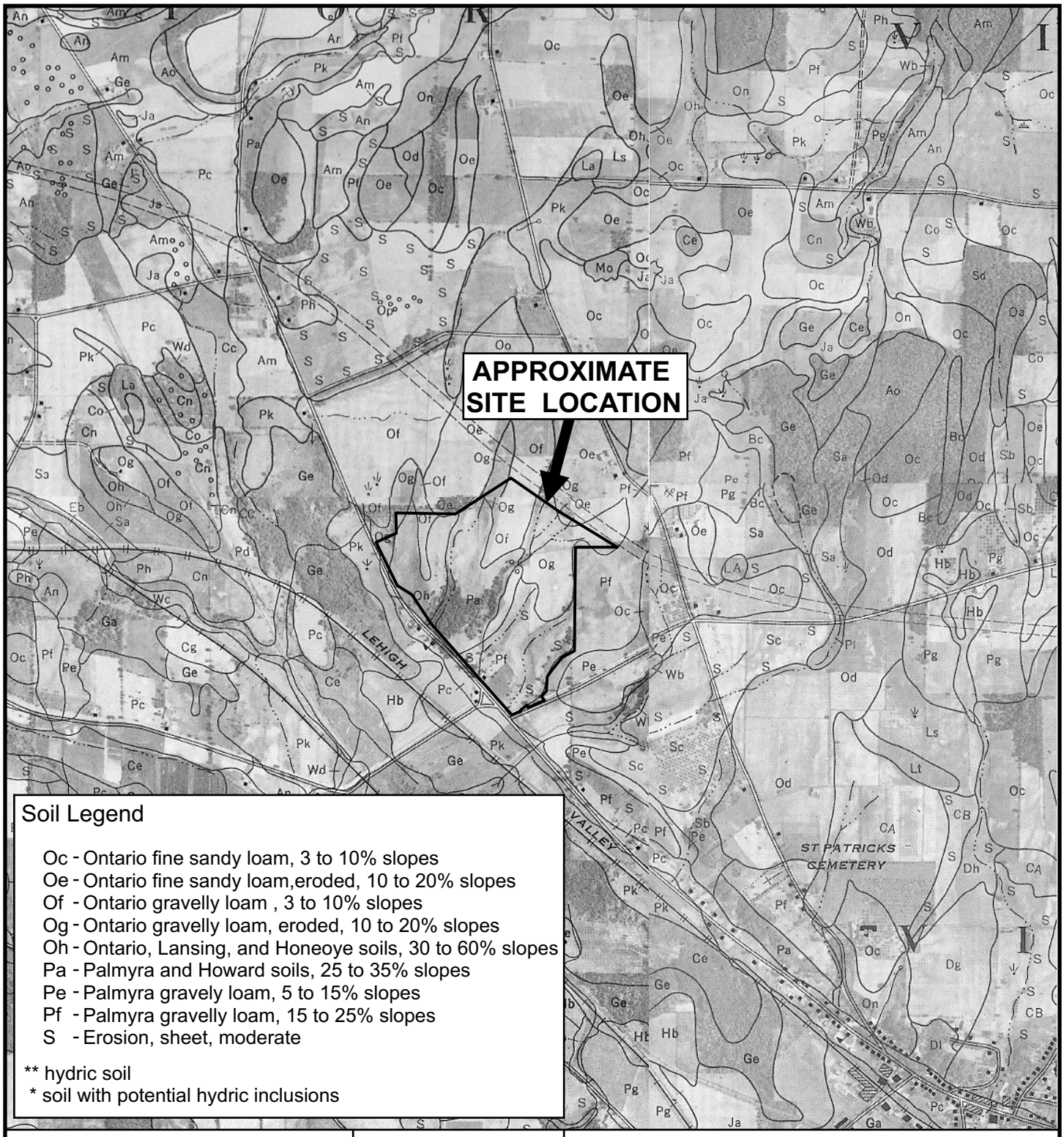
Figure 3. National Wetlands Inventory Map

U.S. Fish & Wildlife Service

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig3.cdr\6-20-07



SITE LOCATION

0 833' 1666'

SCALE 1" = 1666'

NORTH

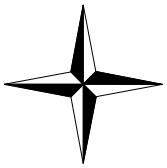


Figure 4. Soil Survey Map

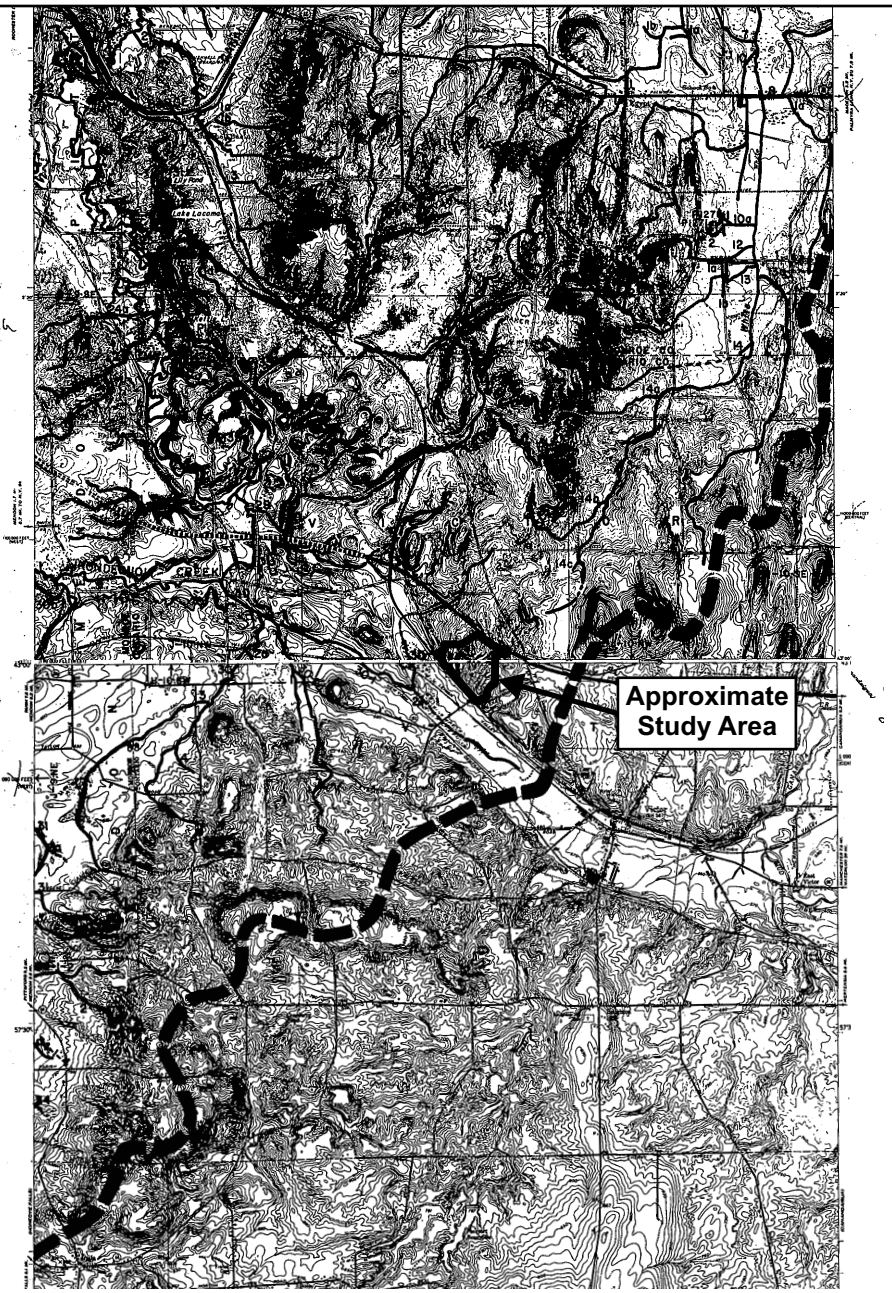
Ontario County Soil Survey

1958

Sheets 1, 2, 7, and 8

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig4.cdr\6-20-07



Item No.	Waters Index Number	Name	Description	Map Ref. No.	Class	Standards

No Mapped Streams are present.

Title 6 NYCRR, Chapter X
Article 9, Part 846.8 (1992)

Map H-10sw
Map J-10nw

0' 4000' 8000'

SCALE 1" = 8000'

NORTH

Figure 5.
Surface Water Classification Map

NYSDEC

Victor and Fairport Quadrangles

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES File: COS-3050\3050-streams.cdr\2-13-13

Panel Not Printed - Area in Zone C

LEGEND

Zone C - Areas of minimal flooding.

Panel Numbers:

361249 0006 C

0' 1000' 2000'

SCALE 1" = 2000'

NORTH

Figure 6. Flood Insurance Rate Map

Federal Emergency Management Agency

Town of Victor, NY

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES File: COS-3050\3050-fema.cdr\2-13-13

LEGEND

DEV - Developed
SOF - Successional Old Field
SS - Successional Shrubland
SNH - Successional Northern Hardwoods
SEM - Successional Emergent Marsh
SSW - Shrub Swamp

NORTH

0 200' 400'

Approximate Scale in Feet

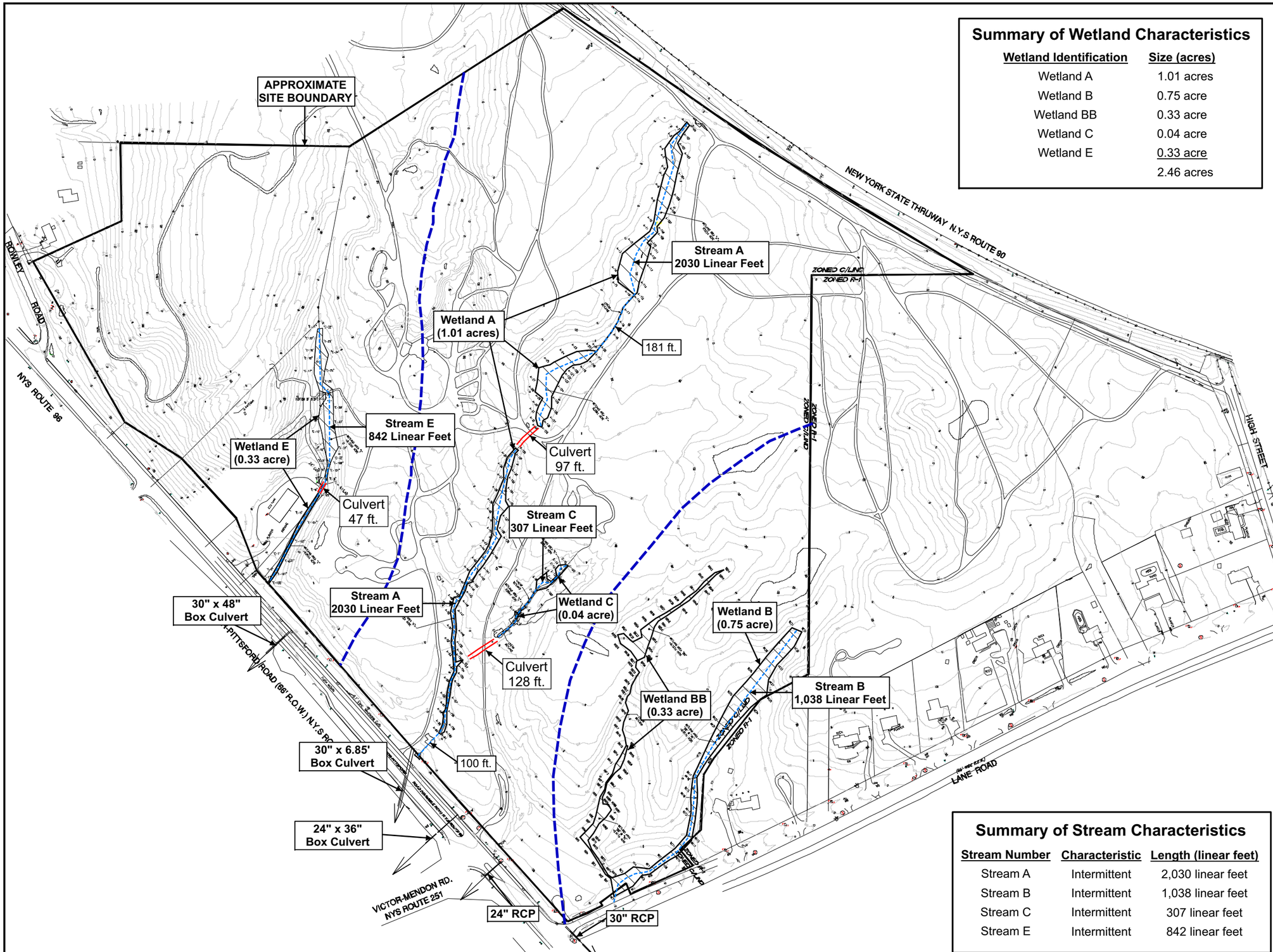
Figure Prepared by Terrestrial Environmental Specialists, Inc.

2002 Aerial Photograph Obtained from New York State GIS Clearinghouse

Figure 7.

Aerial Photograph of Site with Vegetation Cover Types

TES File: COS-3050/3050-aerial-cover.cdr/2-27-13



Summary of Wetland Characteristics

Wetland Identification	Size (acres)
Wetland A	1.01 acres
Wetland B	0.75 acre
Wetland BB	0.33 acre
Wetland C	0.04 acre
Wetland E	0.33 acre
	2.46 acres

Summary of Stream Characteristics

Stream Number	Characteristic	Length (linear feet)
Stream A	Intermittent	2,030 linear feet
Stream B	Intermittent	1,038 linear feet
Stream C	Intermittent	307 linear feet
Stream E	Intermittent	842 linear feet

LEGEND

- Wetland
- Intermittent Stream
- On-Site Drainage Divides

NORTH

0 150' 300'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial Environmental Specialists, Inc.

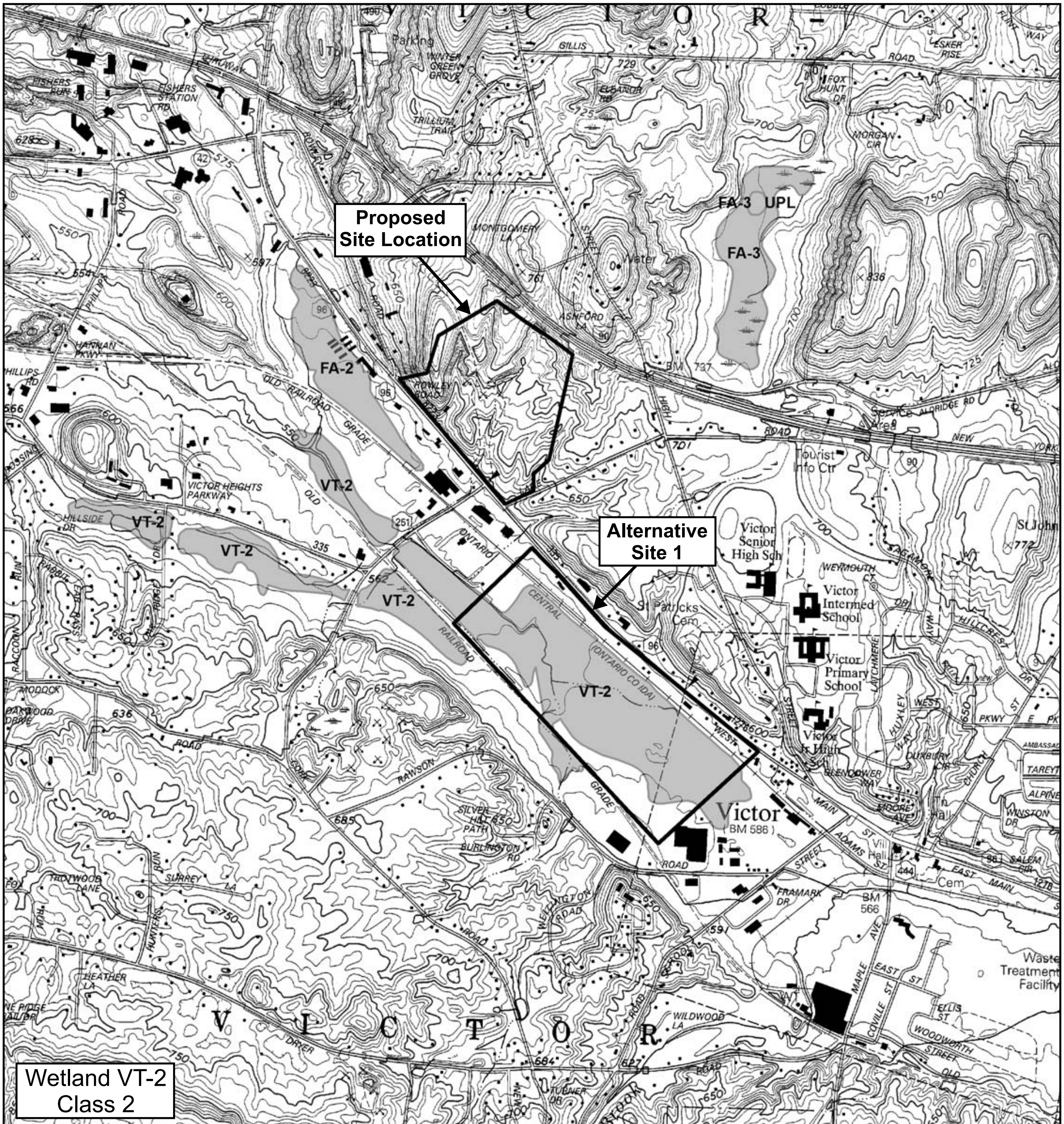
Base Map Provided by Bergmann Associates

Figure 8.

Wetland Location Map

(Revised December 2, 2008 to remove area of intermittent stream from total wetland acreage)

TES File: COS-3050\3050wet-location-fig8.cdr\2-18-13



0' 1000' 2000'
SCALE 1" = 2000'

Figure 9A. NYS DEC Wetland Map of Alternative Site 1

NYS Department of Environmental Conservation
cugir.mannlib.cornell.edu

Ontario County
2011

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES File: COS-3050\3050-DEC-alt1.cdr\6-13-13

NORTH

0' 250' 500'

APPROXIMATE SCALE IN FEET

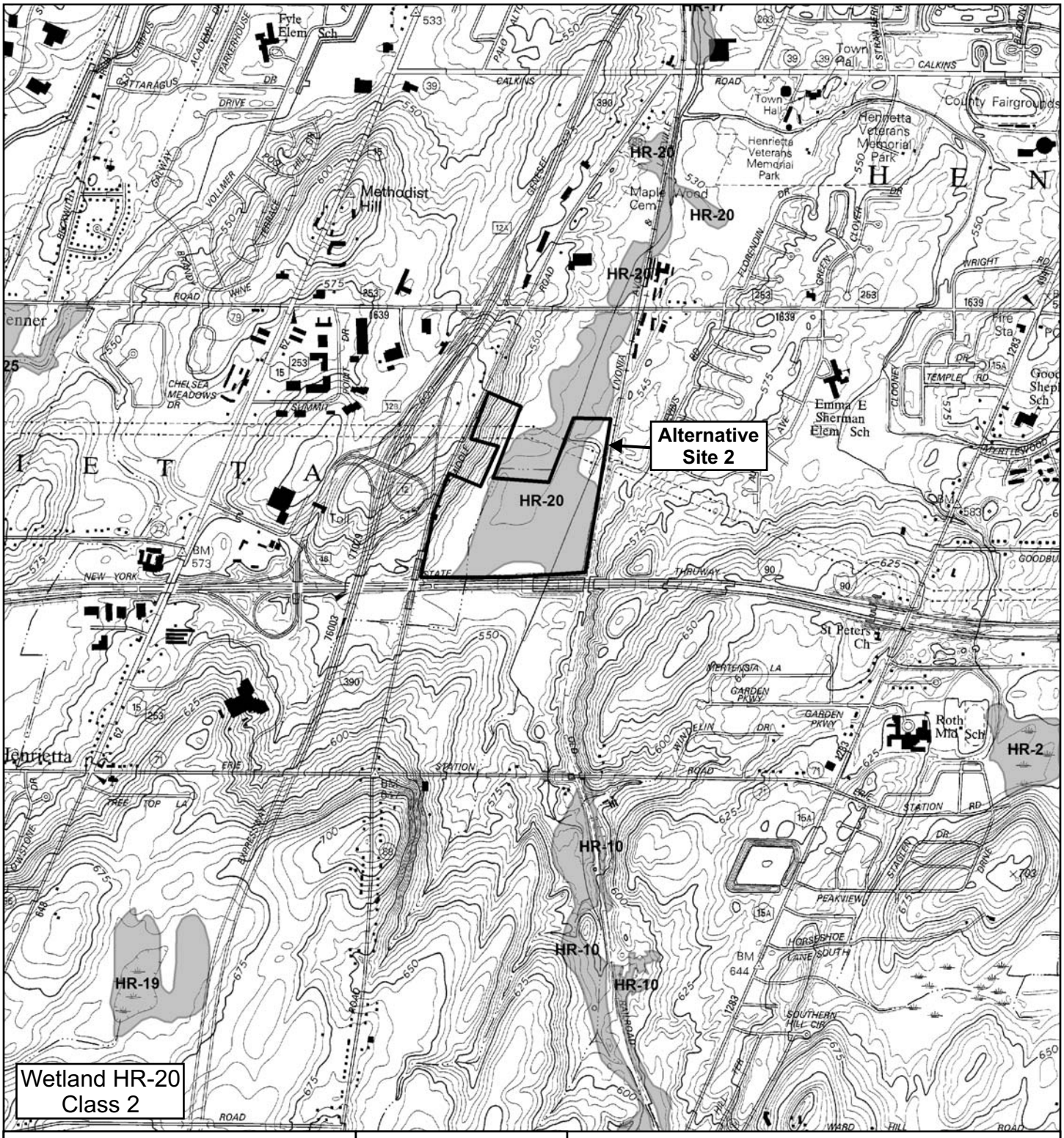
Aerial Photograph obtained from NYS GIS Clearinghouse 2009

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 9B.

Aerial Photograph of Alternative Site 1 with NWI Wetlands

TES File: COS-3050/3050-Aerial-alt1.cdr\6-13-13



Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

0' 1000' 2000'

SCALE 1" = 2000'

NORTH

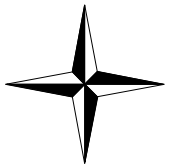


Figure 10A. NYS DEC Wetland Map of Alternative Site 2

NYS Department of Environmental Conservation
cugir.mannlib.cornell.edu

Monroe County
1998

TES File: COS-3050\3050-DEC-alt2.cdr\6-13-13

NORTH

0' 150' 300'

APPROXIMATE SCALE IN FEET

Aerial Photograph obtained from NYS GIS Clearinghouse 2009

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 10B.

Aerial Photograph of Alternative Site 2 with NWI Wetlands

TES File: COS-3050/3050-Aerial-alt2.cdr\6-13-13

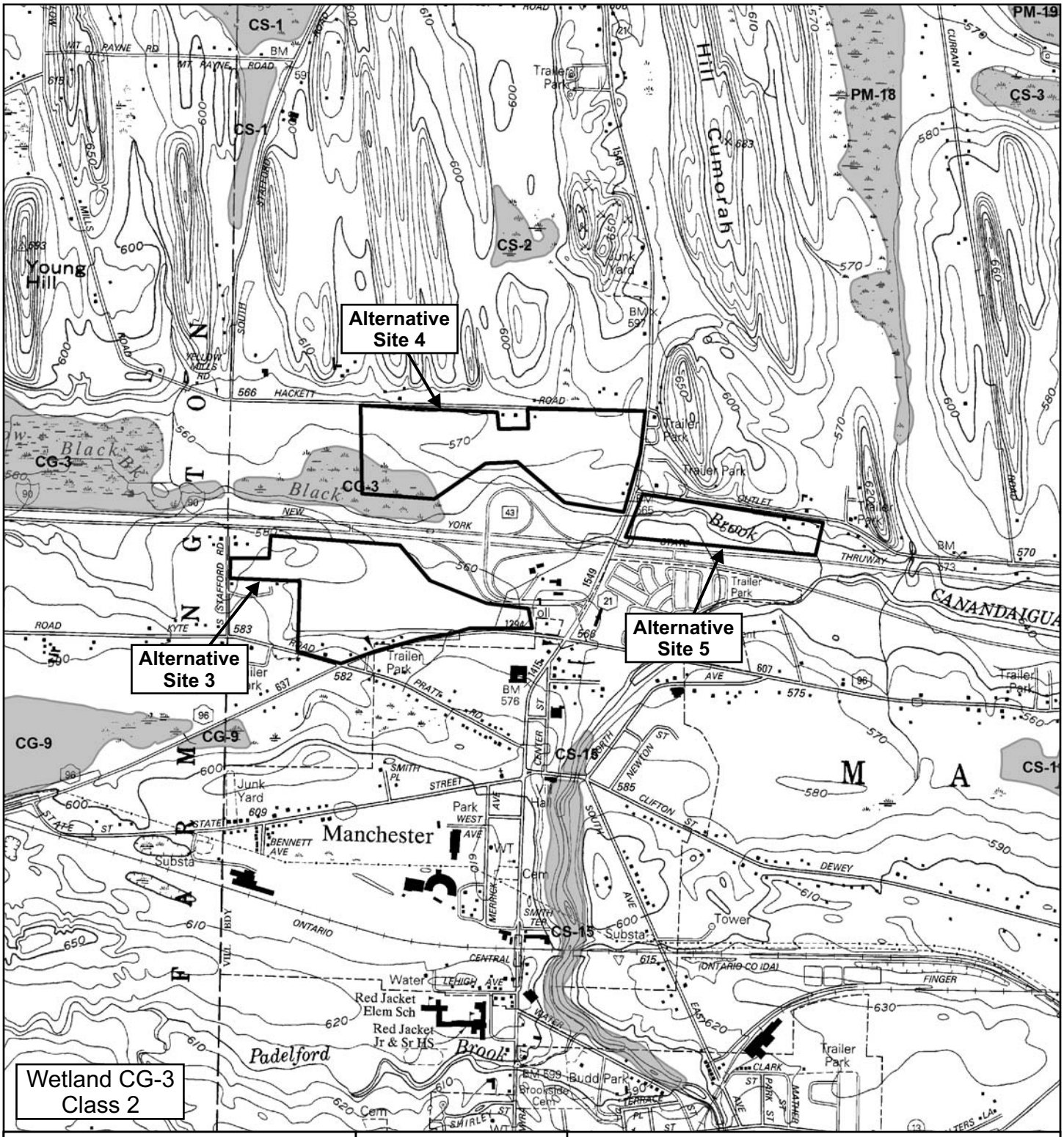
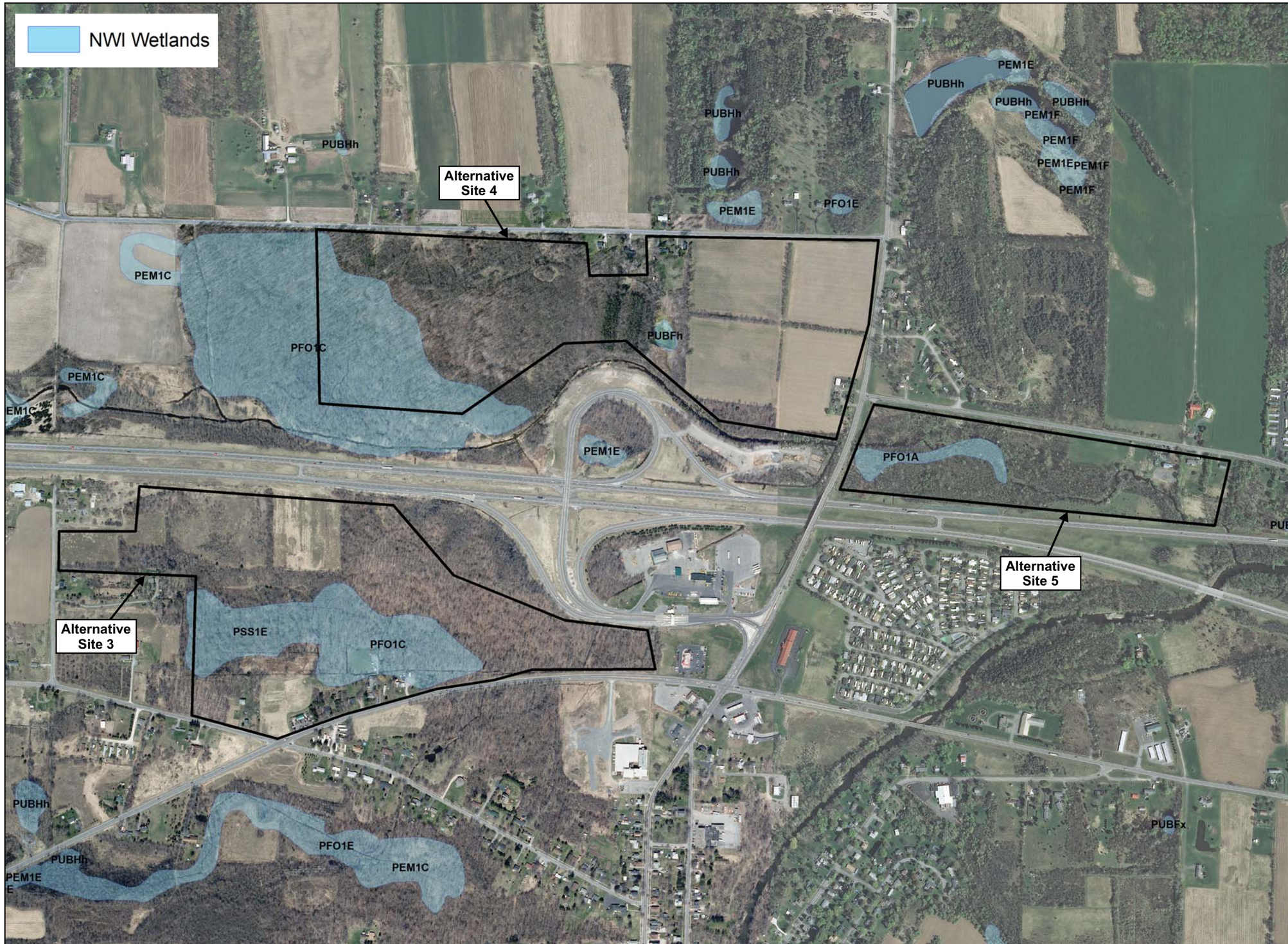


Figure 11A. NYS DEC Wetland Map of Alternative Sites 3, 4, and 5

NYS Department of Environmental Conservation
cugir.mannlib.cornell.edu

Ontario County
2011



NORTH

0' 350' 700'

APPROXIMATE SCALE IN FEET

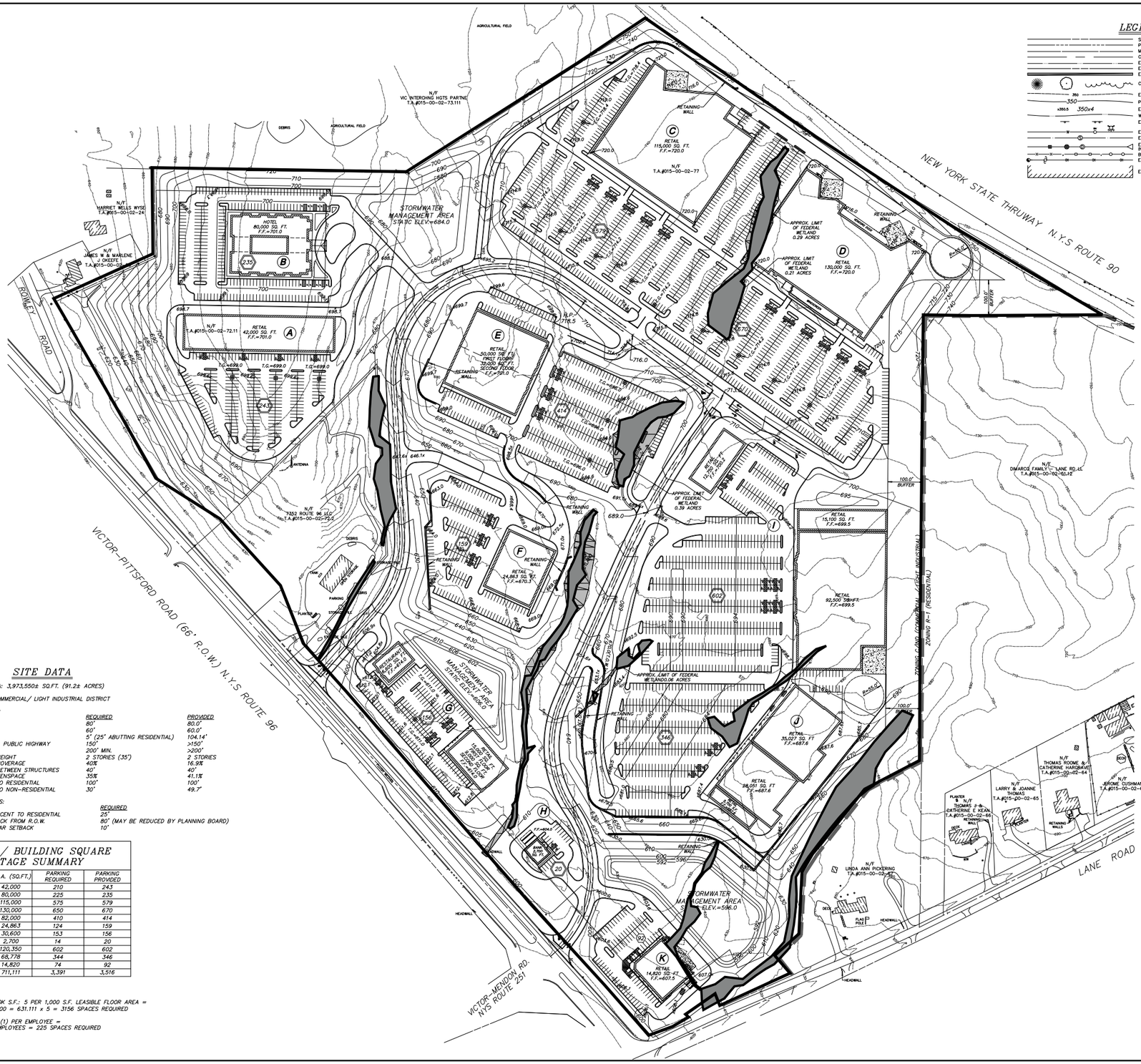
Aerial Photograph obtained from NYS GIS Clearinghouse 2009

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 11B.

Aerial Photograph of Alternative Sites 3, 4, and 5 with NWI Wetlands

TES File: COS-3050/3050-Aerial-alt3-5.cdr\6-13-13



LEGEND

- SECTION/PARCEL BOUNDARY
- PROPOSED EASEMENT LINE
- MIN. BUILDING SETBACK
- CENTER LINE
- EXIST. EASEMENT LINE
- EXIST. RIGHT-OF-WAY LINE
- EXIST. EDGE OF PAVEMENT
- CONIFEROUS, DECIDUOUS TREE, EDGE OF WOODS
- 350 — EXISTING CONTOUR
- 350 — PROPOSED CONTOUR
- x350.5 350v4 — EXISTING/PROPOSED SPOT ELEVATION @ X
- WATER,CREEK OR STREAM
- EXISTING SINGLE/DOUBLE SIGNS
- W — EXIST. WATERMAIN, VALVE & HYDRANT
- S — EXIST. SANITARY SEWER & MANHOLE
- EXIST. STORM SEWER, FIELD INLET, INLET MANHOLE, M.H., & END SECTION
- BARBED WIRE,STOCKADE,CHAIN LINKED FENCE
- EXIST. UTILITY GUY ANCHOR/POLE/OVERHEAD LINES
- EXISTING BUILDING

SITE DATA

1. PROJECT PARCEL AREA: 3,973,550± SQ.FT. (91.2± ACRES)
2. ZONING:(C/LIND) – COMMERCIAL/ LIGHT INDUSTRIAL DISTRICT
3. ZONING REQUIREMENTS:

	REQUIRED	PROVIDED
FRONT SETBACK	80'	80.0'
REAR SETBACK	60'	60.0'
SIDE SETBACK	5' (25' ABUTTING RESIDENTIAL)	104.14'
LOT FRONTAGE ON A PUBLIC HIGHWAY	150'	>150'
LOT DEPTH	200' MIN.	>200'
MAXIMUM BUILDING HEIGHT	2 STORIES (35')	2 STORIES
MAXIMUM BUILDING COVERAGE	40%	16.9%
MINIMUM DISTANCE BETWEEN STRUCTURES	40'	40'
PERCENTAGE OF GREENSPACE	35%	41.1%
BUFFER ADJACENT TO RESIDENTIAL	100'	100'
BUFFER ADJACENT TO NON-RESIDENTIAL	30'	49.7'

4. PARKING REQUIREMENTS:

	REQUIRED
PARKING BUFFER ADJACENT TO RESIDENTIAL	25'
PARKING FRONT SETBACK FROM R.O.W.	80' (MAY BE REDUCED BY PLANNING BOARD)
PARKING SIDE AND REAR SETBACK	10'

PARKING/ BUILDING SQUARE FOOTAGE SUMMARY

BUILDING DESIGNATION	G.L.A. (SQ.FT.)	PARKING REQUIRED	PARKING PROVIDED
A	42,000	210	243
B	80,000	225	235
C	115,000	575	579
D	130,000	650	670
E	82,000	410	414
F	24,863	124	159
G	30,600	153	156
H	2,700	14	20
I	120,350	602	602
J	68,778	344	346
K	14,820	74	92
TOTAL	711,111	3,391	3,516

PARKING REQUIRED

SHOPPING CENTERS > 400K S.F.: 5 PER 1,000 S.F. LEASIBLE FLOOR AREA = 631,111 SQ.FT. / 1,000 = 631.111 x 5 = 3156 SPACES REQUIRED

HOTEL: (1) PER ROOM + (1) PER EMPLOYEE = 190 ROOMS + 35 EMPLOYEES = 225 SPACES REQUIRED

NORTH

0' 150' 300'

APPROXIMATE SCALE IN FEET

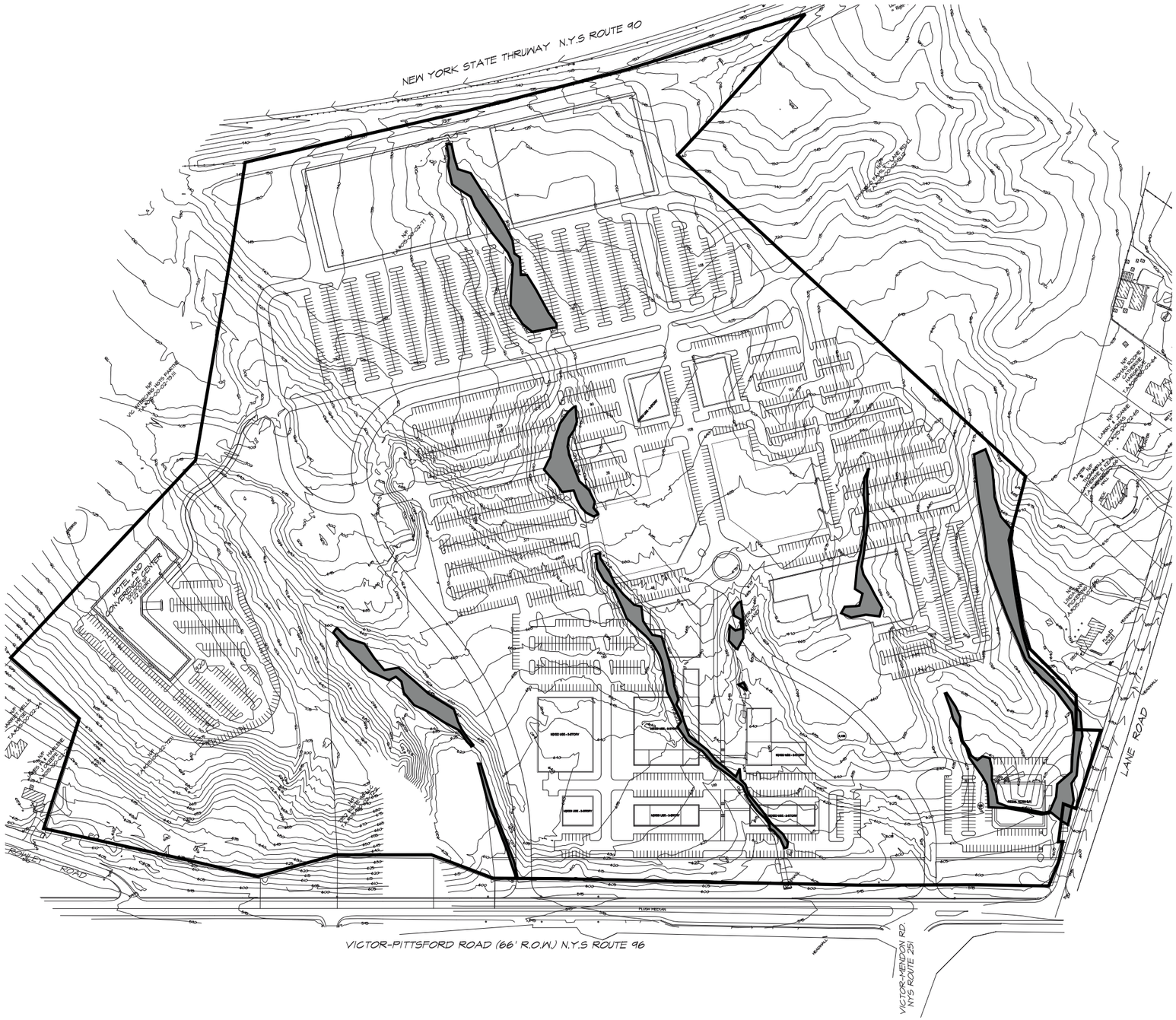
Base Drawing Provided by Costich Engineering

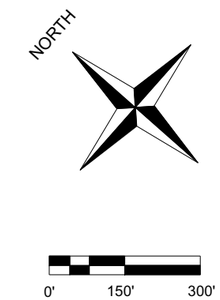
Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 12A.

On-site Alternative 1

TES File: COS-3050\3050-onsite-alt1.cdr\6-13-13





APPROXIMATE SCALE IN FEET

Base Drawing Provided by Costich Engineering

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 12B.

On-site Alternative 2

TES File: COS-3050\3050-onsite-alt2.cdr\6-13-13

ZONING INFORMATION

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	@4&		++
	; (1)	>2&	
MINIMUM LOT AREA (SF) (W/ PUBLIC SEWER/WATER)	33,000	NONE	±95.21 ACRES = 4,147,315 SF
FRONTAGE (FT)	150	150	±2640
DEPTH (FT)	200	200	±2000
FRONT YARD (FT)	40	80	80
REAR YARD (FT)	40	60	60
SIDE YARD (FT)	15	5 25–ABUTTING RESIDENTIAL	5 & 25
EXCAVATION SETBACK (FT)	N/A	N/A	–
MAXIMUM BLDG HEIGHT (FT)	35	35	35
ACCESSORY STRUCTURES (FT)	35	35	35
NUMBER OF STORIES	2	2	2
MAXIMUM BLDG COVERAGE (%)	40	40	14.68%
MINIMUM HABITABLE AREA (SF)	850/UNIT	N/A	–
MINIMUM DISTANCE BETWEEN STRUCTURES (FT)	N/A	40	?
MIN PARKING STALL DIMENSIONS	–	9'X18'	9'X18'
MIN DRIVE AISLE WIDTH (FT)	–	26'	26'
GREEN SPACE (%)	–	35%	±44%
LANDSCAPE BUFFER (FT)	100' ADJACENT TO RESIDENTIAL 30' ADJACENT TO OTHER DISTRICTS		30' & 100'
PARKING RATIO FOR SHOPPING CENTERS AND MALLS – 25,000–400,000 SF	4.5 SPACES/1000 SF (LEASABLE FLOOR AREA)		4.0 SPACES/1000 SF (LEASABLE FLOOR AREA) (3)

ZONING TABLE NOTES:
1. ADJACENT DISTRICT TO THE EAST IS R-1: RESIDENTIAL.
2. N/A IS NON-APPLICABLE.
3. MAY BE GRANTED LOWER PARKING RATIO DUE TO MIXED USE OF PROPERTY.

SITE PLAN NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL TOWN/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.

2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.

3. ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.

4. ALL ISLANDS WITH CURB SHALL BE LANDSCAPED. THOSE ISLANDS ARE TO HAVE 18" CURB. ALL REMAINING ISLANDS ARE TO BE STRIPED AS SHOWN.

5. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.

6. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN BASE BID.

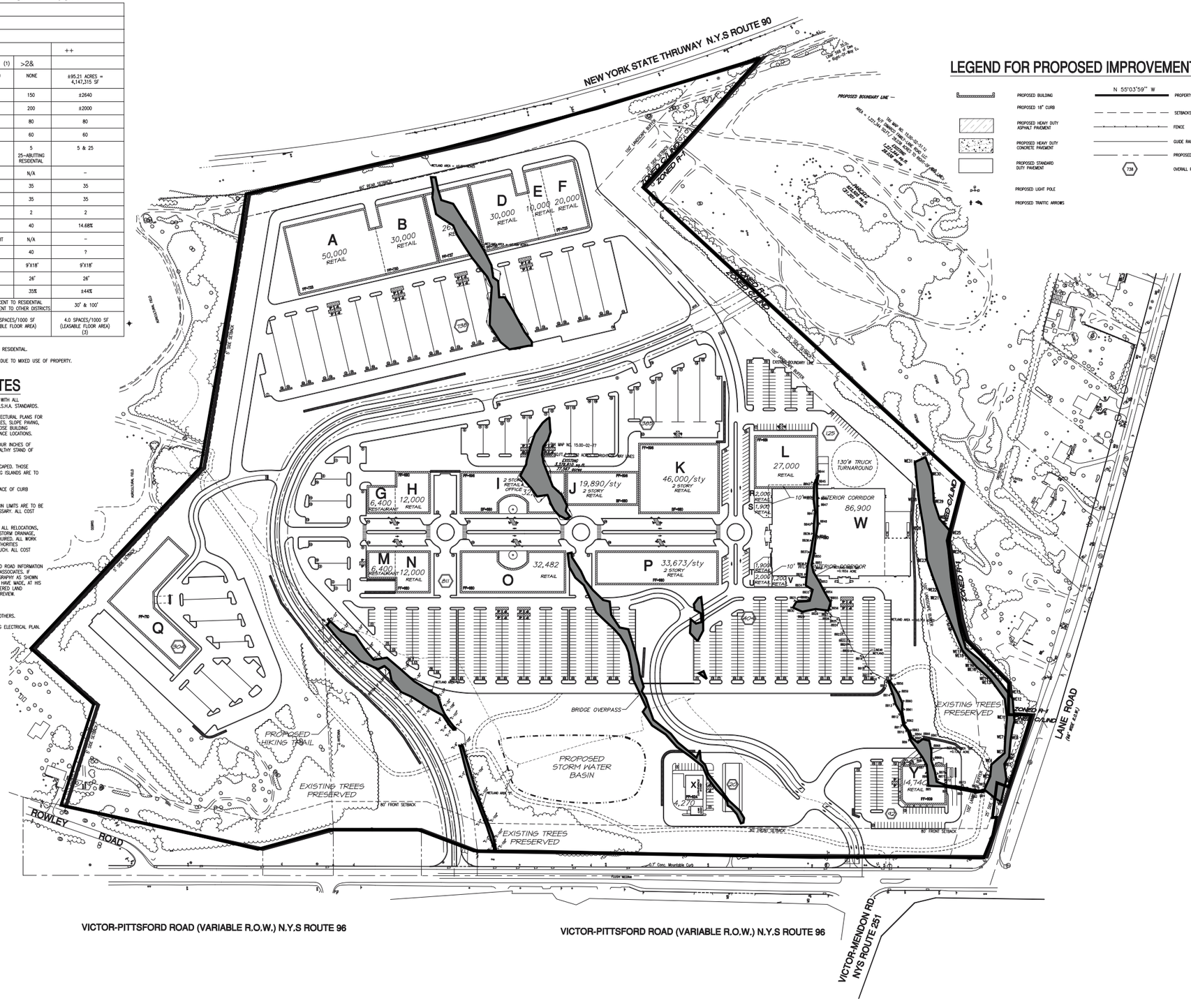
7. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.

8. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY McMahon LaRue & ASSOCIATES. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, HE SHALL HAVE MADE, AT HIS EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMIT IT TO THE OWNER FOR REVIEW.

9. TOTAL LAND AREA IS 95± ACRES.

10. PYLON SIGN SHALL BE CONSTRUCTED BY OTHERS.

11. REFER TO ARCH. PLANS FOR SITE LIGHTING ELECTRICAL PLAN.



LEGEND FOR PROPOSED IMPROVEMENTS

- PROPOSED BUILDING
- PROPOSED 18" CURB
- PROPOSED HEAVY DUTY ASPHALT PAVEMENT
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT
- PROPOSED STANDARD DUTY PAVEMENT
- PROPOSED LIGHT POLE
- PROPOSED TRAFFIC ARROWS
- N 55°03'59" W — PROPERTY LINE
- SETBACKS
- FENCE
- GUIDE RAIL
- PROPOSED RIGHT-OF-WAY
- 739 — OVERALL PARKING COUNT

NORTH

0' 150' 300'

APPROXIMATE SCALE IN FEET

Base Drawing Provided by Costich Engineering

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 12C.

On-site Alternative 3

TES File: COS-3050\3050-onsite-alt3.cdr\6-13-13

*Topography profiles A and B can be seen on the following Figure (Figure 14).

NORTH

0' 150' 300'

APPROXIMATE SCALE IN FEET

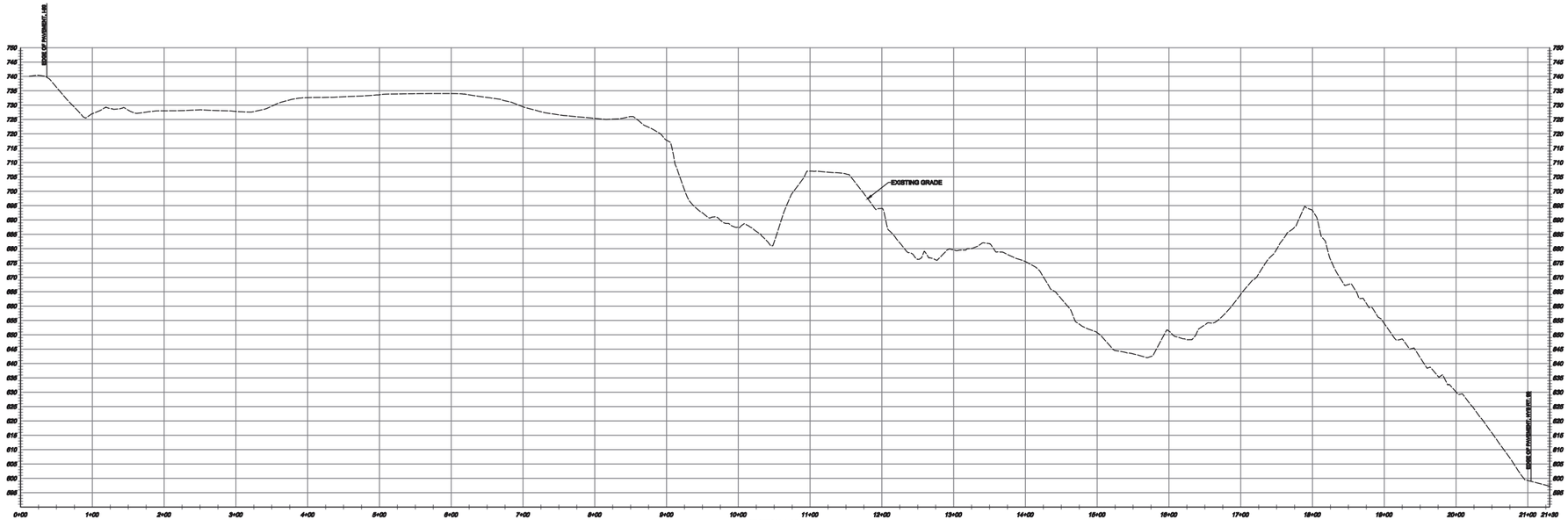
Base Drawing Provided by Costich Engineering

Figure Prepared by Terrestrial Environmental Specialists, Inc.

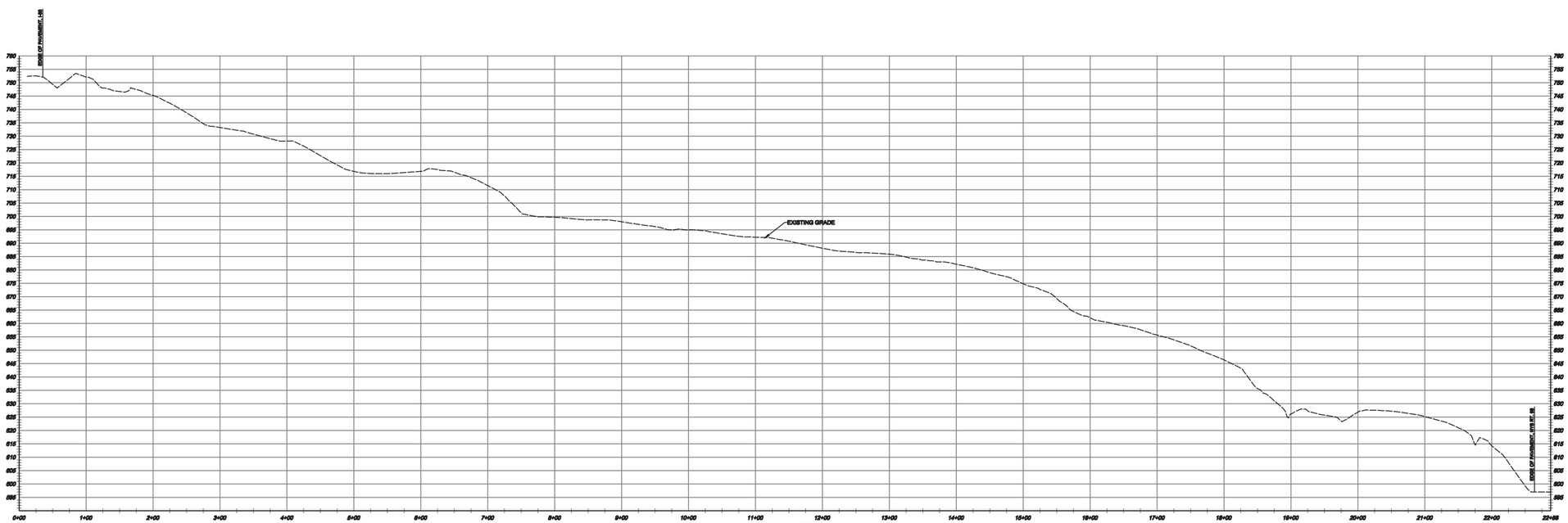
Figure 13.

Fishers Ridge Preferred Site Plan

TES File: COS-3050\3050-siteplan.cdr\4-8-13



SECTION A PROFILE
SCALE: HORIZ. 1"=50' VERT. 1"=15'



SECTION B PROFILE
SCALE: HORIZ. 1"=50' VERT. 1"=15'

Profiles Provided by
Costich Engineering

Figure Prepared by
Terrestrial Environmental
Specialists, Inc.

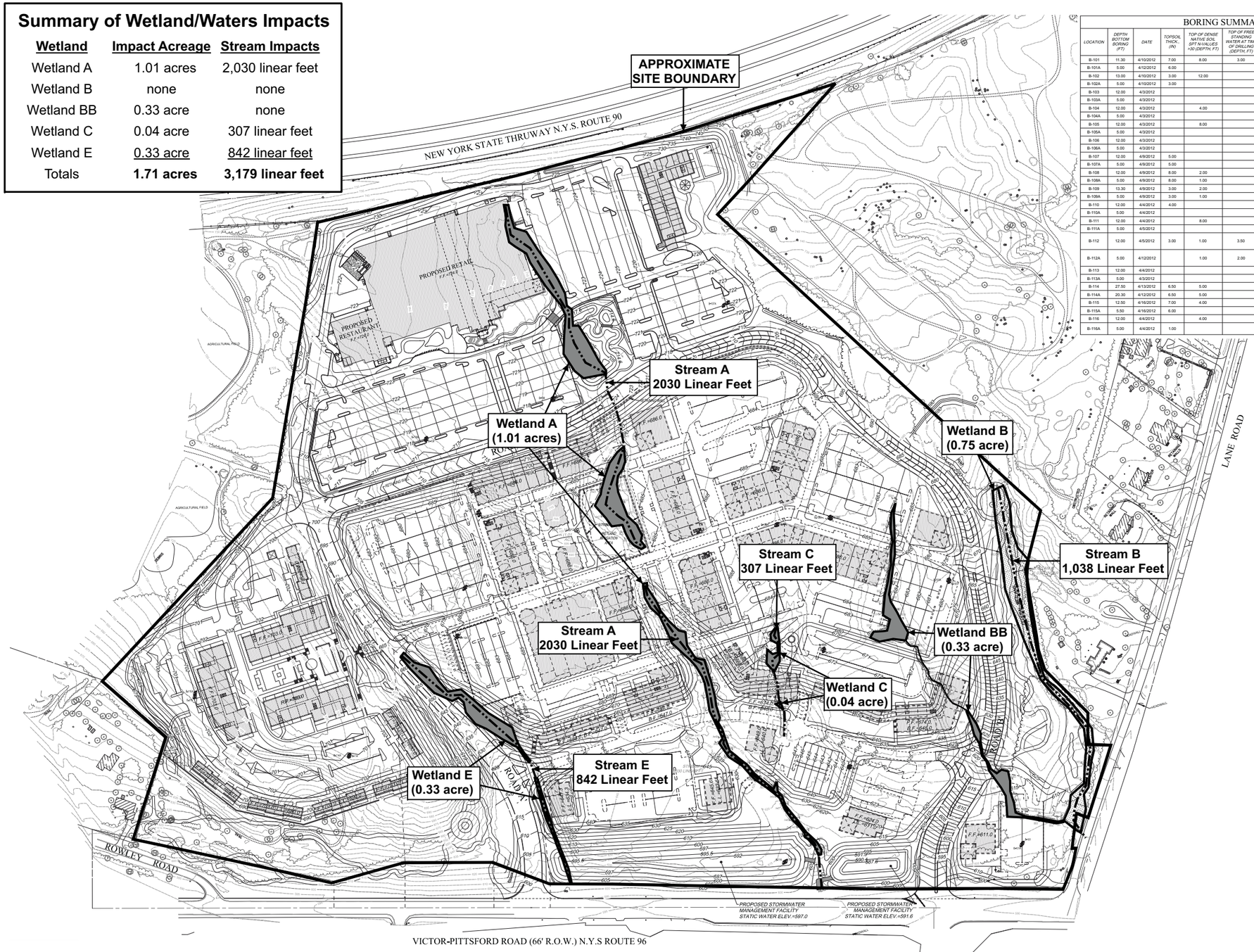
Figure 14.

Representative Profiles of Site Topography

TES File: COS-3050\3050-profiles.cdr\6-13-13

Summary of Wetland/Waters Impacts

Wetland	Impact Acreage	Stream Impacts
Wetland A	1.01 acres	2,030 linear feet
Wetland B	none	none
Wetland BB	0.33 acre	none
Wetland C	0.04 acre	307 linear feet
Wetland E	0.33 acre	842 linear feet
Totals	**1.71 acres**	**3,179 linear feet**



BORING SUMMARY TABLE

LOCATION	DEPTH BOTTOM BORING (FT)	DATE	TOPSOIL THICK. (IN)	TOP OF DENSE NATIVE SOIL SPT N-VALUES >30 (DEPTH, FT)	TOP OF FREE STANDING WATER AT TIME OF DRILLING (DEPTH, FT)	INFILTRATION RATE AT BOTTOM BORING INCH/HOUR	REMARKS
B-101	11.30	4/10/2012	7.00	8.00	3.00	0.00	
B-101A	5.00	4/12/2012	6.00			0.50	
B-102	13.00	4/10/2012	3.00	12.00		0.50	SILTY CLAY BETWEEN 4 AND 11 FEET
B-102A	5.00	4/10/2012	3.00			5.40	SILTY CLAY AT 1 FOOT
B-103	12.00	4/3/2012				0.10	
B-103A	5.00	4/3/2012				0.80	
B-104	12.00	4/3/2012		4.00		0.00	
B-104A	5.00	4/3/2012				0.00	
B-105	12.00	4/3/2012		8.00		0.00	
B-105A	5.00	4/3/2012				1.00	
B-106	12.00	4/3/2012				0.00	
B-106A	5.00	4/3/2012				1.30	
B-107	12.00	4/9/2012	5.00			1.60	
B-107A	5.00	4/9/2012	5.00			11.70	
B-108	12.00	4/9/2012	8.00	2.00		0.00	
B-108A	5.00	4/9/2012	8.00	1.00		0.60	
B-109	13.30	4/9/2012	3.00	2.00		16.60	
B-109A	5.00	4/9/2012	3.00	1.00		333.50	
B-110	12.00	4/4/2012	4.00			1.70	SILTY CLAY BETWEEN 7.5 AND 10 FEET
B-110A	5.00	4/4/2012				0.10	
B-111	12.00	4/4/2012		8.00		382.10	
B-111A	5.00	4/5/2012				9.40	
B-112	12.00	4/5/2012	3.00	1.00	3.50	TEST NOT PERFORMED	WATER AT 3.5 DURING DRILLING, AND AT 10 FEET UPON COMPLETION. GROUNDWATER AT 3.29 FEET AT THE TIME OF INFILTRATION TEST.
B-112A	5.00	4/12/2012		1.00	2.00	TEST NOT PERFORMED	SEEPING WATER OBSERVED AT GROUND SURFACE. GROUNDWATER AT 2 FEET AT THE TIME OF INFILTRATION TEST.
B-113	12.00	4/4/2012				0.30	
B-113A	5.00	4/3/2012				0.00	
B-114	27.50	4/13/2012	6.50	5.00		0.00	SILTY CLAY FROM 0.5 TO 5 FEET
B-114A	20.30	4/12/2012	6.50	5.00		0.00	SILTY CLAY FROM 0.5 TO 5 FEET
B-115	12.50	4/16/2012	7.00	4.00		0.00	
B-115A	5.50	4/16/2012	6.00			0.00	CLAYEY SILT FROM 1 TO 5.5 FEET
B-116	12.00	4/4/2012		4.00		0.00	
B-116A	5.00	4/4/2012	1.00			0.00	FILL FROM G.S. TO 2 FEET, AND PEAT FROM 2 TO 4 FEET.

LEGEND

- Impacted Wetlands
- Unimpacted Wetlands
- Intermittent Streams

NORTH

0 150' 300'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Base Map Provided by Costich Engineering

Figure 15.

Wetland/Waters Impacts

NO.	DATE	REVISION	BY	CHKD.	APVLD.

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IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, LAND SURVEYOR, ARCHITECT OR LANDSCAPE ARCHITECT, TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ADDITIONS TO THIS CERTIFIED DOCUMENT IS REQUIRED BY LAW TO HAVE HIS/HER SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS/HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION, TO THE DOCUMENT.

STATE OF NEW YORK · MARK R. COSTICH · NO. 065973 · Licensed Professional Engineer

PROJECT ENGINEER: G.W.
DRAWN BY: D.E.L.
BOUNDARY: ---
TOPOGRAPHY: ---
DATE: 03/08/2013
SCALE: 1"=100'

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND PLANNING
• SURVEYING
217 LAKE AVENUE
ROCHESTER, NEW YORK 14608
(585) 458-3020

TITLE OF PROJECT: FISHERS RIDGE
N.Y.S. ROUTE 96 AND N.Y.S. ROUTE 251

TITLE OF DRAWING: OVERALL GRADING PLAN

LOCATION OF PROJECT: TOWN OF VICTOR
COUNTY OF ONTARIO, STATE OF NEW YORK

CLIENT: THE DIMARCO GROUP
1950 BRIGHTON-HENRIETTA TOWN LINE ROAD
ROCHESTER, NEW YORK 14623

DWG. # 3542
CA130
SHEET 4 OF 19

TES File: COS-3050\3050-Report\3050-ImpAnalysisRpt\3050-Figures\3050-impact.cdr\6-13-13

Project Owner
The DiMarco Group

Site Plan & Subdivision

Town Engineer

Planning Board Chairman

BORING SUMMARY TABLE

LOCATION	DEPTH BOTTOM BORING (FT)	DATE	TOPSOIL THICK. (IN)	TOP OF DENSE NATIVE SOIL SPT N-VALUES >30 (DEPTH, FT)	TOP OF FREE STANDING WATER AT TIME OF DRILLING (DEPTH, FT)	INFILTRATION RATE AT BOTTOM BORING INCH/HOUR	REMARKS
B-101	11.30	4/10/2012	7.00	8.00	3.00	0.00	
B-101A	5.00	4/12/2012	6.00			0.50	
B-102	13.00	4/10/2012	3.00	12.00		0.50	SILTY CLAY BETWSEN 4 AND 11 FEET
B-102A	5.00	4/10/2012	3.00			5.40	SILTY CLAY AT 1 FOOT
B-103	12.00	4/3/2012				0.10	
B-103A	5.00	4/3/2012				0.80	
B-104	12.00	4/3/2012		4.00		0.00	
B-104A	5.00	4/3/2012				0.00	
B-105	12.00	4/3/2012		8.00		0.00	
B-105A	5.00	4/3/2012				1.00	
B-106	12.00	4/3/2012				0.00	
B-106A	5.00	4/3/2012				1.30	
B-107	12.00	4/9/2012	5.00			1.60	
B-107A	5.00	4/9/2012	5.00			11.70	
B-108	12.00	4/9/2012	8.00	2.00		0.00	
B-108A	5.00	4/9/2012	8.00	1.00		0.60	
B-109	13.30	4/9/2012	3.00	2.00		16.60	
B-109A	5.00	4/9/2012	3.00	1.00		333.50	
B-110	12.00	4/4/2012	4.00			1.70	SILTY CLAY BETWEEN 7.5 AND 10 FEET
B-110A	5.00	4/4/2012				0.10	
B-111	12.00	4/4/2012		8.00		382.10	
B-111A	5.00	4/5/2012				9.40	
B-112	12.00	4/5/2012	3.00	1.00	3.50	TEST NOT PERFORMED	WATER AT 3.5 DURING DRILLING, AND AT 10 FEET UPON COMPLETION. GROUNDWATER AT 3.29 FEET AT THE TIME OF INFILTRATION TEST.
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B-113A	5.00	4/3/2012				0.00	
B-114	27.50	4/13/2012	6.50	5.00		0.00	SILTY CLAY FROM 0.5 TO 5 FEET
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B-115	12.50	4/16/2012	7.00	4.00		0.00	
B-115A	5.50	4/16/2012	6.00			0.00	CLAYEY SILT FROM 1 TO 5.5 FEET
B-116	12.00	4/4/2012		4.00		0.00	
B-116A	5.00	4/4/2012	1.00			0.00	FILL FROM G.S. TO 2 FEET, AND PEAT FROM 2 TO 4 FEET.

NORTH

0' 150' 300'

APPROXIMATE SCALE IN FEET

Base Drawing Provided by Costich Engineering

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 16.

Preliminary Grading and Drainage Plan

NO.	DATE	REVISION	BY	CHKD.	APVL'S

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STATE OF NEW YORK
RAY K. COSTICH
No. 060871
Licensed Professional Engineer

PROJECT ENGINEER: G.W.
DRAWN BY: D.E.L.
BOUNDARY: ---
TOPOGRAPHY: ---
DATE: 03/08/2013
SCALE: 1"=100'

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND PLANNING
• SURVEYING
217 LAKE AVENUE
ROCHESTER, NEW YORK
14608
(585) 458-3020

TITLE OF PROJECT: FISHERS RIDGE
N.Y.S. ROUTE 96 AND N.Y.S. ROUTE 251
TITLE OF DRAWING: OVERALL GRADING PLAN
LOCATION OF PROJECT: TOWN OF VICTOR
COUNTY OF ONTARIO, STATE OF NEW YORK
CLIENT: THE DIMARCO GROUP
1950 BRIGHTON-HENRIETTA TOWN LINE ROAD
ROCHESTER, NEW YORK 14623
DWG # 3542
CA130
SHEET 6 OF 19

TES File: COS-3050\3050-grading.cdr\6-13-13

BORING SUMMARY TABLE

LOCATION	DEPTH BOTTOM BORING (FT)	DATE	TOPSOIL THICK. (IN)	TOP OF DENSE NATIVE SOIL SPT N-VALUES >30 (DEPTH, FT)	TOP OF FREE STANDING WATER AT TIME OF DRILLING (DEPTH, FT)	INFILTRATION RATE AT BOTTOM BORING INCH/HOUR	REMARKS
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B-102	13.00	4/10/2012	3.00	12.00		0.50	SILTY CLAY BETWEEN 4 AND 11 FEET
B-102A	5.00	4/10/2012	3.00			5.40	SILTY CLAY AT 1 FOOT
B-103	12.00	4/3/2012				0.10	
B-103A	5.00	4/3/2012				0.80	
B-104	12.00	4/3/2012		4.00		0.00	
B-104A	5.00	4/3/2012				0.00	
B-105	12.00	4/3/2012		8.00		0.00	
B-105A	5.00	4/3/2012				1.00	
B-106	12.00	4/3/2012				0.00	
B-106A	5.00	4/3/2012				1.30	
B-107	12.00	4/9/2012	5.00			1.60	
B-107A	5.00	4/9/2012	5.00			11.70	
B-108	12.00	4/9/2012	6.00	2.00		0.00	
B-108A	5.00	4/9/2012	8.00	1.00		0.80	
B-109	13.30	4/9/2012	3.00	2.00		16.60	
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B-110A	5.00	4/4/2012				0.10	
B-111	12.00	4/4/2012		8.00		382.10	
B-111A	5.00	4/5/2012				9.40	
B-112	12.00	4/5/2012	3.00	1.00	3.50	TEST NOT PERFORMED	WATER AT 3.5 DURING DRILLING, AND AT 10 FEET UPON COMPLETION. GROUNDWATER AT 3.29 FEET AT THE TIME OF INFILTRATION TEST.
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B-113A	5.00	4/3/2012				0.00	
B-114	27.50	4/13/2012	6.50	5.00		0.00	SILTY CLAY FROM 0.5 TO 5 FEET
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B-115	12.50	4/16/2012	7.00	4.00		0.00	
B-115A	5.50	4/16/2012	6.00			0.00	CLAYEY SILT FROM 1 TO 5.5 FEET
B-116	12.00	4/4/2012		4.00		0.00	
B-116A	5.00	4/4/2012	1.00			0.00	FILL FROM G.S. TO 2 FEET, AND PEAT FROM 2 TO 4 FEET.

NORTH

0' 150' 300'

APPROXIMATE SCALE IN FEET

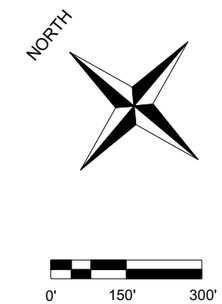
Base Drawing Provided by Costich Engineering

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 17.

Preliminary Erosion and Sediment Control Plan

TES File: COS-3050\3050-erosion.cdr\7-12-13



APPROXIMATE SCALE IN FEET

Base Drawing Provided by
Costich Engineering

Figure Prepared by
Terrestrial Environmental
Specialists, Inc.

Figure 18.

Preliminary Utility Plan

TES File: COS-3050\3050-utility.cdr\6-13-13

Appendix A – Correspondence

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

RECEIVED 2/26/09

REPLY TO

February 25, 2009

Regulatory Branch

SUBJECT: Revised Approved Jurisdictional Determination Letter; Department of the Army File No. 2008-00768 (Original Letter Dated January 26, 2009)

John DiMarco
The DiMarco Group
1950 Brighton-Henrietta Town Line Road
Rochester, New York 14823

Dear Mr. DiMarco:

I have reviewed the revised wetland delineation map and supporting documentation, (revision dated February 11, 2009) submitted on your behalf by Mr. Joseph McMullen, Terrestrial Environmental Scientists, with regard to your request for an Approved Jurisdictional Determination for waters of the United States, including wetlands and streams, identified on property located between Route 96, NYS Thruway, Lane Road, and Rowley Road, Town of Victor, Ontario County, New York.

I am hereby verifying the Federal wetland and stream boundaries as shown on the attached revised wetland delineation map dated **February 11, 2009**. Boundaries were field-verified on June 16, 2008, and the re-submitted documentation was office-confirmed on **February 25, 2008**. This confirmation will remain valid for a period of five (5) years from the date of this correspondence unless new information warrants revision of the delineation before the expiration. At the end of this period, a new wetland delineation will be required if a project has not been completed on this property and additional impacts are proposed for waters of the United States.

Further, 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. 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 Resource Conservation Service prior to starting work.

Based upon my review of the submitted delineation and on-site observations, I have determined that the wetlands and streams identified on the subject parcel are part of a surface water tributary system to a navigable water of the United States as noted on the attached Jurisdictional Determination forms 1-4. Specifically, **Form 2:** Wetland A (1.01 ac), Stream A (2,030 linear feet); **Form 4:** Wetland B (0.75 ac), Stream B (1,038 linear feet), Wetland BB (0.33 ac); **Form 3:**

Regulatory Branch
SUBJECT: Revised Approved Jurisdictional Determination Letter; Department of the Army File No. 2008-00768 (Original Letter Dated January 26, 2009)

Wetland C (0.04 ac), Stream C (307 linear feet); and **Form 1:** Wetland E (0.33 ac), Stream E (842 linear feet). Therefore, the wetlands and streams are regulated under Section 404 of the Clean Water Act. Department of the Army authorization is required if you propose a discharge of dredged or fill material in any of these areas.

Finally, this letter contains an approved jurisdictional determination for the subject parcel. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal the above determination, you must submit a completed RFA form within 60 days of the date on this letter to the Great Lakes/Ohio River Division Office at the following address:

Mr. Mike Montone, Regulatory Review Officer
Great Lakes and Ohio River Division
CELRD-PDS-O
550 Main Street, Room 10032
Cincinnati, OH 45202-3222
Phone: 513-684-6212

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 C.F.R. part 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 **April 26, 2009.**

It is not necessary to submit an RFA to the Division office if you do not object to the determination in this letter.

A copy of this correspondence has been sent to Joseph McMullen, Terrestrial Environmental Specialists, Inc.

Questions pertaining to this matter should be directed to me at (315) 704-0255, by writing to the following address: U.S. Army Corps of Engineers, 7413 County House Road, Auburn, New York 13021, or by e-mail at: judy.a.robinson@usace.army.mil

Sincerely,

SIGNED

Judy A. Robinson
Biologist

Enclosures

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: John DiMarco		File Number: **2008-00768**	Date: **02/25/09**
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

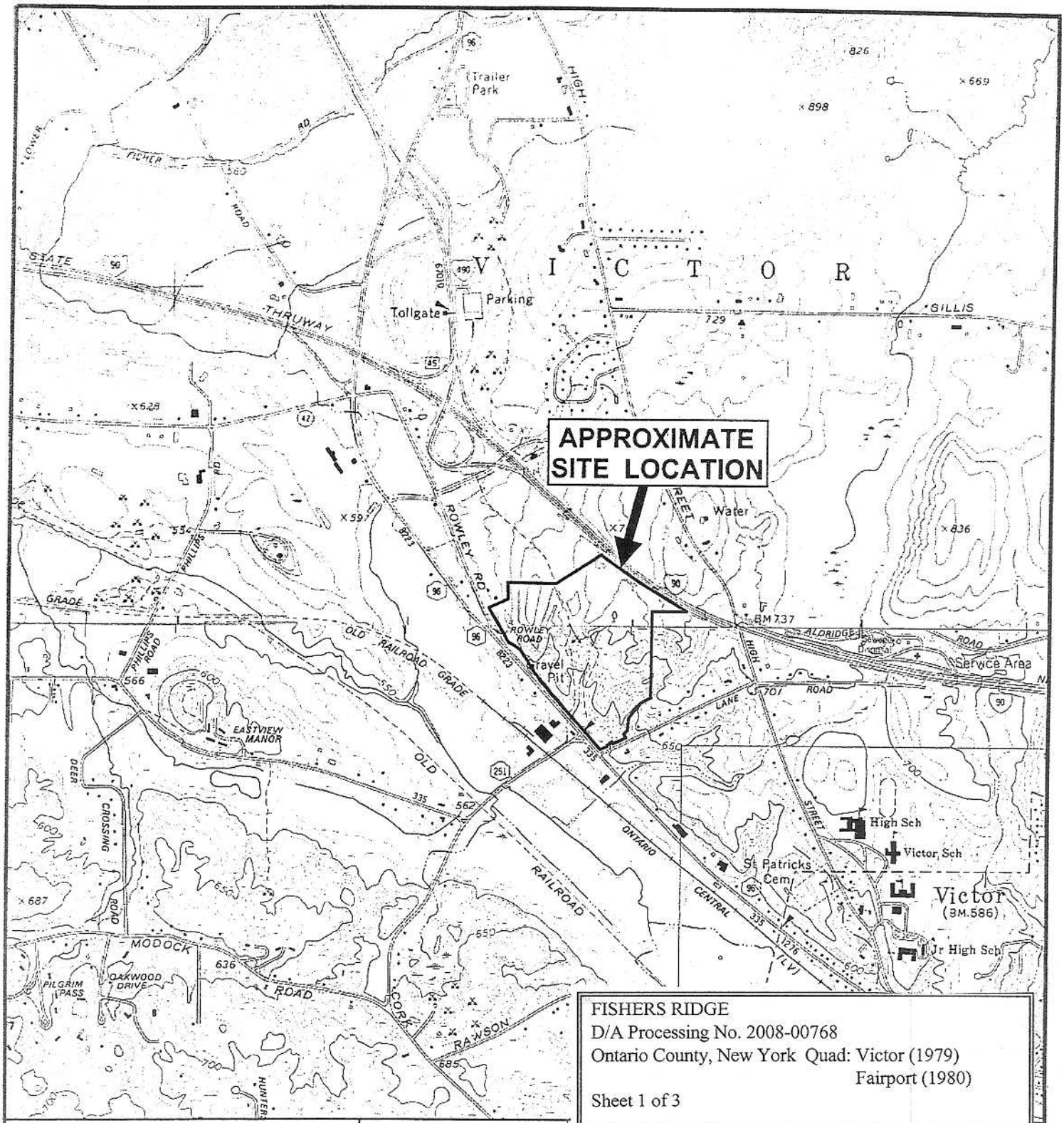
ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: Judy A. Robinson 7413 County House Road Auburn, New York 13021 (315) 704-0255 judy.a.robinson@usace.army.mil	If you only have questions regarding the appeal process you may also contact: Mr. Michael Montone U.S. Army Corps of Engineers Great Lakes and Ohio River Division 550 Main Street, Room 10032 Cincinnati, OH 45202-3222 (513) 684-6212;FAX(513) 684-2460 michael.g.montone@lrdor.usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:



FISHERS RIDGE
D/A Processing No. 2008-00768
Ontario County, New York Quad: Victor (1979)
Fairport (1980)
Sheet 1 of 3

QUADRANGLE LOCATION

0 1000' 2000'
SCALE 1" = 2000'

NORTH

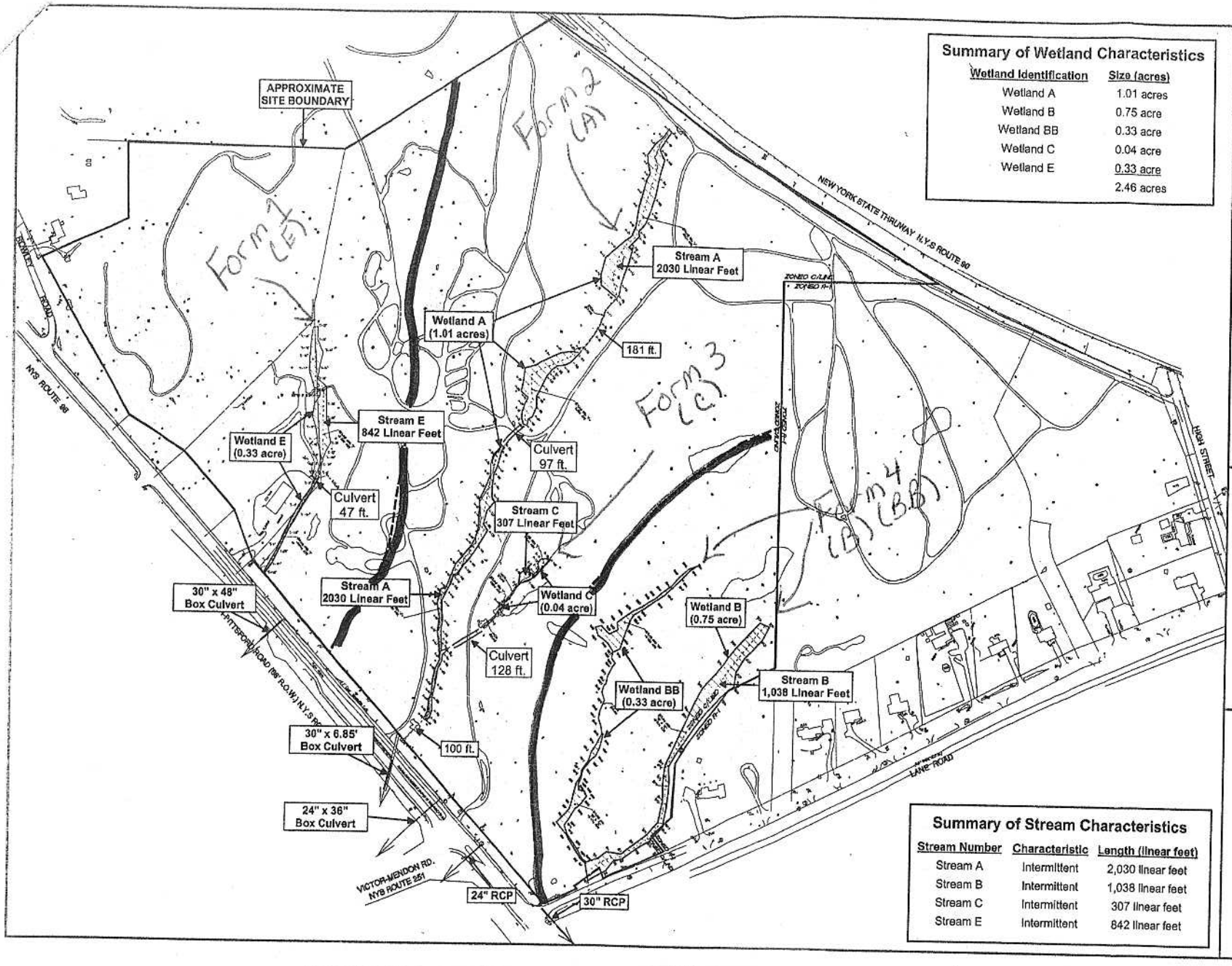
Figure 1. Site Location

NYS DOT Topographic Map

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig1.dsf\6-20-07



FISHERS RIDGE
D/A Processing No. 2008-00768
Ontario County, New York Quad: Victor (1979)
Fairport (1980)
Sheet 2 of 3

2/11/09
Accepted

Table 1.

Summary of Stream and Wetland Characteristics
Fisher Ridge Site, Town of Victor, Ontario County, New York

Summary of Stream Characteristics

Stream Number	Characteristic	Length (linear feet)
Stream A	Intermittent	2,030 linear feet
Stream B	Intermittent	1,038 linear feet
Stream C	Intermittent	307 linear feet
Stream E	Intermittent	842 linear feet

Summary of Wetland Characteristics[a]

Wetland Identification	Cover Type	Size (acres)
Wetland A (Stream A)	Emergent Wetland/Scrub-Shrub Wetland	1.01 acres
Wetland B (Stream B)	Scrub-Shrub Wetland	0.75 acre
Wetland BB (no stream)	Scrub-Shrub/Deciduous Forest Wetland	0.33 acre
Wetland C (Stream C)	Wet Meadow	0.04 acre
Wetland E (Stream E)	Scrub-Shrub Wetland	0.33 acre
	Total	2.46 acres

[a] Table revised on December 2, 2008 to remove area of intermittent streams from total wetland acreage.

FISHERS RIDGE
D/A Processing No. 2008-00768
Ontario County, New York Quad: Victor (1979)
Fairport (1980)
Sheet 3 of 3

Terrestrial Environmental Specialists, inc.
23 COUNTY ROUTE 6, SUITE A, PHOENIX, NY 13135
(315) 695-7228 FAX (315) 695-3277 E-MAIL: tesinc@tesenvironmental.com

March 30, 2012

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

Re: Rare Plants and Animals and Significant Ecological Communities
Town of Victor, Ontario County, NY
TES File No. 3050

To Whom It May Concern:

I am writing to request information on any rare species of plants and animals and significant ecological communities known to occur on or in the vicinity of a 100-acre site located in the Town of Victor, Ontario County, New York (Figure 1). There is a proposed commercial development project for this site which is currently undeveloped. The information on rare species of plants and animals and significant ecological communities will assist us with the environmental review of the proposed project.

A previous information request was sent by TES in 2007. The response issued (copy enclosed) stated that there were no records of known occurrences of rare or state-listed animals or plants found on or near the site. The property currently remains undeveloped.

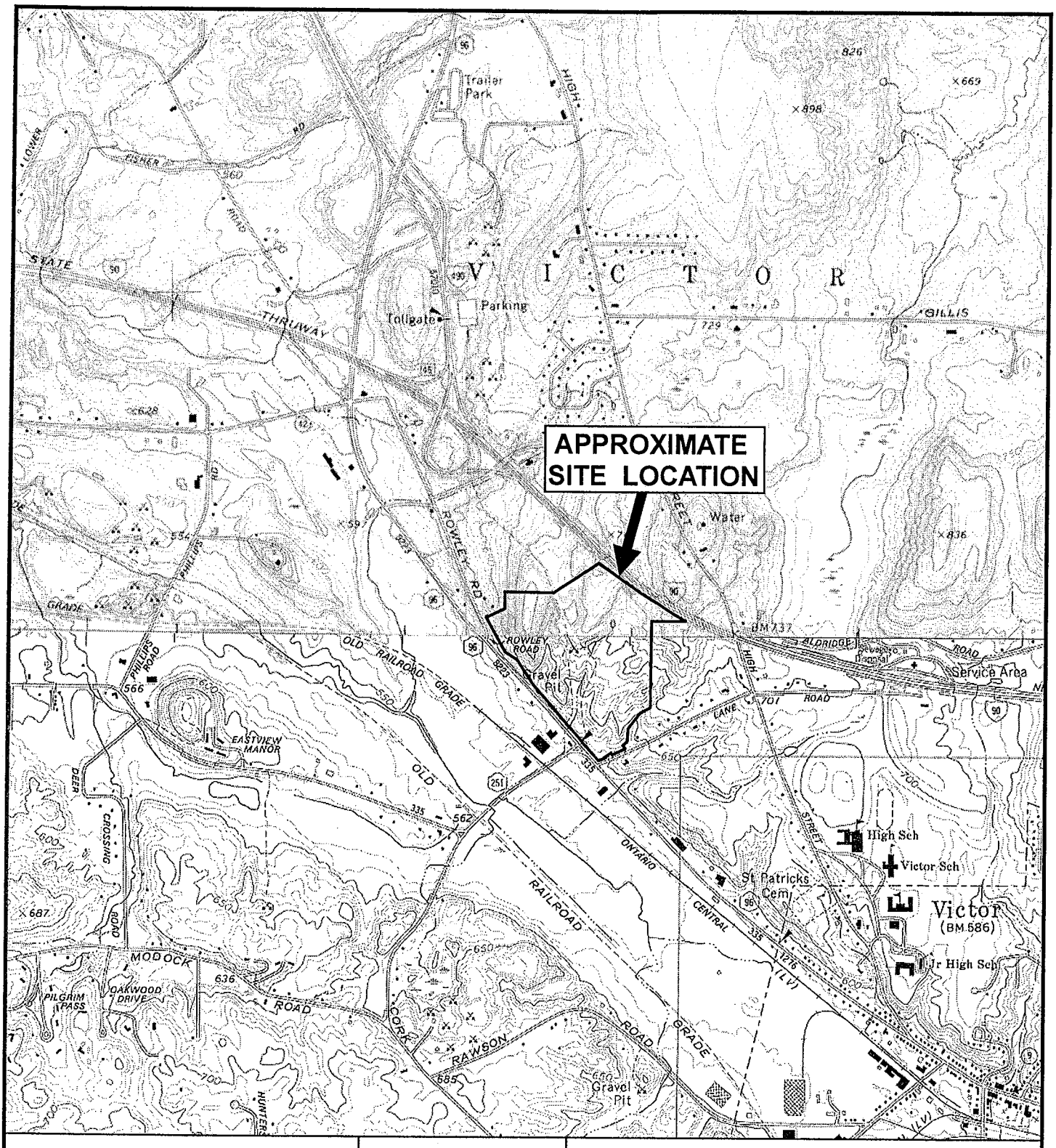
If you have any questions or need additional information, please feel free to contact me at 315-695-7228 or arobedee@tesenvironmental.com.

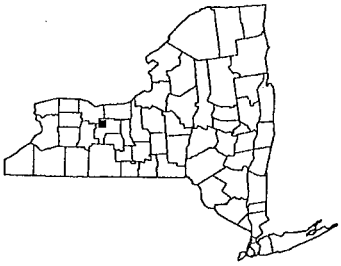
Sincerely,

TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.

Adam Robedee
Environmental Technician

ajr
Enclosures





QUADRANGLE LOCATION

0 1000' 2000'

SCALE 1" = 2000'

NORTH

Figure 1. Site Location

NYS DOT Topographic Map

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig1.dsf\6-20-07

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
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

April 10 2012

Adam Robedee
Terrestrial Environmental Specialists, Inc
23 County Route 6, Suite A
Phoenix, NY 13135

RECEIVED 4/12/2012

Dear Mr. Robedee:

In response to your recent request, we have reviewed the New York Natural Heritage Program database, with respect to an Environmental Assessment for the proposed UODATE of 2007 Request, File # 3050, 100-Acre Parcel for possible Commercial Development, area as indicated on the map you provided, located in the Town of Victor, Ontario County.

We have no records of rare or state listed animals or plants, significant natural communities or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

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.

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

Sincerely,
Jean Pietrusiak
Jean Pietrusiak, Information Services
NYS Department Environmental Conservation

Enc.
cc: Region 8

304

U.S. Fish and Wildlife Service

Natural Resources of Concern

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

NEW YORK ECOLOGICAL SERVICES FIELD OFFICE
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

Project Counties:

Ontario, NY

Project Type:

Development

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of **1** threatened, endangered, or candidate species, and/or designated critical habitat on your species list. Species on this list are the species that may be affected by your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Please contact the designated FWS office if you have questions.

Species that may be affected by your project:

Reptiles	Status	Species Profile	Contact
Bog Turtle (*Clemmys muhlenbergii*) Population: northern	Threatened	species info	New York Ecological Services Field Office

U.S. Fish and Wildlife Service

Natural Resources of Concern

FWS National Wildlife Refuges (USFWS National Wildlife Refuges Program).

There are no refuges found within the vicinity of your project.

FWS Migratory Birds (USFWS Migratory Bird Program).

Most species of birds, including eagles and other raptors, are protected under the Migratory Bird Treaty Act (16 U.S.C. 703). Bald eagles and golden eagles receive additional protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668). The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

NWI Wetlands (USFWS National Wetlands Inventory).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 8
6274 East Avon-Lima Road, Avon, New York 14414-9519
Phone: (585) 226-2466 • **FAX:** (585) 226-2830
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

November 13, 2007

Kim Kinsella
Planning and Zoning Supervisor
Town of Victor
85 East Main Street
Victor, New York 14564

Re: Notice on Establishment of Lead Agency for SEQR Review
Towne Square at Victor
Northwest Lane Road & Northeast of NYS Route 96
(T) Victor, Ontario Co.

Dear Ms. Kinsella:

This letter is being sent in response to your October 17, 2007 letter indicating the Town of Victor Planning Board's desire to be the Lead Agency for the State Environmental Quality Review (SEQR) Act review of the above-referenced project. Documents submitted with your letter included an Environmental Assessment Form, with Part 1 completed with project information, a copy of the Town of Victor's Application for Site Plan Review and a Notice of Intent prepared by Bergmann Associates for John L. DiMarco (the DiMarco Group) and Rowley 96 LLC the project sponsors. Subsequently, we received a location map and a concept drawing for the project from Kim Thompson at Bergmann Associates.

The NYS Department of Environmental Conservation (DEC) has no objection to the Town of Victor Planning Board being established as the SEQR lead agency for the environmental review of this project. I am enclosing the signed form indicating DEC's agreement that the Town of Victor Planning Board can be designated as the Lead Agency for the project's SEQR review.

The DEC has reviewed the information submitted and has the following comments:

1. NYS Protected Streams and NYS Regulated Freshwater Wetlands

The project will not affect any NYS protected streams [Stream Classifications of C(T) or above] or regulated NYS Freshwater Wetlands or their regulated adjacent areas. Therefore there will be no requirement to obtain permits pursuant to Article 15 of the Environmental Conservation Law (ECL) / 6NYCRR Part 608 (Protection of Waters) and Article 24 of the ECL / 6NYCRR Part 663 (Freshwater Wetlands).

2. SPDES General Permit for Stormwater Discharges from Construction Activities

As of January 8, 2003, DEC has finalized new permits for stormwater discharges. These new requirements will help reduce water pollution caused by stormwater. Projects that involve one acre or more of land disturbance must obtain SPDES permit coverage through either an individual permit or the new General Construction Permit for Stormwater Discharges from Construction Activities (GP-02-01).

The development of this property would appear to require coverage under GP 02-01. To obtain coverage under the General Permit, all conditions of the permit must be met, including the preparation and implementation of an appropriate Stormwater Pollution Prevention Plan (SWPPP), which will be implemented for the project and the filing of a Notice of Intent (NOI) with DEC. The General Permit, information on filing the NOI and other stormwater related information can be accessed through the DEC's stormwater webpage at http://www.dec.ny.gov/permits/6310.html. An electronic file version of the NOI and other technical assistance tools for preparing SWPPP can accessed on these web pages http://www.dec.ny.gov/chemical/8696.html and http://www.dec.ny.gov/chemical/8694.html, respectively .

If a Water Quality Certification (See Comment 3) is required in conjunction with a permit approval from the U.S. Army Corps of Engineers, a complete application to DEC would require a copy of the SWPPP and the completion of a Self Assessment Stormwater Management Checklist, which must be completed by a licensed engineer and submitted along with the SWPPP, in order to certify your compliance with the GP-02-01. The Self Assessment Checklist is available by calling 585-226-5400 , the Environment Permits office of the NYS DEC - Region 8 Headquarters at 2674 East Avon-Lima Road, Avon NY 14414.

3. U.S. Army Corps of Engineers Permit Jurisdictions - Section 404 of the Clean Water Act and DEC Section 401 Water Quality Certification.

Work in waters of the United States and their associated wetlands may require a permit from the U.S. Army Corps of Engineers (Corps), pursuant to Section 404 of the Clean Water Act. If a Corps Section 404 permit is required, the Corps may request that the DEC make a determination (Water Quality Certification, pursuant to Section 401 of the federal Clean Water Act) that discharges from the proposed activities, for which an applicant is seeking a Corps permit approval, will comply with the applicable effluent limitations, water quality standards, and any other applicable conditions of state law. The Corps' Buffalo District Office should be contacted regarding permit jurisdictions. Their address and phone number are Chief, Regulatory Branch, U.S. Amy Corps of Engineers, Buffalo District, 1776 Niagara Street, Buffalo NY, 14207, (716) 879-4330.

Documentation in support of a 401 Water Quality Certification would include demonstration of compliance with DEC's Stormwater SPDES General Permit for Construction Activities (GP-2-01). See Comment No. 4. This documentation would include Stormwater Management Plans for the project and a completed Self Assessment Stormwater Management Checklist, submitted and signed by a licensed professional engineer. The Checklist can be obtained from the Division of Environmental Permits office at the NYSDEC- Region 8 Headquarters at 6274 East Avon - Lima Road, Avon, NY 14414, Phone 585-226-5400.

4. Threatened and Endangered Species

A review has been made of the available information in the New York Natural Heritage Program databases on known occurrences of rare or state-listed animals and plants, of significant natural communities, and other significant habitats located within the areas of the proposed pipeline, stockyard and compressor station.

Only two occurrences for the same threatened vascular plant, the twin leaf, were found in the database near to the protect site. The following table provides the common name, scientific name, status, last observation and location information for this plant species.

Common Name	Scientific Name	Status	Last Observed	Details of Location
Twin Leaf	Jeffersonia diphylla	Threatened	1. 1914-05-17 2. 1917-04-29	1. The railroad culvert #79 near Fishers. 2. Sullivan's Swamp near Fishers, east of Log Cabin Road, north of Fishers, north of NYS Thruway.

It is recommended that a professional (botanist or landscape architect) familiar with the identification of this species undertake a survey of the literature and determine if the proposed site for the compressor station contains habitats which would favor these species. If favorable habitats exist, a field survey would be needed to determine if the species is actually present. If populations of the endangered species are found to be in the project area, project modifications should be considered to avoid or minimize the project's impact.

For most sites, comprehensive field surveys have not been conducted; the information above only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

5. Archaeologically Sensitive Area

Most of the project site is located within an archaeologically sensitive area, based on a review of the New Your State Archaeological Site Map. State agencies reviewing the project will be required to ensure that the project will not disturb significant state cultural resources, as required by the State Historic Preservation Act (SHPA). Any review of this project under the State Environmental Quality

Review (SEQR) should include an assessment of the potential impact of the project on cultural resources, both archaeological and structural. We would recommend the developer consult with the State Historic Preservation Office of the NYS Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) . Additional information can be received by visiting the NYS OPRHP web site at http://nysparks.state.ny.us/field/ or by phone at (518) 237-8643.

If an approval is required from DEC for this project, DEC will need to comply with the State Historic Preservation Act (SHPA), which involves ensuring that all cultural resources that may potentially be disturbed by the project will be identified and efforts will be made to avoid or minimize potential impacts. Unless documentation exists that the project site is previously disturbed, DEC would require a Stage 1 A and B Archaeological Investigation to identify any potential archaeological resources and have the results reviewed by the State Historic Preservation Office (SHPO) in the NYS Office of Parks, Recreation, and Historic Preservation to determine if further investigations are warranted.

If you have any questions regarding the information provided in the comments above, please contact me at 585-226-5390.

Sincerely,

Peter A. Lent

Peter A. Lent
Regional Permit Administrator

Enclosure: Completed Lead Agency Assent Form.

cc: Ms. Kim Thompson, Bergmann Associates

Project Name: Towne Square
Project Address: New York State Route 96 & Lane Road

I (we) hereby assent to the designation of the Victor Planning Board as Lead Agency for the project under S.E.Q.R..

Agency Name: New York Department of Environmental Conservation

Name of Signer: Peter G. Lent - Regional Permit Administrator

xc: Involved Agencies
NYS Department of Health
NYS Department of Environmental Conservation
US Army Corps of Engineers
NYS Department of Transportation
Interested Agencies
Applicant

Terrestrial Environmental Specialists, inc.
23 COUNTY ROUTE 6, SUITE A, PHOENIX, NY 13135
(315) 695-7228 FAX (315) 695-3277 E-MAIL: tesinc@alltel.net

May 14, 2008

Ms. Kim Thompson
Bergmann Associates
200 First Federal Plaza
28 East Main Street
Rochester, New York 14614

Re: Twin-Leaf Survey, Fishers Ridge Project, Town of Victor, Ontario County, New York
TES File No. 3050

Dear Kim:

As discussed, Terrestrial Environmental Specialists, Inc. (TES) performed a search for the state-listed plant twin-leaf (*Jeffersonia diphylla*) at the above-referenced site.

The effort included the following tasks: 1) review of correspondence with state and federal agencies and literature for twin-leaf, 2) review of natural resource maps and aerial photographs for the site, 3) a field survey by a TES botanist, and 4) this letter report.

Agency Contacts and Literature Review

TES previously contacted the New York Natural Heritage Program (NYNHP) and reviewed the U.S. Fish and Wildlife Service (USFWS) files for known records of listed species for the area. Neither of these organizations reported any known rare species conflicts for the area. However, as part of the SEQR review process, the New York State Department of Environmental Conservation (NYSDEC) noted in a letter dated November 13, 2007 that twin-leaf was of historic record from the general vicinity of the site. The NYSDEC recommended a survey to determine if the species was actually present.

Background Information

Prior to the field investigation, various maps and other sources of background information were reviewed. This included the Vegetation and Wildlife Report prepared by TES (TES 2007), which contains a vegetation cover map with a description of each vegetation community. A 2002 aerial photograph was also reviewed and used during the field survey.

Field Surveys

Field surveys were performed on the site on May 9, 2008. The surveys were performed by Joseph M. McMullen. Each habitat/cover type present on the site was reviewed and searches made for twin-leaf in appropriate areas. All forested areas were thoroughly searched, as twin-leaf occurs in upland deciduous forest habitat. No twin-leaf was found during the field surveys. More detailed results of the field surveys are included in the following discussion.

Results/Discussion

Twin-leaf is a state-listed species. It is listed as threatened in New York in 6 NYCRR Part 193.3, pursuant to Section 9-1503 of the Environmental Conservation Law. Twin-leaf is not federally listed.

Twin-leaf is a showy, early spring-flowering species that ranges from New York and southern Ontario to Wisconsin and Indiana, south to Maryland and Alabama (Gleason 1952, Gleason and Cronquist 1991). Mitchell (1983) reported it from counties in western New York. Presently, there are confirmed records of the species in several counties, including: Allegheny, Cayuga, Erie, Genesee, Livingston, Monroe, Onondaga, Ontario, Rensselaer, Seneca, Steuben, and Yates (Young 2007).

The two records of twin-leaf indicated by the NYSDEC in the vicinity of the site are historic records (1914 and 1917) from the Fishers area, and appear to be located north of the Thruway approximately 2 miles from the site. There are no recent records of twin-leaf from this portion of Ontario County, although a population was discovered recently in the eastern portion of the county.

Twin-leaf primarily occurs in rich deciduous woods in deep calcareous soils (Mitchell 1983). It often occurs on slopes where there is limited competing herbaceous vegetation. It is not usually associated with oaks.

Searches were made throughout the Fishers Ridge site and no twin-leaf was found. Wooded slopes were targeted during these searches. Some slopes were dominated by oaks (*Quercus* spp.) and were obviously not calcareous. In other areas there was dense shrub and ground layer vegetation, which is not conducive to twin-leaf occurrence. Many of these latter areas were disturbed by past mining activities.

In summary, twin-leaf does not occur on the site.

I trust this letter report responds to your request. Please contact me should you have any questions or need anything additional.

Sincerely,

TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.

Joseph M. McMullen
Principal

JMM/dmm

cc: J. DiMarco
M. Johns

References

Gleason, H. A. 1952. The New Britton and Brown Illustrated Flora of the United States and Adjacent Canada. Hafner Press, New York, NY (3 vols.).

Gleason, H. A. and A. Cronquist. 1991. Manual of Vascular Plants of Northeastern United States and Adjacent Canada. The New York Botanical Garden, Bronx, NY.

Mitchell, R. S. 1983. *Berberidaceae* through *Fumariaceae* of New York State. New York State Museum, Bulletin No. 451. Albany, NY.

TES. 2007. Vegetation and Wildlife Report, Victor Town Square, Town of Victor, Ontario County, New York. Terrestrial Environmental Specialists, Inc., Phoenix, NY.

Young, S. M. 2007. New York Natural Heritage Program Rare Plant Status List. New York Natural Heritage Program. Albany, NY.

Eliot Spitzer
Governor

Carol Ash
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

August 20, 2007

John DiMarco II
The DiMarco Group
1950 Brighton-Henrietta Town Line Road
Rochester, New York 14623

CC:
Mark Ewing

Re: DOH
Victor Towne Square Development (96 acres)
North of Rt. 96 & West of Lane Road/VICTOR,
Ontario County
07PR04452

Dear Mr. DiMarco II:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Parks, Recreation and Historic Preservation Law, Section 14.09.

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

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
Director

An Equal Opportunity/Affirmative Action Agency

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Appendix B – Stormwater Pollution Prevention Plan

Appendix C – Stream Mitigation Plan

1.0 INTRODUCTION

Terrestrial Environmental Specialists, Inc. (TES) was contracted by The DiMarco Group to perform a stream assessment and determine the required mitigation effort for the proposed development on a site in the Town of Victor, Ontario County, New York. The site is approximately 95 acres in size and is located south of Interstate 90 near Exit 45, and north of NYS Route 96. The site is proposed for a development consisting of a mix of commercial and residential development. The project is titled Fishers Ridge.

2.0 METHODS

TES consulted with the Buffalo District U.S. Army Corps of Engineers (Corps) regarding proper procedure of assessing stream reaches to calculate mitigation requirements. The Corps has issued a draft document entitled *Compensatory Stream Mitigation Standard Operation Procedures and Guidelines* (Guidelines) which provides standardized procedures for addressing stream impacts and mitigation. TES worked closely with the operating procedures spelled out in this document to assess the streams impacted on Fishers Ridge and determine the mitigation required as a result.

All streams on the site were walked and assessed, measured, photographed, and ranked according to the protocols set forth in the *Stream Visual Assessment Protocol (SVAP) Version 2* by the USDA NRCS (USDA, NRCS 2009). Nine SVAP parameters, or stream elements, were assessed for each stream reach; channel and bank condition, riparian area quantity and quality, water appearance, nutrient enrichment, pools, barriers to aquatic species movement, and aquatic invertebrate habitat. These parameters were ranked according to a rubric which scored each item from a 0 to a 10, 10 being the highest quality. Additional physical measurements of the stream were taken and noted such as; stream width, bankfull width, mean and max depth, and sediment type.

Following the assessment of the current stream conditions, the Guidelines were followed to calculate the number of adverse stream impact credits required. In order to calculate the required adverse stream impact credits needed by the project each dominant impact type (clearing, armoring, culverting, filling, etc.) was determined by overlaying the streams on the proposed site plan. Following the procedures spelled out in the Guidelines and using the worksheets provided in the Guidelines (see Appendix C-2) the number of credits was determined. This number of credits would need to be generated by mitigation efforts in the form of stream restoration/relocation. Potential on-site and off-site stream restoration was determined and quantified in order to approximate how and where these credits could be generated. The Guidelines provide procedures and worksheets to determine these credits as well. See Appendix C-2 for the worksheet details.

Tables were created to summarize the existing stream conditions, the proposed conditions after improvements, the credits required by impacts, and the credits generated by stream improvements (Tables 1 and 2).

3.0 RESULTS

3.1 Stream Reach Assessments

Wetlands and waters on the site were delineated by TES and the results were presented in a wetland delineation report (TES 2007). TES delineated wetlands/water resources on the site on November 15, 2005 and May 7, 2007. Four intermittent streams were identified on the site and are shown on the Wetland Location Map (Figure 8 – main report). These streams were designated by TES as Stream A, B, C, and E. Wetland boundaries were delineated using the federal criteria for vegetation, soils, and hydrology (Environmental Laboratory 1987, Reed 1988, USSCS 1989). Streams were identified by the presence of a bed and bank and evidence of ordinary high water. The survey of the wetland boundaries was performed by Costich Engineering.

Stream A is within a 1.01-acre linear wetland. It crosses the center of the site from the northern site boundary at the Thruway to the southern site boundary along NYS Route 96 (Figure C-1). This stream is an intermittent stream, which drains through a culvert under Route 96. It is 2,030 feet in length and is considered a seasonal relatively permanent water (RPW). The SVAP assessment resulted in Stream A being divided into 3 separate reaches based on differing stream element scores (Figure C-1).

Reach 1 is the uppermost part of the stream starting by I-90 and draining south 1,086 feet until the first culvert. The stream channel in this reach is 1 foot, 3 inches wide and has silt substrate. The bankfull width in this reach was approximately 16 feet wide and the stream slopes approximately 8%. SVAP scores in this reach averaged 3.2. The lowest scoring parameters were riparian area quality and barriers to movement with a score of 1 out of 10. The highest was bank condition with a score of 6 out of 10. Reach 2 also consisted of silt substrate and is very similar to reach 1 with an average SVAP score of 3. The bankfull width of this reach of Stream A is approximately 29.5 feet and the stream is 2 feet, 7 inches wide (Appendix C-1). Both reach 1 and reach 2 are heavily vegetated with common reed (*Phragmites australis*). Photographs 1-3 are representative pictures of reach 1 and 2 of Stream A.

Reach 3 of Stream A is a steeper, rockier and more forested section. The stream is 5 feet, 2 inches wide with a bankfull width of 11.9 feet (Appendix C-1). This reach slopes at 25% and can be seen in photograph 4.

Stream B is located within a linear, scrub-shrub wetland along the southeastern site boundary (Figure C-1). It is 1,038 feet in length. Stream B is a seasonal RPW and was classified as one reach with an average SVAP score of 3.8. It scored highest with nutrient enrichment scored at 7 out of 10 and lowest with channel condition scoring 2 out of 10. The stream channel is 2.1 feet wide with a bankfull width of 4.5 feet and is primarily a silt/cobble substrate (Appendix C-1). Photograph 5 is a representative picture of Stream B.

Stream C is a short (307 linear feet) intermittent stream which flows south and connects to Stream A via a culvert (Figure C-1). Stream C is 1.2 feet wide with a bankfull width of 29 feet and a slope of 8%. Stream C scored an average SVAP score of 3.2 with the lowest score of

1 for aquatic invertebrate habitat and the highest score of 6 for bank condition and riparian area quantity (Appendix C-1). This stream has a primarily silt substrate and is pictured in photographs 6 and 7.

Stream E is a highly disturbed intermittent stream 842 feet in length. Stream E is a seasonal RPW which was split into 2 reaches based on differing SVAP scores (Figure C-1). Reach 1 of Stream E averaged a SVAP score of 3.2. The lower portion of Stream E (reach 2) has been channelized and scored a 2.1 average SVAP score. Many of the parameters scored a 1 and the lowest (barriers to movement) scored a 0. The highest scoring parameters were water appearance and nutrient enrichment. The stream channel is 4.4 feet wide with a bankfull width of 13.7 feet, and it has a silt substrate (Appendix C-1). Photograph 8 shows the characteristics of Stream E.

3.2 Proposed Impacts

No impacts are proposed for Stream B.

Stream A is proposed to have 4 dominant impact types; piped, impoundment, morphologic change, and below grade culverts (<100') (Figure C-2). Each of these impact types requires a different number of adverse stream impact mitigation credits. The total number of credits required for impacts to Stream A is 6,136. Stream C is proposed to be filled. This activity will required 1,075 mitigation credits. Stream E is also proposed to be filled, requiring 3,031 credits (Table C-1). Calculations of these credits can be seen on the Adverse Stream Impact worksheet in Appendix C-2.

3.3 Proposed Mitigation

3.3.1 On-site Mitigation

On-site mitigation for stream impacts will come from improvements to the sections of Stream A which will remain after the project is completed (dominant impact type: morphologic change) as well as improvements to the non-impacted Stream B. Stream B is located outside of the proposed limits of the project on the eastern boundary of the site.

The Guideline's stream mitigation worksheet provided the number of mitigation credits generated from the areas of morphologic change in Stream A (928 feet total). Mitigation credits were also generated from potential improvements to the 1,038 feet of Stream B (see Appendix C-2. The total mitigation credits potentially generated from improvements to Streams A and B on-site are 5,839 (Table C-2).

Enhancements to relocated Stream A include elimination of invasive species, grade control structures, bank stabilization, improved water quality, increased in-stream habitat diversity and improved and varied riparian zone habitat diversity.

While not being impacted by the project, Stream B provides an opportunity to conduct some additional on-site stream enhancements. Enhancements to Stream B include grade control

structures, removal of invasive species, improved in-stream habitat diversity, improved riparian zone diversity, and bank stabilization.

3.3.2 Off-site Mitigation

Off-site mitigation will come from improvements to Irondequoit Creek and its tributary located in Victor Town Park. Irondequoit Creek and its tributary were also assessed according to the SVAP protocol (see data sheets in Appendix C-1). Then potential improvements to the stream were calculated in the same fashion as the on-site stream improvements. These calculations are also included on the stream mitigation worksheet in Appendix C-2.

The higher portion of the tributary to Irondequoit Creek is a comparably high quality stream with an average SVAP score of 6.5. However, the lower portion scored considerably lower at 3.3.

The enhancements to the tributary of Irondequoit Creek will occur on the lowest reaches of the stream. Figure C-3 shows proposed work in this area. Both reaches are located in Fishers Park.

The upper reach is a high gradient straight run followed by a 180° bend then a 90° bend. Enhancements for this reach would include a cross vane at the upper end of the reach followed by two Newbury riffles. The Newberry riffles would break up the long, straight run with a series of two pools and riffle complexes. Below in the two bends, root wads or toe-wood sod mats would be installed to protect the outside of the bends. A cross vane would be installed between the two bends. This cross vane would direct the flow off the outside of the second bend. Below the second root wad structure would be another cross vane to direct water off the outside of the bend in the next reach. The banks of the stream and adjacent riparian zone will be planted with floodplain tree and shrub species.

The above-mentioned enhancement will improve bank stability, improve in-stream habitat diversity for fish and invertebrates, and improve riparian zone habitat diversity for the upper reach. The lower reach is adjacent to a baseball field and has started to erode the outfield.

Enhancements to the lower reach include cross vanes, a toe-wood sod mat and a Newbury riffle. A portion of the east side of this reach would be armored with rip-rap. Plantings on both banks are also planned.

The enhancements to the stream in this reach will stabilize the bank, improve in-stream habitat and diversity, and improve riparian zone habitat diversity.

Irondequoit Creek itself is a high quality perennial stream. Its SVAP scores averaged 7.5.

Enhancements to Irondequoit Creek will include placing 8 to 10 large rock clusters within this reach. In addition, two areas of vernal pool creation are proposed south of Irondequoit Creek (Figure C-4).

The rock clusters will provide in-stream habitat diversity. The vernal pools will provide riparian zone habitat diversity. In addition, the vernal pools provide functions not accounted for in SVAP2 or the Guidelines. These include flood storage, groundwater recharge/discharge, and nutrient and sediment retention.

The Guideline's stream mitigation worksheet provided the number of mitigation credits generated from the improvements to Irondequoit Creek and its tributary (1,160 feet total). The total mitigation credits potentially generated from improvements to Irondequoit Creek and its tributary off-site are 2,983 (Table C-2).

The total amount of mitigation credits generated both on-site (5,839) and off-site (2,983) is 8,822. This is 1,419 credits short of the required amount of 10,241 (Table C-2). The following section discusses additional mitigation measures to account for this discrepancy.

3.3.3 Additional Mitigation Measures

The Guidelines do not account for enhancements made to streams, which improves recreation and educational opportunities. Both on-site and off-site mitigation will provide enhanced access to the streams for educational opportunities, including permanent information kiosks. Recreation will be improved along Streams A and B on-site by improving access to the area with a trail system. Fishing will be improved by providing varied habitat types along Irondequoit Creek and its tributary.

4.0 SUMMARY

TES conducted stream assessments using the Corps Guidelines and *Stream Visual Assessment Protocol (SVAP) Version 2*. The on-site stream disturbance required 10,241 mitigation credits to be generated. Mitigation measures on-site will account for 5,839 credits and off-site mitigation will account for 2,983 credits. The remaining 1,419 credits will be accounted for in functions not identified in the Guidelines. These include groundwater recharge/discharge and flood storage of the vernal pools and educational and recreational uses of the streams on-site and off-site.

5.0 REFERENCES

TES. 2007. Wetland Delineation Report, Victor Town Square, Town of Victor, Ontario County, New York. Terrestrial Environmental Specialists, Inc., Phoenix, NY.

USDA, NRCS. 2009. National Biology Handbook. Part 614, Stream Visual Assessment Protocol Version 2. Washington, DC.

Table C-1.

Required Mitigation Credits - Adverse Stream Impacts

	Impact types:	Fill	Piped	Impounded	Morphologic Change	<100' Culvert	Totals
Stream A	Impact Multiplier[1]	-	3.5	3.3	2.8	1.6	
	Linear Feet Impacted	-	702	259	928	141	
	Credits Required	-	2,457	855	2,598	226	**6,136**
Stream C	Impact Multiplier[1]	3.5	-	-	-	-	
	Linear Feet Impacted	307	-	-	-	-	
	Credits Required	1,075	-	-	-	-	**1,075**
Stream E	Impact Multiplier[1]	3.6	-	-	-	-	
	Linear Feet Impacted	842	-	-	-	-	
	Credits Required	3,031	-	-	-	-	**3,031**

Total Required Mitigation Credits: **10,241**

[1] Multipliers are generated from U.S. Army Corps mitigation worksheets which can be found in Appendix _.

Table C-2.

Potential Restoration/Relocation Credits Generated[2]

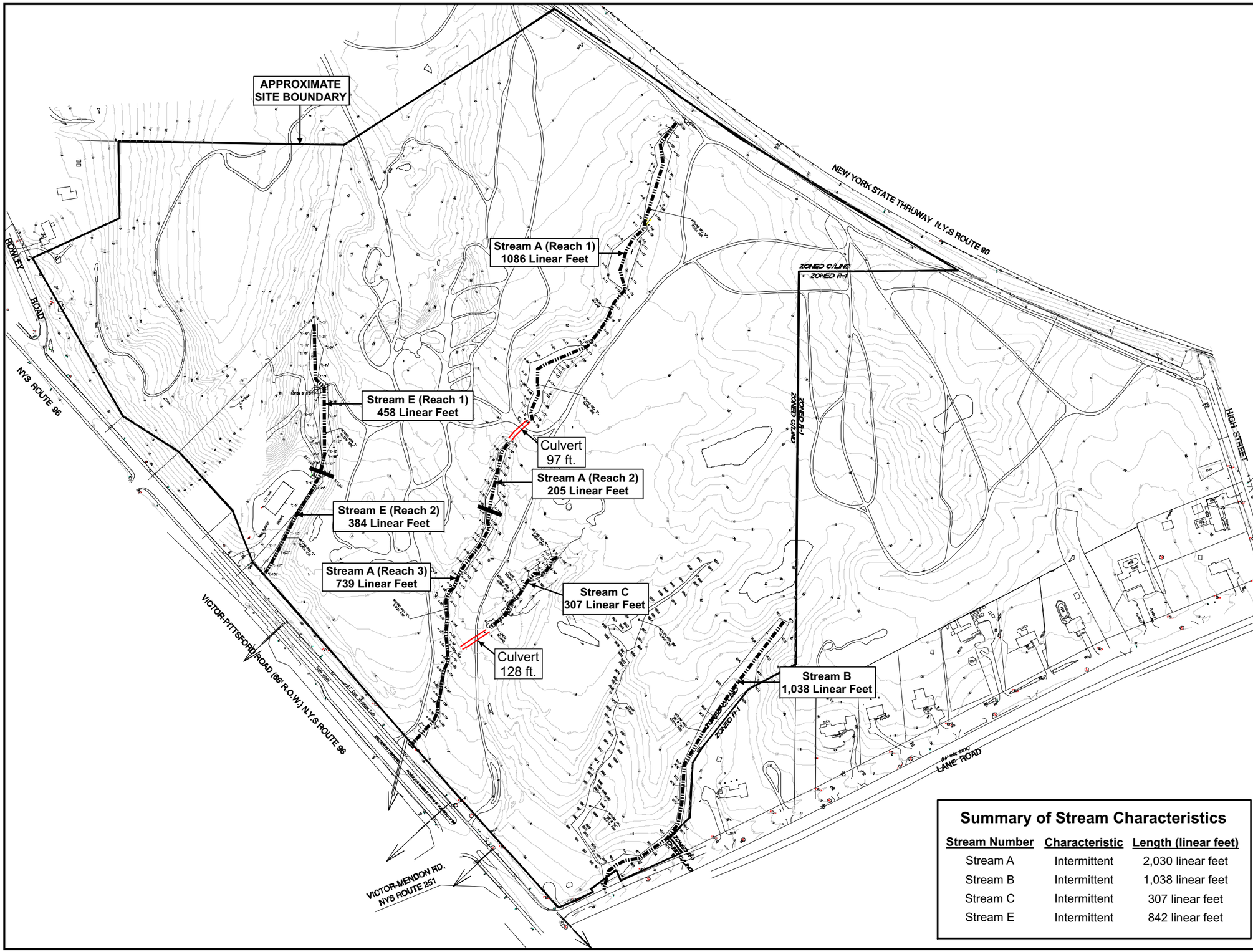
	On-Site Mitigation				**Off-Site Mitigation**		
	Stream A - Reach 1	Stream A - Reach 3	Stream B - Lower Portion	Stream B - Upper Portion	Iron. Creek Trib. - Lower	Iron. Creek Trib. - Upper	Iron. Creek
Mitigation Multiplier[1]	3.95	3.8	3.2	1.7	9.05	2.4	1.7
Linear Feet Modified	274	654	338	700	110	290	760
Credits Generated	1,082	2,485	1,082	1,190	995	696	1,292

Total Potential Credits Generated: **8,822**

Total Required Mitigation Credits (from Table 1.): 10,241
Minus Potential Credits Generated 8,822
Required Credits Remaining: 1,419

[1] Multipliers are generated from U.S. Army Corps mitigation worksheets which can be found in Appendix _.

[2] These credits are calculated using preliminary assumptions of stream improvements that could potentially be performed in the areas of morphologic change impacts to Stream A, potential improvements to un-impacted Stream B, and improvements to Irondequoit Creek and its tributary located off-site.



NORTH

0 150' 300'

APPROXIMATE SCALE IN FEET

Figure Prepared by
Terrestrial Environmental
Specialists, Inc.

Base Map Provided by
Costich Engineering

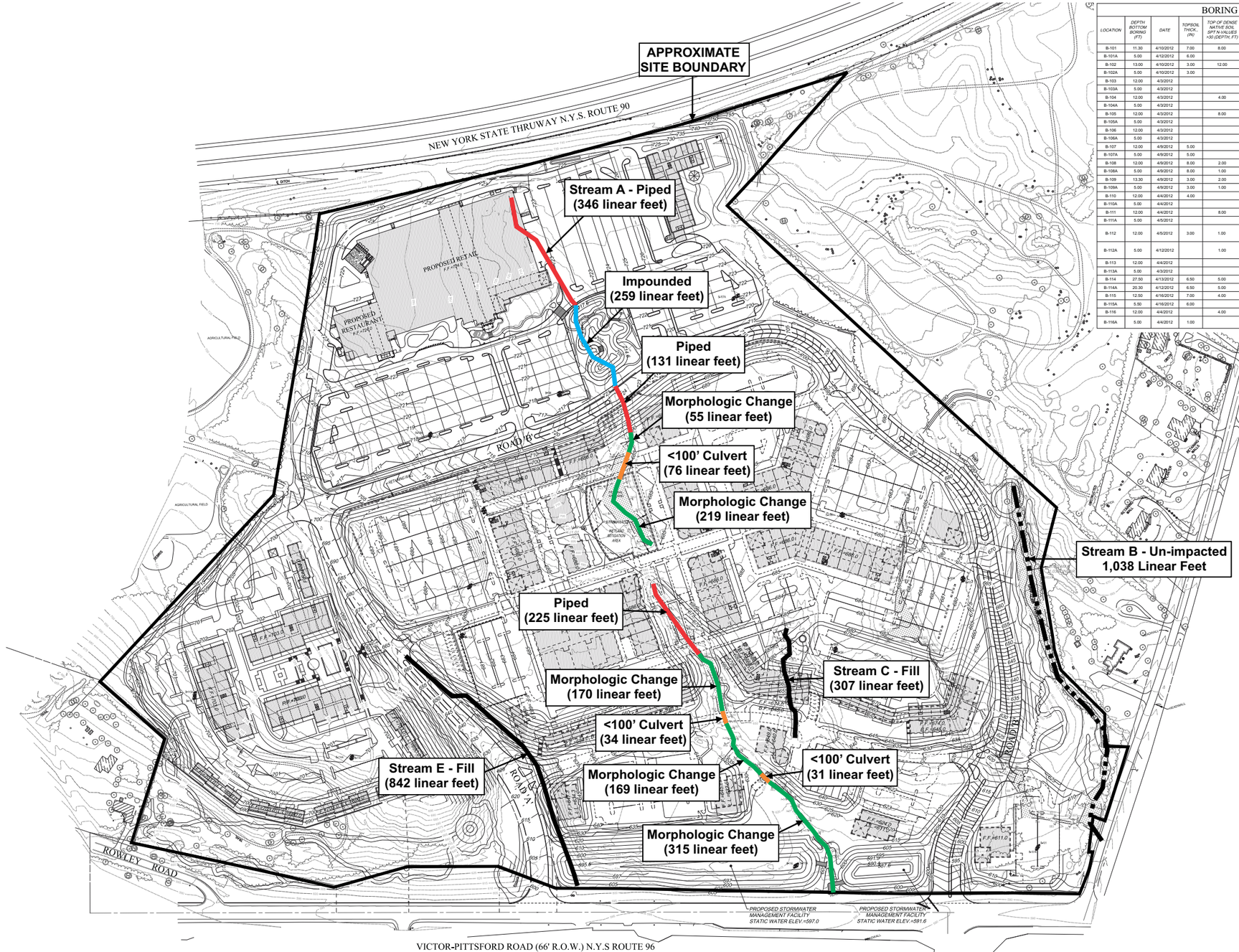
Figure C-1.

Stream Reach Location Map

Summary of Stream Characteristics

Stream Number	Characteristic	Length (linear feet)
Stream A	Intermittent	2,030 linear feet
Stream B	Intermittent	1,038 linear feet
Stream C	Intermittent	307 linear feet
Stream E	Intermittent	842 linear feet

TES File: COS-3050\3050stream-C1.cdr\6-14-13



BORING SUMMARY TABLE

LOCATION	DEPTH BOTTOM BORING (FT)	DATE	TOPSOIL THICK. (IN)	TOP OF DENSE NATIVE SOIL SPT N-VALUES >30 (DEPTH, FT)	TOP OF FREE STANDING WATER AT TIME OF DRILLING (DEPTH, FT)	INFILTRATION RATE AT BOTTOM BORING INCH/HOUR	REMARKS
B-101	11.30	4/10/2012	7.00	8.00	3.00	0.00	
B-101A	5.00	4/12/2012	6.00			0.50	
B-102	13.00	4/10/2012	3.00	12.00		0.50	SILTY CLAY BETWEEN 4 AND 11 FEET
B-102A	5.00	4/10/2012	3.00			5.40	SILTY CLAY AT 1 FOOT
B-103	12.00	4/3/2012				0.10	
B-103A	5.00	4/3/2012				0.80	
B-104	12.00	4/3/2012		4.00		0.00	
B-104A	5.00	4/3/2012				0.00	
B-105	12.00	4/3/2012		8.00		0.00	
B-105A	5.00	4/3/2012				1.00	
B-106	12.00	4/3/2012				0.00	
B-106A	5.00	4/3/2012				1.30	
B-107	12.00	4/9/2012	5.00			1.60	
B-107A	5.00	4/9/2012	5.00			11.70	
B-108	12.00	4/9/2012	8.00	2.00		0.00	
B-108A	5.00	4/9/2012	8.00	1.00		0.80	
B-109	13.30	4/9/2012	3.00	2.00		16.60	
B-109A	5.00	4/9/2012	3.00	1.00		333.50	
B-110	12.00	4/4/2012	4.00			1.70	SILTY CLAY BETWEEN 7.5 AND 10 FEET
B-110A	5.00	4/4/2012				0.10	
B-111	12.00	4/4/2012		8.00		382.10	
B-111A	5.00	4/5/2012				9.40	
B-112	12.00	4/5/2012	3.00	1.00	3.50	TEST NOT PERFORMED	WATER AT 3.5 DURING DRILLING, AND AT 10 FEET UPON COMPLETION. GROUNDWATER AT 3.29 FEET AT THE TIME OF INFILTRATION TEST.
B-112A	5.00	4/12/2012		1.00	2.00	TEST NOT PERFORMED	SEEPING WATER OBSERVED AT GROUND SURFACE. GROUNDWATER AT 2 FEET AT THE TIME OF INFILTRATION TEST.
B-113	12.00	4/4/2012				0.30	
B-113A	5.00	4/3/2012				0.00	
B-114	27.50	4/13/2012	6.50	5.00		0.00	SILTY CLAY FROM 0.5 TO 5 FEET
B-114A	20.30	4/12/2012	6.50	5.00		0.00	SILTY CLAY FROM 0.5 TO 5 FEET
B-115	12.50	4/16/2012	7.00	4.00		0.00	
B-115A	5.50	4/16/2012	6.00			0.00	CLAYEY SILT FROM 1 TO 5.5 FEET
B-116	12.00	4/4/2012		4.00		0.00	
B-116A	5.00	4/4/2012	1.00			0.00	FILL FROM G.S. TO 2 FEET, AND PEAT FROM 2 TO 4 FEET.

LEGEND
Impact Types

- Fill
- Piped
- Impoundment
- Morpholocgic Change
- <100' Culvert
- Un-impacted Stream

NORTH

0 150' 300'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Base Map Provided by Costich Engineering

Figure C-2.

Stream Impacts by Impact Type

NO.	DATE	REVISION	BY	CHKD.	APVLD.

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STATE OF NEW YORK · MARK R. COSTICH · No. 065971 · Licensed Professional Engineer

PROJECT ENGINEER: G.W.
DRAWN BY: D.E.L.
BOUNDARY: ---
TOPOGRAPHY: ---
DATE: 03/08/2013
SCALE: 1"=100'

COSTICH ENGINEERING
- CIVIL ENGINEERING
- LAND PLANNING
- SURVEYING

217 LAKE AVENUE
ROCHESTER, NEW YORK 14608
(585) 458-3020

TITLE OF PROJECT: FISHERS RIDGE
N.Y.S. ROUTE 96 AND N.Y.S. ROUTE 251

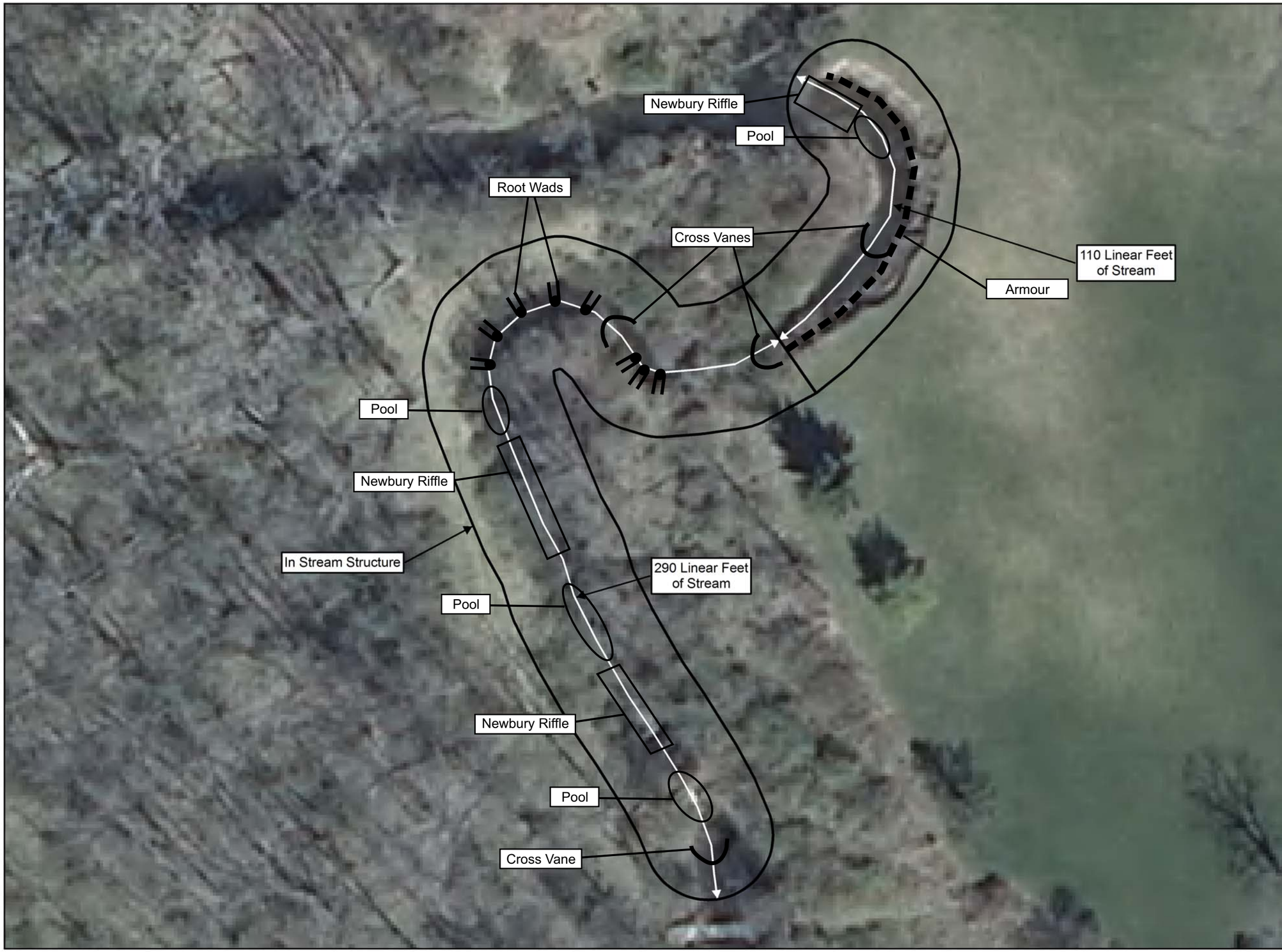
TITLE OF DRAWING: OVERALL GRADING PLAN

LOCATION OF PROJECT: TOWN OF VICTOR
COUNTY OF ONTARIO, STATE OF NEW YORK

CLIENT: THE DIMARCO GROUP
1950 BRIGHTON-HENRIETTA TOWN LINE ROAD
ROCHESTER, NEW YORK 14623

DWG # 3542
CA130
SHEET 6 OF 19

TES File: COS-3050\3050-Report\3050-ImpAnalysisRpt\3050-Figures\3050-impact-types.cdr\6-14-13



N

0 30

Feet

1 inch = 30 feet

Aerial Photograph Obtained from NYS GIS Clearinghouse 2012

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure C-3.

Aerial Photograph of Site with Approximate Bank Stabilization and In Stream Structure Locations

TES File: COS-3050\3050-FishersParkEast.mxd\6-26-13

Notes:
1 - Layout of vernal pools will be done to avoid large trees.
2 - Honeysuckle (Loniocera sp.) will be removed/controlled in the pool areas.
3 - Vernal pools will range in size from 0.02 ac. to 0.15 ac.
4 - Pool depths will range from 1.5 ft. to 3.0 ft.
5 - Pools will be elliptical with a length to width ratio of 2.4 to 1.
6 - Pools in each area will be connected with small, seasonally high flow channels.

N

0 100
Feet

1 inch = 100 feet

Aerial Photograph Obtained from NYS GIS Clearinghouse 2012

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure C-4.

Aerial Photograph of Site with Approximate Vernal Pool Locations

TES File: COS-3050\3050-FishersParkWest.mxd\6-26-13

Photographs

Photo 1. Stream A - Reach 1

Photo 2. Stream A - Reach 2

Photo 3. Stream A - Reach 2

Photo 4. Stream A - Reach 3

Photo 5. Stream B

Photo 6. Stream C - Culvert connection to Stream A

Photo 7. Stream C

Photo 8. Stream E

APPENDIX C-1 – Stream Assessment Data Sheets

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream A – Reach 1 (WP1-end of Reach 1)

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	3	6	
Hydrologic Alteration	n/a	n/a	
Bank Condition	6	9	
Riparian Area Quantity	5	7	
Riparian Area Quality	1	3	
Canopy Cover	n/a	n/a	
Water Appearance	3	4	
Nutrient Enrichment	3	3	
Manure or Human Waste	n/a	n/a	
Pools	5	7	
Barriers to Movement	1	2	
Fish Habitat Complexity	n/a	n/a	
Aquatic Invertebrate Habitat	2	5	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 29

B. Number of parameters scored 9

Overall Score (A/B) 3.2

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream A-R1			
Stream Width	1’ 3"			
Stream Type	Intermittent			
Channel Slope	8%			
Bankfull Width	16.6'			
Mean Depth @ BKF	1'			
Max Depth @ BKF	1'3"			
Sediment Type	Silt			

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream A – Reach 2 (WP2-end of Reach 3)

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	2	2	
Hydrologic Alteration	n/a	n/a	
Bank Condition	4	4	
Riparian Area Quantity	5	5	
Riparian Area Quality	1	1	
Canopy Cover	n/a	n/a	
Water Appearance	3	3	
Nutrient Enrichment	3	3	
Manure or Human Waste	n/a	n/a	
Pools	5	5	
Barriers to Movement	1	1	
Fish Habitat Complexity	n/a	n/a	
Aquatic Invertebrate Habitat	3	3	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 27

B. Number of parameters scored 9

Overall Score (A/B) 3

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream A-R2			
Stream Width	2'7"			
Stream Type	Intermittent			
Channel Slope	16%			
Bankfull Width	29.5"			
Mean Depth @ BKF	9"			
Max Depth @ BKF	1'6"			
Sediment Type	Silt			

Photos 11 and 12

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream A – Reach 3 (WP3-end of Reach 3)

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	1	4	
Hydrologic Alteration	n/a	n/a	
Bank Condition	2	5	
Riparian Area Quantity	5	7	
Riparian Area Quality	4	6	
Canopy Cover	n/a	n/a	
Water Appearance	3	4	
Nutrient Enrichment	4	4	
Manure or Human Waste	n/a	n/a	
Pools	3	6	
Barriers to Movement	6	7	
Fish Habitat Complexity	n/a	n/a	
Aquatic Invertebrate Habitat	4	5	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 32

B. Number of parameters scored 9

Overall Score (A/B) 3.5

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream A-R3			
Stream Width	5'2"			
Stream Type	Intermittent			
Channel Slope	25%			
Bankfull Width	11.9'			
Mean Depth @ BKF	2.9'			
Max Depth @ BKF	3.1'			
Sediment Type	Silt/Cobble			

Photos 13 and 14

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream B – Lower Portion (338')

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	2	4	
Hydrologic Alteration	n/a	n/a	
Bank Condition	3	5	
Riparian Area Quantity	3	5	
Riparian Area Quality	3	6	
Canopy Cover	n/a	n/a	
Water Appearance	6	6	
Nutrient Enrichment	7	7	
Manure or Human Waste	n/a	n/a	
Pools	4	6	
Barriers to Movement	4	5	
Fish Habitat Complexity	n/a	n/a	
Aquatic Invertebrate Habitat	3	5	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 35

B. Number of parameters scored 9

Overall Score (A/B) 3.8

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream **B**			
Stream Width	2.1'			
Stream Type	Intermittent			
Channel Slope	11%			
Bankfull Width	4.5'			
Mean Depth @ BKF	1.1'			
Max Depth @ BKF	1.2'			
Sediment Type	Silt/Cobble			

Photos 20 through 22

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream B – Upper Portion (1,000')

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	2	2	
Hydrologic Alteration	n/a	n/a	
Bank Condition	3	4	
Riparian Area Quantity	3	5	
Riparian Area Quality	3	5	
Canopy Cover	n/a	n/a	
Water Appearance	6	6	
Nutrient Enrichment	7	7	
Manure or Human Waste	n/a	n/a	
Pools	4	4	
Barriers to Movement	4	4	
Fish Habitat Complexity	n/a	n/a	
Aquatic Invertebrate Habitat	3	3	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 35

B. Number of parameters scored 9

Overall Score (A/B) 3.8

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream **B**			
Stream Width	2.1'			
Stream Type	Intermittent			
Channel Slope	11%			
Bankfull Width	4.5'			
Mean Depth @ BKF	1.1'			
Max Depth @ BKF	1.2'			
Sediment Type	Silt/Cobble			

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream C – Reach 1

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	2		
Hydrologic Alteration	n/a		
Bank Condition	2		
Riparian Area Quantity	2		
Riparian Area Quality	3		
Canopy Cover	n/a		
Water Appearance	8		
Nutrient Enrichment	7		
Manure or Human Waste	n/a		
Pools	2		
Barriers to Movement	4		
Fish Habitat Complexity	n/a		
Aquatic Invertebrate Habitat	2		
Aquatic Invertebrate Community	n/a		
Riffle Embeddedness	n/a		
Salinity	n/a		

A. Sum of all parameters scored 32

B. Number of parameters scored 9

Overall Score (A/B) 3.5

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream C			
Stream Width	1.6'			
Stream Type	Intermittent			
Channel Slope	36%			
Bankfull Width	10.5'			
Mean Depth @ BKF	2.5'			
Max Depth @ BKF	3'			
Sediment Type	Silt/Cobble			

Photos 18 and 19

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream E – Reach 1 (WP 4 is end of Reach 2)

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	2		
Hydrologic Alteration	n/a		
Bank Condition	6		
Riparian Area Quantity	6		
Riparian Area Quality	2		
Canopy Cover	n/a		
Water Appearance	2		
Nutrient Enrichment	3		
Manure or Human Waste	n/a		
Pools	3		
Barriers to Movement	4		
Fish Habitat Complexity	n/a		
Aquatic Invertebrate Habitat	1		
Aquatic Invertebrate Community	n/a		
Riffle Embeddedness	n/a		
Salinity	n/a		

A. Sum of all parameters scored 29

B. Number of parameters scored 9

Overall Score (A/B) 3.2

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream E-R1			
Stream Width	1.2'			
Stream Type	Intermittent			
Channel Slope	8%			
Bankfull Width	29'			
Mean Depth @ BKF	1.1'			
Max Depth @ BKF	1.7'			
Sediment Type	Silt			

Photos 23 and 24

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Stream E – Reach 2

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	2		
Hydrologic Alteration	n/a		
Bank Condition	1		
Riparian Area Quantity	1		
Riparian Area Quality	1		
Canopy Cover	n/a		
Water Appearance	5		
Nutrient Enrichment	5		
Manure or Human Waste	n/a		
Pools	3		
Barriers to Movement	0		
Fish Habitat Complexity	n/a		
Aquatic Invertebrate Habitat	1		
Aquatic Invertebrate Community	n/a		
Riffle Embeddedness	n/a		
Salinity	n/a		

A. Sum of all parameters scored 19

B. Number of parameters scored 9

Overall Score (A/B) 2.1

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Stream E-R2			
Stream Width	4.4'			
Stream Type	Intermittent			
Channel Slope	8%			
Bankfull Width	13.7'			
Mean Depth @ BKF	2'			
Max Depth @ BKF	2.6'			
Sediment Type	Silt			

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Irondequoit Creek Trib. (Lower Portion)

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	1	4	
Hydrologic Alteration	n/a		
Bank Condition	1	4	
Riparian Area Quantity	3.5	3.5	
Riparian Area Quality	3	6	
Canopy Cover	0	3	
Water Appearance	8	8	
Nutrient Enrichment	9	9	
Manure or Human Waste	n/a	n/a	
Pools	0	3	
Barriers to Movement	10	10	
Fish Habitat Complexity	1	4	
Aquatic Invertebrate Habitat	2	5	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 36.5

B. Number of parameters scored 11

Overall Score (A/B) 3.3

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Lower Trib.			
Stream Width	10'			
Stream Type	Perennial			
Channel Slope	3%			
Bankfull Width	18"			
Mean Depth @ BKF	15"			
Max Depth @ BKF	24"			
Sediment Type	Cobble			

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Irondequoit Creek Trib. (Upper Portion)

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	9	9	
Hydrologic Alteration	n/a	n/a	
Bank Condition	6	6	
Riparian Area Quantity	9	9	
Riparian Area Quality	7	8	
Canopy Cover	4	5	
Water Appearance	8	8	
Nutrient Enrichment	9	9	
Manure or Human Waste	n/a	n/a	
Pools	6	8	
Barriers to Movement	10	10	
Fish Habitat Complexity	4	7	
Aquatic Invertebrate Habitat	5	7	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 72

B. Number of parameters scored 11

Overall Score (A/B) 6.5

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Upper Trib.			
Stream Width	9'			
Stream Type	Perennial			
Channel Slope	6%			
Bankfull Width	9'			
Mean Depth @ BKF	3'			
Max Depth @ BKF	3.2'			
Sediment Type	Cobble			

Field Data Assessment Form

Date of Assessment 4/9/13 Weather Conditions Today Cloudy Assessors SLS, PRR

Weather Conditions over past 2 to 5 days Light rain showers
(amount/type of precipitation, average temp)

Stream Name and Reach Location (Lat/Long/GPS Coordinates) Irondequoit Creek

SVAP2 Parameter	**Existing Score**	**Proposed Score**	**As-Built**
Channel Condition	9	9	
Hydrologic Alteration	n/a	n/a	
Bank Condition	6	6	
Riparian Area Quantity	8	8	
Riparian Area Quality	4	7	
Canopy Cover	5	5	
Water Appearance	8	8	
Nutrient Enrichment	9	9	
Manure or Human Waste	n/a	n/a	
Pools	4	4	
Barriers to Movement	10	10	
Fish Habitat Complexity	8	8	
Aquatic Invertebrate Habitat	8	8	
Aquatic Invertebrate Community	n/a	n/a	
Riffle Embeddedness	n/a	n/a	
Salinity	n/a	n/a	

A. Sum of all parameters scored 82

B. Number of parameters scored 11

Overall Score (A/B) 7.5

	EXISTING	**PROPOSED**	**REFERENCE**	**AS-BUILT**
Stream Name	Irond. Creek			
Stream Width	23.5'			
Stream Type	Perennial			
Channel Slope	3%			
Bankfull Width	22			
Mean Depth @ BKF	27"			
Max Depth @ BKF	39"			
Sediment Type	Cobble			

APPENDIX C-2 – Stream Mitigation Worksheets

ADVERSE STREAM IMPACT WORKSHEET

Stream Type	Ephemeral 0.1	Intermittent 0.4	Perennial (OHWM width)			
			<15' 0.6	15' - 30' 0.8	31' - 50' 1.0	>51' 1.2
Priority Area	Tertiary 0.1	Secondary 0.4	Primary 0.8			
Existing Condition (SVAP 2 Score)	Impaired Range (0 – 4.9) 0.1	Somewhat Impaired Range (5.0 – 7.9) 0.8	Fully Functional Range (8.0 – 10.0) 1.6			

Dominant Impact	Shade/ Clear 0.05	Utility Crossing 0.15	Below Grade Culvert (<100') 0.3	Armor 0.5	Detention /Weir 0.75	Morpho-logic Change 1.5	Impound-ment (dam) 2.0	Below Grade Culvert /Pipe >100' 2.2	Fill 2.5
Impact Factor	<100' 0	100'-200' 0.05	201'-500' 0.1	501'-1000' 0.2	>1000 linear feet (LF) LF / 1000 x 0.2 Example: 5,280 / 1000 x 0.2 = 1.1				

Factor	Dominant Impact Type 1 (Stream A - Piped)	Dominant Impact Type 2 (Stream A - Impounded)	Dominant Impact Type 3 (Stream A - Morphologic)	Dominant Impact Type 4 (Stream A - < 100' Culvert)	Dominant Impact Type 5 (Stream C - Fill)	Dominant Impact Type 5 (Stream E - Fill)
Stream Type Impacted	**0.4**	**0.4**	**0.4**	**0.4**	**0.4**	**0.4**
Priority Area	**0.4**	**0.4**	**0.4**	**0.4**	**0.4**	**0.4**
Existing Condition	**0.1**	**0.1**	**0.1**	**0.1**	**0.1**	**0.1**
Dominant Impact	**2.2**	**2.0**	**1.5**	**0.3**	**2.5**	**2.5**
Impact Factor	**0.4**	**0.4**	**0.4**	**0.4**	**0.1**	**0.2**
Sum of Factors (M)=	**3.5**	**3.3**	**2.8**	**1.6**	**3.5**	**3.6**
Linear Feet of Stream Impacted in Reach (LF)=	**702**	**259**	**928**	**141**	**307**	**842**
M X LF=	**2,457**	**855**	**2,598**	**226**	**1,075**	**3,031**

A. Total Mitigation Credits Required = (M X LF) = 10,241

STREAM MITIGATION WORKSHEET

Stream Type	Ephemeral 0.05	Intermittent 0.3	Perennial (OHWM width)			
			<15' 0.4	15'-30' 0.6	31'-50' 0.8	>51' 1.0
Priority Area	Tertiary 0.05		Secondary 0.2		Primary 0.4	
Existing Condition (SVAP 2 Score)	Impaired Range (0 – 4.9) 0.4			Somewhat Impaired Range (5.0 – 7.9) 0.05		
NET BENEFIT						
Channel Condition	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Hydrologic Alteration	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Bank Condition	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Riparian Area Quantity	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Riparian Area Quality	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Canopy Cover	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Water Appearance	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Nutrient Enrichment	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Manure or Human Waste	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Pools	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Barriers to Movement	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Fish Habitat Complexity	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Aquatic Invertebrate Habitat	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Aquatic Invertebrate Community	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Riffle Embeddedness	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Salinity	No Improvement 0	1 category improvement 0.15		2 category improvement 0.30		≥3 category improvement 0.6
Site Protection	Corps approved site protection without third party grantee 0.00			Corps approved site protection recorded with third party grantee or transfer of title to a conservancy 0.2		
Timing of Mitigation	Before 0.15		During 0.05		After 0	

STREAM MITIGATION WORKSHEET (Continued)

	On-Site Mitigation				Off-Site Mitigation		
Factors	Stream A-Morphologic Change in Reach 1	Stream A-Morphologic Change in Reach 3	Stream B-Lower Portion	Stream B-Upper Portion	Iron. Creek Trib.-Lower Portion	Iron. Creek Trib.-Upper Portion	Iron. Creek
Stream Type	**0.3**	**0.3**	**0.3**	**0.3**	**0.4**	**0.4**	**0.6**
Priority Area	**0.2**	**0.2**	**0.2**	**0.2**	**0.4**	**0.4**	**0.4**
Existing Condition (SVAP 2 Score)	**0.4**	**0.4**	**0.4**	**0.4**	**0.4**	**0.05**	**0.05**
Channel Condition	**0.6**	**0.6**	**0.3**	**0**	**0.6**	**0**	**0**
Hydrologic Alteration	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Bank Condition	**0.6**	**0.6**	**0.3**	**0.15**	**0.6**	**0**	**0**
Riparian Area Quantity	**0.3**	**0.3**	**0.3**	**0.3**	**0**	**0**	**0**
Riparian Area Quality	**0.3**	**0.3**	**0.6**	**0.3**	**0.6**	**0.15**	**0.6**
Canopy Cover	**n/a**	**n/a**	**n/a**	**n/a**	**0.6**	**0.15**	**0**
Water Appearance	**0.15**	**0.15**	**0**	**0**	**0**	**0**	**0**
Nutrient Enrichment	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Manure or Human Waste	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Pools	**0.3**	**0.6**	**0.3**	**0**	**0.6**	**0.3**	**0**
Barriers to Movement	**0.15**	**0.15**	**0.15**	**0**	**0**	**0**	**0**
Fish Habitat Complexity	**n/a**	**n/a**	**n/a**	**n/a**	**0.6**	**0.6**	**0**
Aquatic Invertebrate Habitat	**0.6**	**0.15**	**0.3**	**0**	**0.6**	**0.3**	**0**
Aquatic Invertebrate Community	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Riffle Embeddedness	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Salinity	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Site Protection	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Timing of Mitigation	**0.05**	**0.05**	**0.05**	**0.05**	**0.05**	**0.05**	**0.05**
Sum Factors (M)=	**3.95**	**3.8**	**3.2**	**1.7**	**9.05**	**2.4**	**1.7**
Stream length in Reach (do not count each blank separately) (LF)=	**274**	**654**	**338**	**700**	**110**	**290**	**760**
Total Credits (M X LF)=	**1,082**	**2,485**	**1,082**	**1,190**	**995**	**696**	**1,292**

B. Total Channel Restoration/Relocation Credits Generated = 8,822

WETLAND DELINEATION REPORT
FISHERS RIDGE

TOWN OF VICTOR
ONTARIO COUNTY, NEW YORK

Prepared for:

THE DIMARCO GROUP
1950 Brighton-Henrietta Townline Road
Rochester, New York 14623

Prepared by:

TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.
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Phoenix, New York 13135

July 2007

(Revised July 2008)

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LIST OF FIGURES

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Figure 1. Site Location

Figure 2. NYS Freshwater Wetlands Map

Figure 3. National Wetlands Inventory Map

Figure 4. Soil Survey Map

Figure 5. Vegetation Cover Type Map

Figure 6. Wetlands Location Map

Figure 7. Wetland Boundaries with Sample Plot and Photograph Locations

Figure 8. Drainage Basin

1.0 INTRODUCTION

Terrestrial Environmental Specialists, Inc. (TES) was contracted by The DiMarco Group to delineate and describe the wetlands on a site for a proposed residential and commercial development in the Town of Victor, Ontario County, New York. The site is approximately 100 acres in size and is located south of Interstate 90 near Exit 45, and north of NYS Route 96 (Figure 1).

The TES wetland investigation consisted of a review of available background information and a field review for wetlands and other regulated waters. This report addresses the result of our background information and field wetland delineation. A variety of figures are included with this report, along with photographs and field data sheets.

2.0 BACKGROUND INFORMATION

Prior to the field investigation, various maps and other sources of background information were reviewed. These included the following.

- New York State Department of Transportation (NYSDOT) topographic maps (Victor and Fairport quadrangles) (Figure 1).
- New York State Department of Environmental Conservation (NYSDEC) New York State Freshwater Wetlands map (Figure 2).
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) map (Figure 3).
- U.S.D.A. Natural Resources Conservation Service (NRCS) Soil Survey map (Figure 4) and descriptions.
- A 2002 aerial photograph obtained from NYSGIS Clearinghouse (Figure 5).
- A topographic property survey map prepared by McMahon LaRue Associates, P.C.

These background resource maps were used to prepare figures and are provided after the text of the report.

3.0 METHODS

The agency resource information maps, soil descriptions, and the aerial photograph discussed above were used during the field review of the site. These maps and information assisted in the identification of potential wetland areas.

Flagging of the wetland boundaries on the site was performed by TES on November 15, 2005. An additional parcel was added to the original site boundary and that portion was flagged on May 7, 2007. Additional flagging of wetlands was preformed on May 14, 2008. The boundaries were delineated using the federal criteria for vegetation, soils, and hydrology (Environmental Laboratory 1987, Reed 1988, USSCS 1989).

Surveyor's ribbon was placed along the wetland boundary based on observations of vegetation, soils, and hydrology conditions. These observations were made along transects located perpendicular to the wetland boundary. Additional observations of vegetation, soils, and hydrology were made at intermediate locations between the transects for the placement of additional flagging. Each wetland flag was labeled with a letter identifier of the wetland and was numbered consecutively. The flagged wetland boundaries were surveyed by Costich Engineering and Bergmann Associates, who also calculated the wetland acreage.

To further support the wetland boundary, data on vegetation, soils, and hydrology were collected during the field effort in plots along transects located perpendicular to the wetland boundary on the site. Nineteen plots were sampled and their locations are shown on Figure 7. Plots were located on the upland and wetland sides of the boundary at various locations. The plot data were recorded on data sheets similar to those used in the federal manual (Environmental Laboratory 1987).

Vegetation data were collected in the plots at both the upland and wetland end of each transect. Ocular estimates of the percent areal cover by plant species for each vegetation layer (tree, shrub, and herbaceous layers) were recorded. The plots varied in size by vegetation layer being sampled. The sizes were 30-foot diameter for the trees, 10-foot diameter for the shrubs, and 5-foot diameter for the herbaceous layer.

The presence of wetland vegetation was determined when more than 50 percent of the dominant species in a sample plot had an indicator status of obligate (OBL), facultative-wet (FACW), or facultative (FAC+, FAC), excluding FAC-. The dominant species for each layer in a plot were determined by ranking the species in decreasing order of percent cover and recording those species which, when cumulatively totaled, immediately exceeded 50 percent of the total cover of that layer. Additionally, any plant species that comprised 20 percent or more of the total cover for each layer was considered to be a dominant species.

Scientific nomenclature for plant species follows *A Checklist of New York State Plants* (Mitchell and Tucker 1997). The indicator status for each dominant plant species was determined using the *National List of Plants that Occur in Wetlands: Northeast (Region 1)* (Reed 1988) and the *1995 Supplement To the List Of Plant Species That Occur In Wetlands: Northeast (Region 1)* (Tiner *et al.* 1995). For any species not included in the list, the indicator status was designated using the *Manual of Vascular Plants of Northeastern United States and Adjacent Canada* (Gleason and Cronquist 1991), *New Britton and Brown Illustrated Flora* (Gleason 1952), and *Gray's Manual of Botany* (Fernald 1950).

Soil and hydrology data were collected in soil pits or soil borer holes to a minimum depth of 20 inches within each sample plot. Soil characteristics were noted along the soil profile at the depth specified by the Corps criteria (Environmental Laboratory 1987). Procedures for identifying hydric soils as outlined in the *Field Indicators of Hydric Soils in the United States* (USDA NRCS 1995) were also followed. Soil colors were determined by using the Munsell color chart. Primary and secondary indicators of hydrology were also noted at each sample plot. The wetland boundary was refined on the basis of intermediate soil borer holes along each transect.

4.0 RESULTS

The following section of the report includes a site description, site ecology, and wetland descriptions at the Fishers Ridge site.

4.1 General Site Description

The NYSDOT topographic map (Figure 1) shows that the site lies south of the NYS Thruway (I-90) and northeast of NYS Route 96. The topography of the site is hilly, with slopes ranging up to 25% or more. The site generally slopes from north to south with elevations ranging from 750 feet above mean sea level (msl) to 600 feet msl near NYS Route 96. A hill in the western section of the site reaches an elevation of 725 feet msl. Portions of the site have been mined in the past, and there are numerous mine roads and trails evident on maps and the aerial photograph (Figure 5).

Drainage on the site is generally to the south. One intermittent stream is shown on the topographic map in the center of the site; it is a tributary to Irondequoit Creek. No streams are shown on the site on the NYSDEC stream classification map, although several drainages are shown on the soil survey map (Figure 4).

According to the NYSDEC New York State freshwater wetlands map, there are no state-regulated wetlands on the site, although wetland FA-2 is approximately 500 feet to the southwest of the site (Figure 2).

The USFWS NWI map (Figure 3) shows two small ponds on the site; one is an impoundment and the other excavated. The impoundment is part of the wetlands delineated on the site. The excavated pond is either in error on the NWI map or no longer exists.

The NRCS soil survey map (Figure 4) shows a variety of gravelly soils on the property, which include: Ontario fine sandy loam, 3 to 10% slopes; Ontario fine sandy loam, eroded, 10 to 20% slopes; Ontario gravelly loam, 3 to 10% slopes; Ontario gravelly loam, eroded, 10 to 20% slopes; Ontario, Lansing, and Honeoye soils, 30 to 60% slopes; Palmyra and Howard soils, 25 to 35% slopes; Palmyra gravelly loam, 5 to 15% slopes; and Palmyra gravelly loam, 15 to 25% slopes. Ontario and Palmyra are the most common soils on the site. None of the soils on the site are hydric (wetland) soils or soils with potential hydric inclusions. In the southeastern portion of the site areas of moderate sheet erosion are shown within the Palmyra soil. A fairly large area in the southern part of the site is shown on Figure 4 as having moderate sheet erosion.

The 2002 aerial photograph (Figure 5) shows a very disturbed site, with old roads and trails throughout. Dense shrub communities and patches of deciduous forest dominate the site. Open fields are present in the northern portion of the site.

4.2 Site Ecology

The site consists of a variety of cover types including open field, scrub-shrub upland, and deciduous forest upland (Figure 5). Much of the site has been disturbed by past mining activities.

Open fields are located in the northern portion of the site. The herbaceous layer in these fields is comprised of grasses and forbs characteristic of waste areas.

Scrub-shrub uplands are distributed throughout the site (Figure 5). Most of these scrub-shrub communities developed on previously mined areas. Scattered trees of white ash (*Fraxinus americana*) and sweet cherry (*Prunus avium*) occurred in the scrub-shrub uplands. Dense shrub cover consisted of gray-stemmed dogwood (*Cornus foemina* ssp. *racemosa*), honeysuckle (*Lonicera* sp.), and autumn olive (*Eleagnus umbellata*). The herbaceous layer was dominated by Canada goldenrod (*Solidago canadensis*), red fescue (*Festuca rubra*), and colt's foot (*Tussilago farfara*), with garlic mustard (*Alliaria petiolata*), teasel (*Dipsacus fullonum*) and common reed (*Phragmites australis*) present in some locations.

Deciduous forest upland occurs in several locations on the site (Figure 5). It is generally dominated by eastern cottonwood (*Populus deltoides*), with quaking aspen (*Populus tremuloides*), white ash, and butternut (*Juglans cinerea*) also present. Shagbark hickory (*Carya ovata*) and black cherry (*Prunus serotina*) dominate one area of deciduous forest in the southern portion of the site. The forested areas have dense shrub layers consisting largely of gray-stemmed dogwood and honeysuckle, with privet (*Ligustrum* sp.) and tree saplings intermixed. The herbaceous layer is sparsely vegetated with scouring rush (*Equisetum hyemale*), poison ivy (*Toxicodendron radicans*), avens (*Geum* sp.), Canada goldenrod, and Timothy (*Phleum pratense*).

TES delineated five wetlands on the site. These wetlands are described in the following section and are shown on Figure 6.

4.3 Wetland Descriptions

This section of the report describes the five wetlands delineated on the site. The wetlands are labeled as Wetlands A, B, BB, C, and E and are shown on Figure 6. The total area of delineated wetlands on the site is 2.75 acres. Photographs and sample plot data were also obtained for the wetlands and are presented in Appendices A and B, respectively.

<u>Wetland A</u>

Wetland A is a 1.17-acre linear wetland consisting of three parts connected by drainages or culverts. It crosses the center of the site from the northern site boundary at the Thruway to the southern site boundary along NYS Route 96 (Figure 6). This wetland is associated with an intermittent stream, which drains through a culvert under Route 96. A portion of this wetland is the pond shown on the NWI map (Figure 3) located in the middle of the site. Wetland A is an emergent/scrub-shrub wetland with a dense herbaceous layer dominated by great willow-herb

(*Epilobium hirsutum*), reed canary grass (*Phalaris arundinacea*), common reed, redtop (*Agrostis gigantea*), and cattail (*Typha* sp.). Large patches of common reed occurs in places.

Approximately 1,097 linear feet of an intermittent stream (seasonal RPW) is associated with Wetland A. The stream channel is 3 to 4 feet wide and is cobble and silt substrate in the lower reach, with more silt and sand in the upper reach.

The soil in this linear wetland was variable consisting of sand, silt loam or sandy silt loam. These soils exhibited hydric soil indicators, such as low matrix chromas with mottles and a sulfidic odor. The ground surface was saturated and drainage patterns were evident.

Wetland B

Wetland B is a linear, scrub-shrub wetland along the southeastern site boundary (Figure 6). It is 0.79 acre in size. The shrub layer in this wetland is sparse, but includes nannyberry (*Viburnum lentago*) and gray-stemmed dogwood. The herbaceous layer in various portions of this wetland was dominated by skunk cabbage (*Symplocarpus foetidus*) and garlic mustard. Sedges (*Carex* spp.) and goldenrods (*Solidago rugosa* and *S. gigantea*) dominated other portions of this wetland.

Approximately 1,038 linear feet of intermittent stream (seasonal RPW) is associated with Wetland B. The stream channel is 1 to 2 feet wide and is primarily sand and silt substrate.

Although upland soil is mapped in this area, Wetland B occurred along a drainageway and the soil exhibited hydric soil indicators, such as low matrix chroma with mottles. The soil was saturated and there were drainage patterns in the wetland.

Wetland BB

Wetland BB is a linear wetland with the southern portion consisting of a scrub-shrub wetland area and the northern portion consisting of a deciduous forest wetland area (Figure 6). Wetland BB is 0.31 acre in size and connects to Wetland B in the southeastern section of the site. The scrub-shrub portion of the site contains a sparse covering of green ash (*Fraxinus pennsylvanica*) in the tree layer. Silky dogwood (*Cornus amomum*) and privet (*Ligustrum vulgare*) dominate the shrub layer. The herbaceous layer is dominated by horsetail (*Equisetum* sp.) and skunk cabbage.

The deciduous forest portion of Wetland BB is dominated by green ash in the overstory. The shrub layer consists of privet and nannyberry. Privet and aster (Aster sp.) dominate the herbaceous layer.

Although upland soil is mapped in this area, Wetland BB occurred along a drainageway and the soil exhibited hydric soil indicators, such as low matrix chromas with mottles. The soil was saturated and inundated in the wetland.

Wetland C

Wetland C is a small (0.05 acre) wet meadow wetland located just east of Wetland A. Sedges, goldenrods and boneset (*Eupatorium perfoliatum*) dominate the dense herbaceous layer of this wetland. Wetland C is connected to Wetland A via a culvert.

Approximately 307 feet of an ephemeral drain is associated with Wetland C. It is poorly defined in places and is mostly 1 to 2 feet wide and contains a silt/sand substrate.

Soil in this area exhibited hydric soil indicators, such as low matrix chromas but contained no mottles. The soil was saturated and there were drainage patterns evident in the wetland.

Wetland E

Wetland E is a linear, scrub-shrub wetland located in the southwestern portion of the site (Figure 6). It is 0.38 acre in size. The shrub layer in this wetland is dominated by tartarian honeysuckle (*Lonicera tatarica*) and silky dogwood (*Cornus amomum*). Skunk cabbage and grass (*Poa* sp.) dominated the herbaceous layer of this wetland.

Approximately 842 linear feet of an intermittent stream occurs in Wetland E. Portions of it have been channelized. It is a seasonal RPW, 2 to 3 feet in width, with a sand/silt substrate.

Although upland soil is mapped in this area, Wetland E occurred along a drainageway and the soil exhibited hydric soil indicators, such as low matrix chromas with mottles. The soil was saturated and there were drainage patterns in the wetland.

5.0 SUMMARY

TES conducted a wetland delineation on the Fishers Ridge site in the Town of Victor, Ontario County, New York. The approximately 100-acre site is located south of the NYS Thruway and north of NYS Route 96.

TES collected and reviewed available background information and maps, including topographic maps, wetland maps, soils maps and descriptions, and an aerial photograph to locate potential wetlands on the site. TES delineated wetlands on the site on November 15, 2005, May 7, 2007, and May 14, 2008 using methods described in the U.S. Army Corps of Engineers 1987 Wetlands Delineation Manual.

The site is disturbed, portions of it having been mined in the past. It now largely consists of open field and scrub-shrub upland communities with patches of deciduous forest upland, which are intersected by a number of dirt roads and trails. Drainage on the site is to the south, through an unmapped intermittent stream to Irondequoit Creek. No mapped NYSDEC wetlands occur on the site, although the NWI maps indicate some small excavated ponds. Most of the mapped soils on the site are gravelly; they are all upland soils.

Five wetlands totaling 2.75 acres were delineated on the site. They are referred to as Wetland A (1.17 acres), Wetland B (0.79 acre), Wetland BB (0.31 acre), Wetland C (0.05 acre), and Wetland E (0.38). All five wetlands are linear and occur along drainageways. Wetland cover types consist of wet meadow, emergent wetland, scrub-shrub wetland, and deciduous forest wetland. Descriptions of the wetlands are provided in the report.

6.0 REFERENCES

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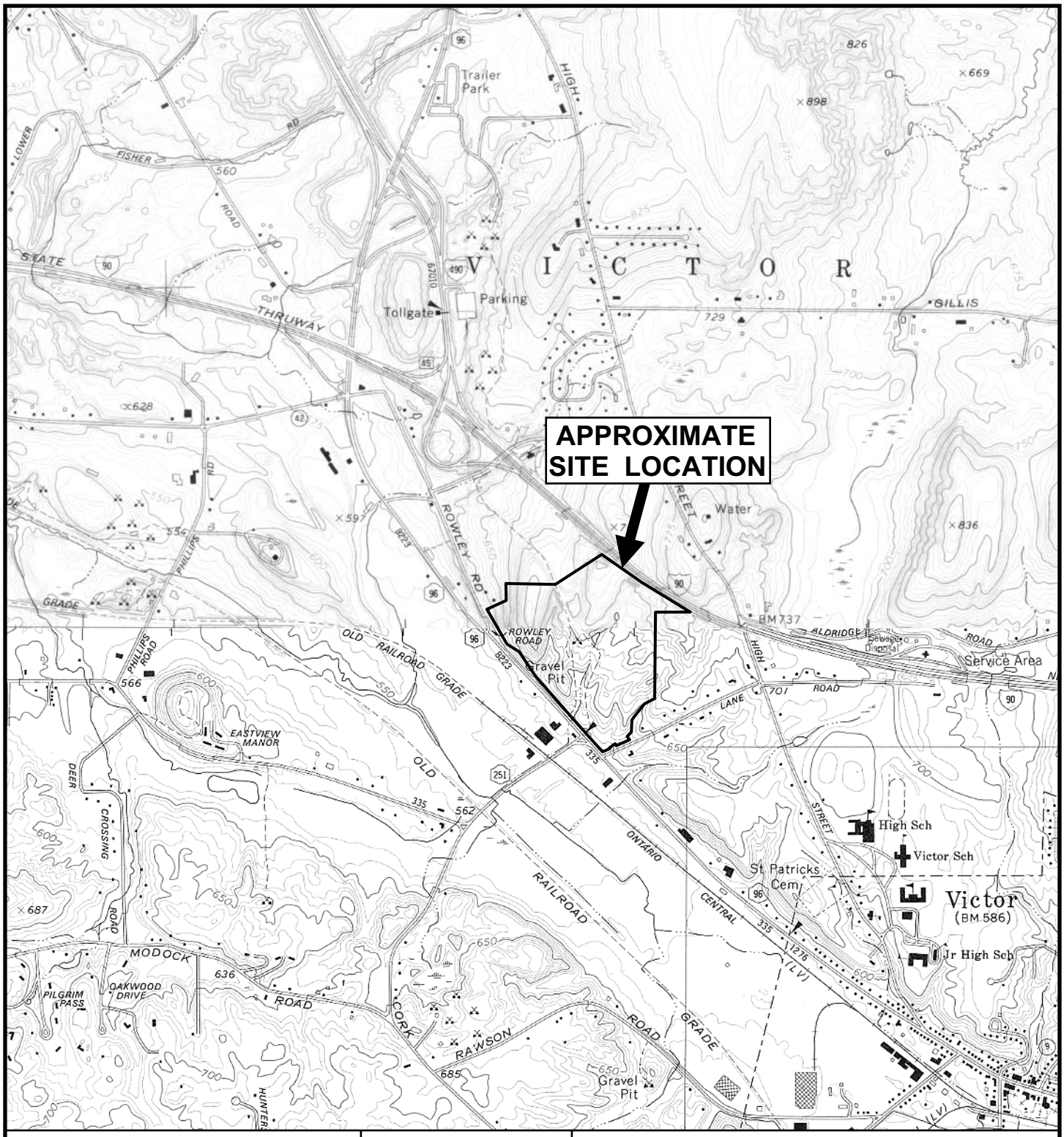


QUADRANGLE LOCATION

0 1000' 2000'

SCALE 1" = 2000'

NORTH

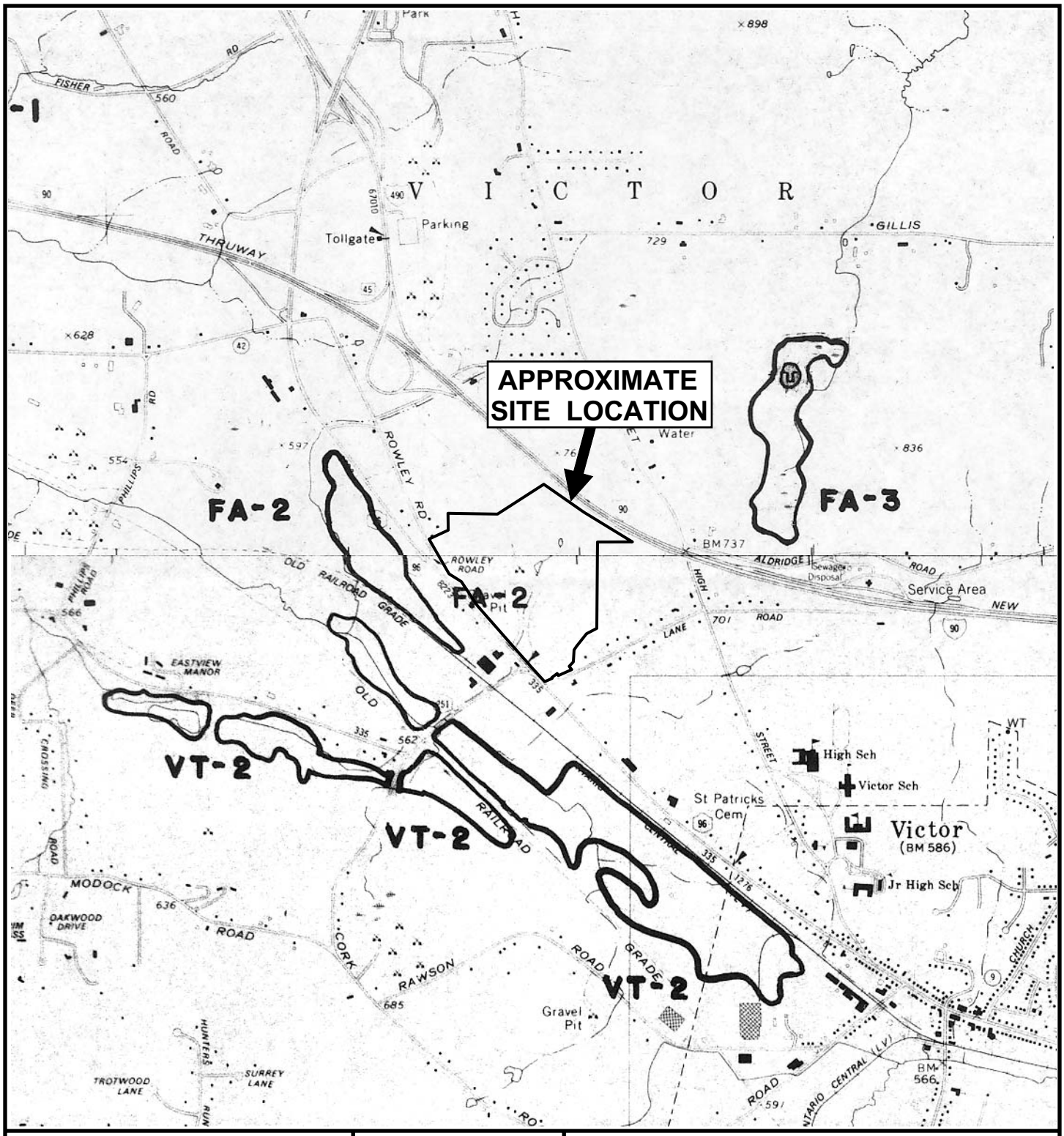
Figure 1. Site Location

NYS DOT Topographic Map

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig1.dsf\6-20-07



0 1000' 2000'

SCALE 1" = 2000'

NORTH

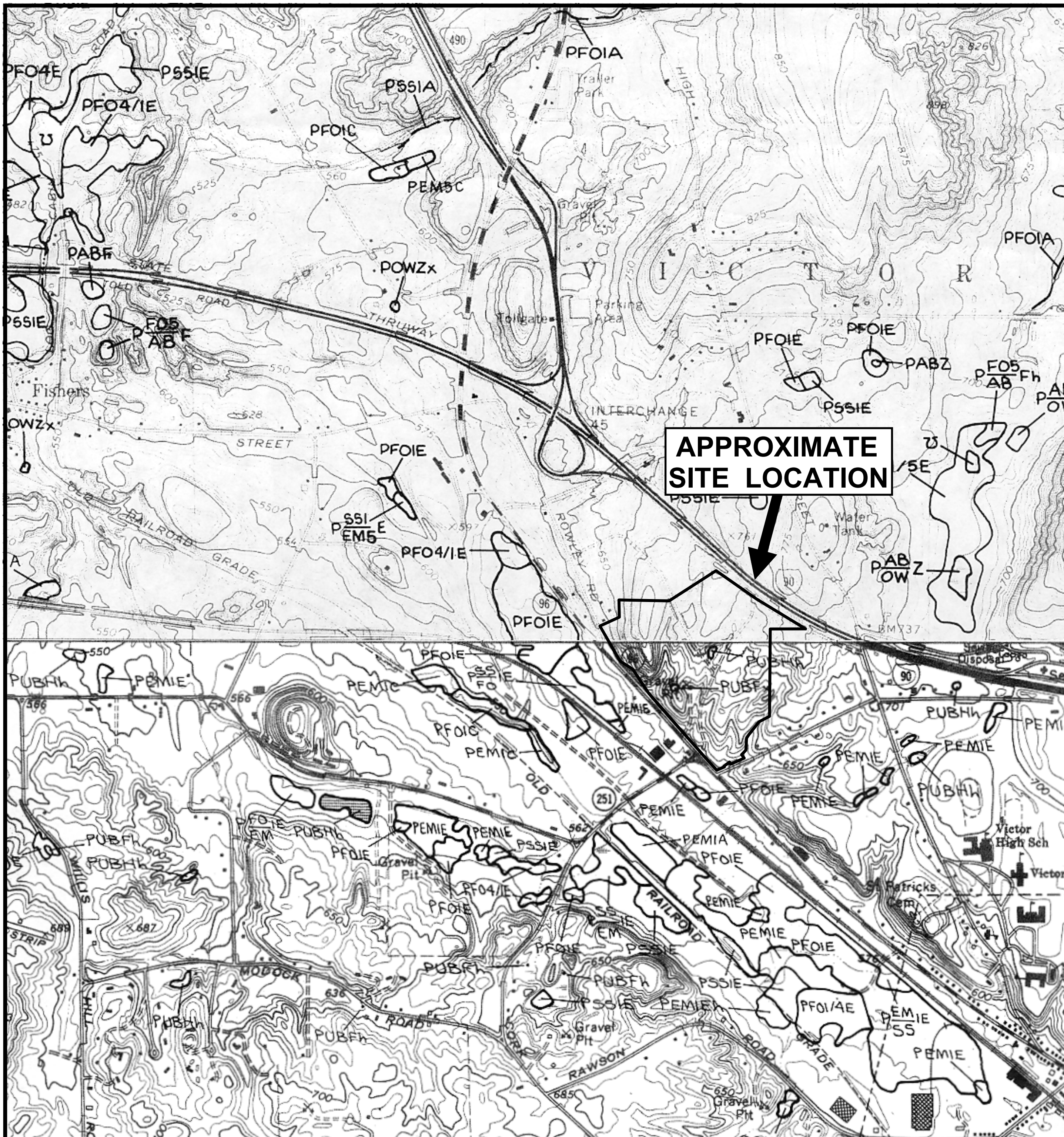
Figure 2. NYS Freshwater Wetlands Map

NYS Department of Environmental Conservation

Victor Quadrangle 1986
Fairport Quadrangle 1986

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig2.dsf\6-20-07



0 1000' 2000'

SCALE 1" = 2000'

NORTH

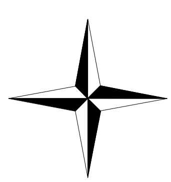


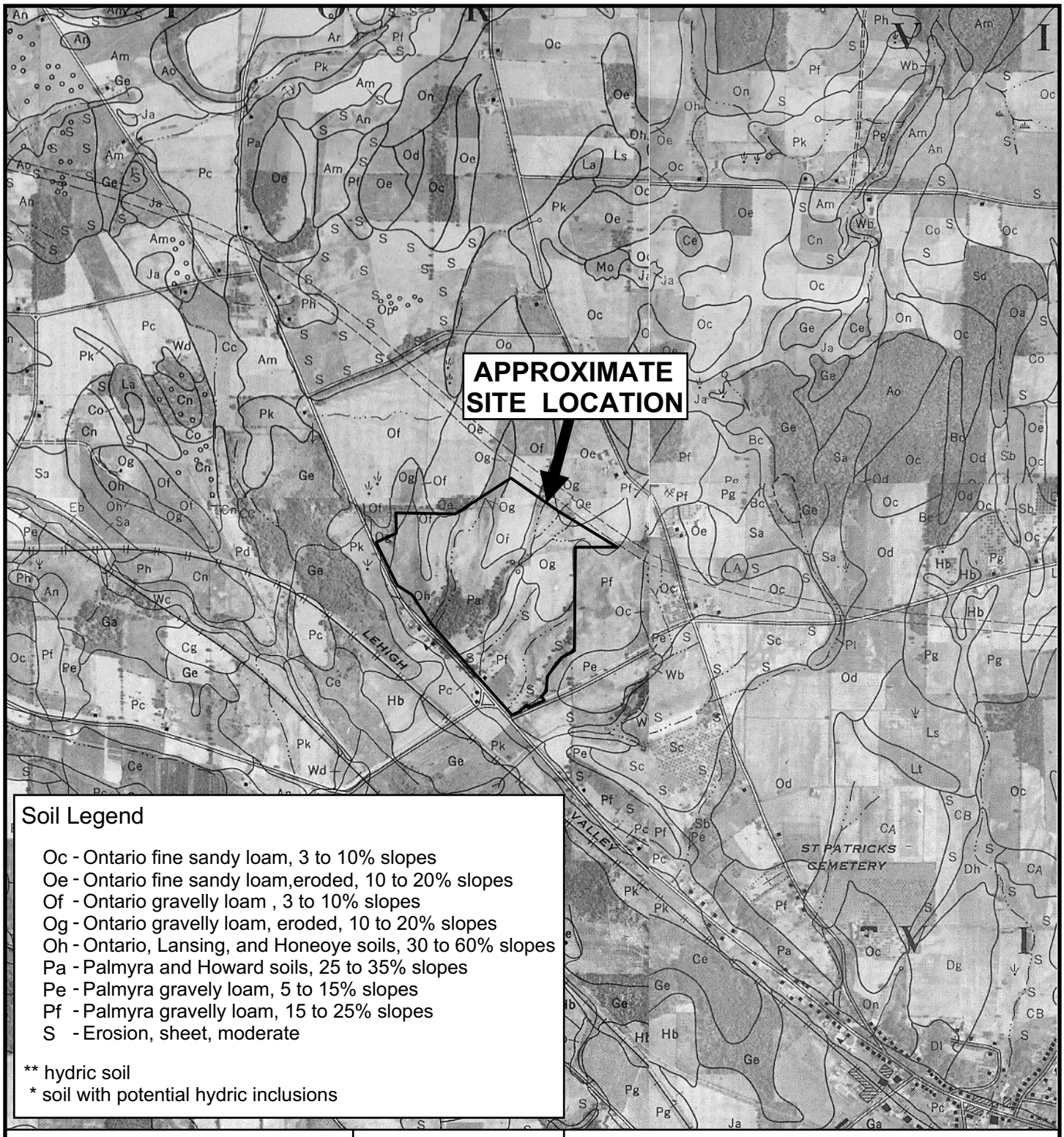
Figure 3. National Wetlands Inventory Map

U.S. Fish & Wildlife Service

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig3.ds4\6-20-07



Soil Legend

Oc - Ontario fine sandy loam, 3 to 10% slopes
Oe - Ontario fine sandy loam,eroded, 10 to 20% slopes
Of - Ontario gravelly loam , 3 to 10% slopes
Og - Ontario gravelly loam, eroded, 10 to 20% slopes
Oh - Ontario, Lansing, and Honeoye soils, 30 to 60% slopes
Pa - Palmyra and Howard soils, 25 to 35% slopes
Pe - Palmyra gravely loam, 5 to 15% slopes
Pf - Palmyra gravelly loam, 15 to 25% slopes
S - Erosion, sheet, moderate

** hydric soil
* soil with potential hydric inclusions

SITE LOCATION

0 833' 1666'

SCALE 1" = 1666'

NORTH

Figure 4. Soil Survey Map

U.S. Soil Conservation Service

Ontario County Soil Survey

1958

Sheets 1, 2, 7, and 8

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig4.dsf\6-20-07

LEGEND

D/R - Developed/Residential
OF - Open Field
SSU - Scrub-Shrub Upland
DFU - Deciduous Forest Upland
EW - Emergent Wetland
SSW - Scrub-Shrub Wetland

NORTH

0 200' 400'

Approximate Scale in Feet

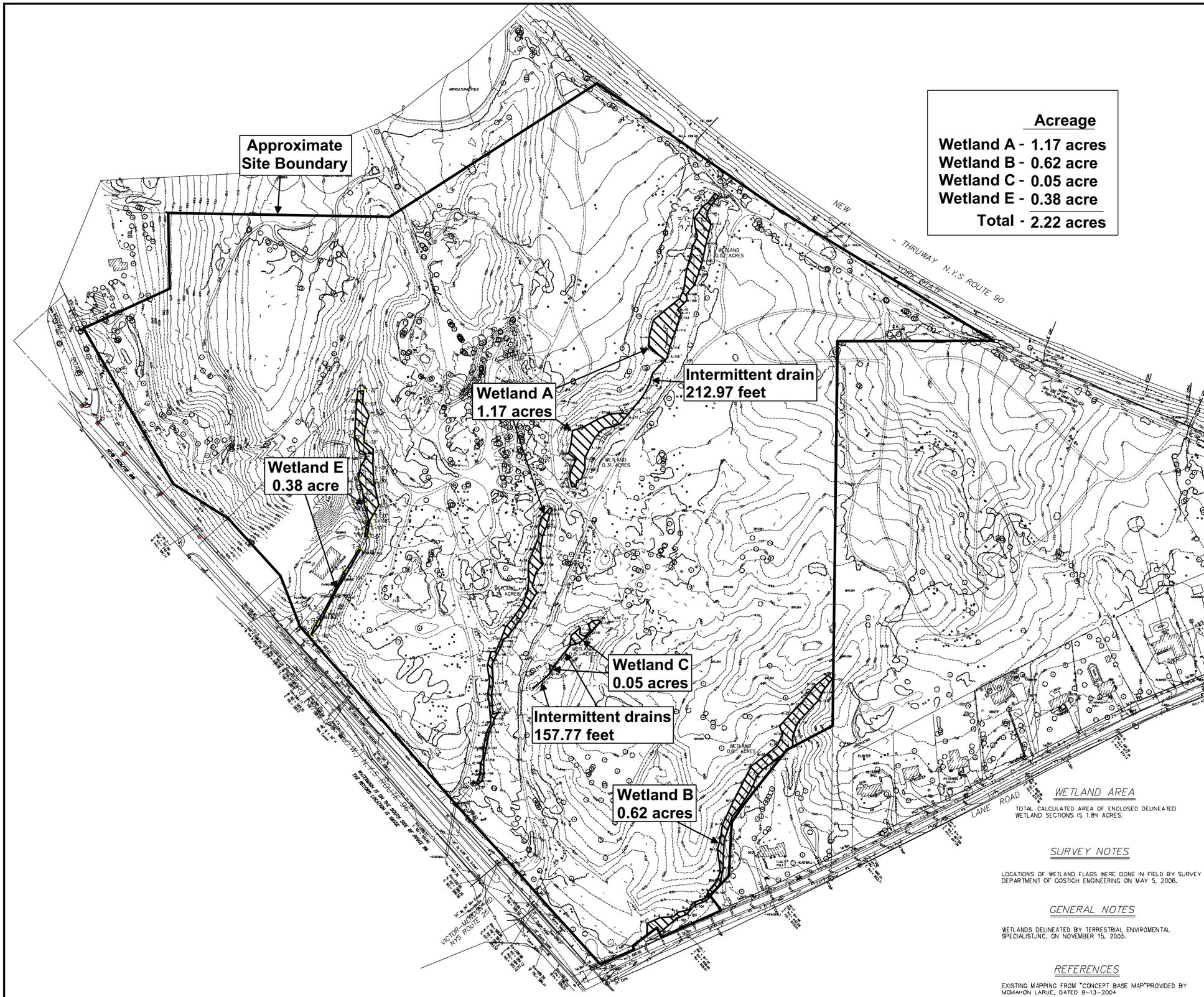
Figure Prepared by Terrestrial Environmental Specialists, Inc.

2002 Aerial Photograph Obtained from New York State GIS Clearinghouse

Figure 5.

Vegetation Cover Type Map

TES File: COS-3050/3050fig5.dsf/7-07-08



Acreage	
Wetland A -	1.17 acres
Wetland B -	0.62 acre
Wetland C -	0.05 acre
Wetland E -	0.38 acre
Total -	2.22 acres

NORTH

150' 300'

APPROXIMATE SCALE IN FEET

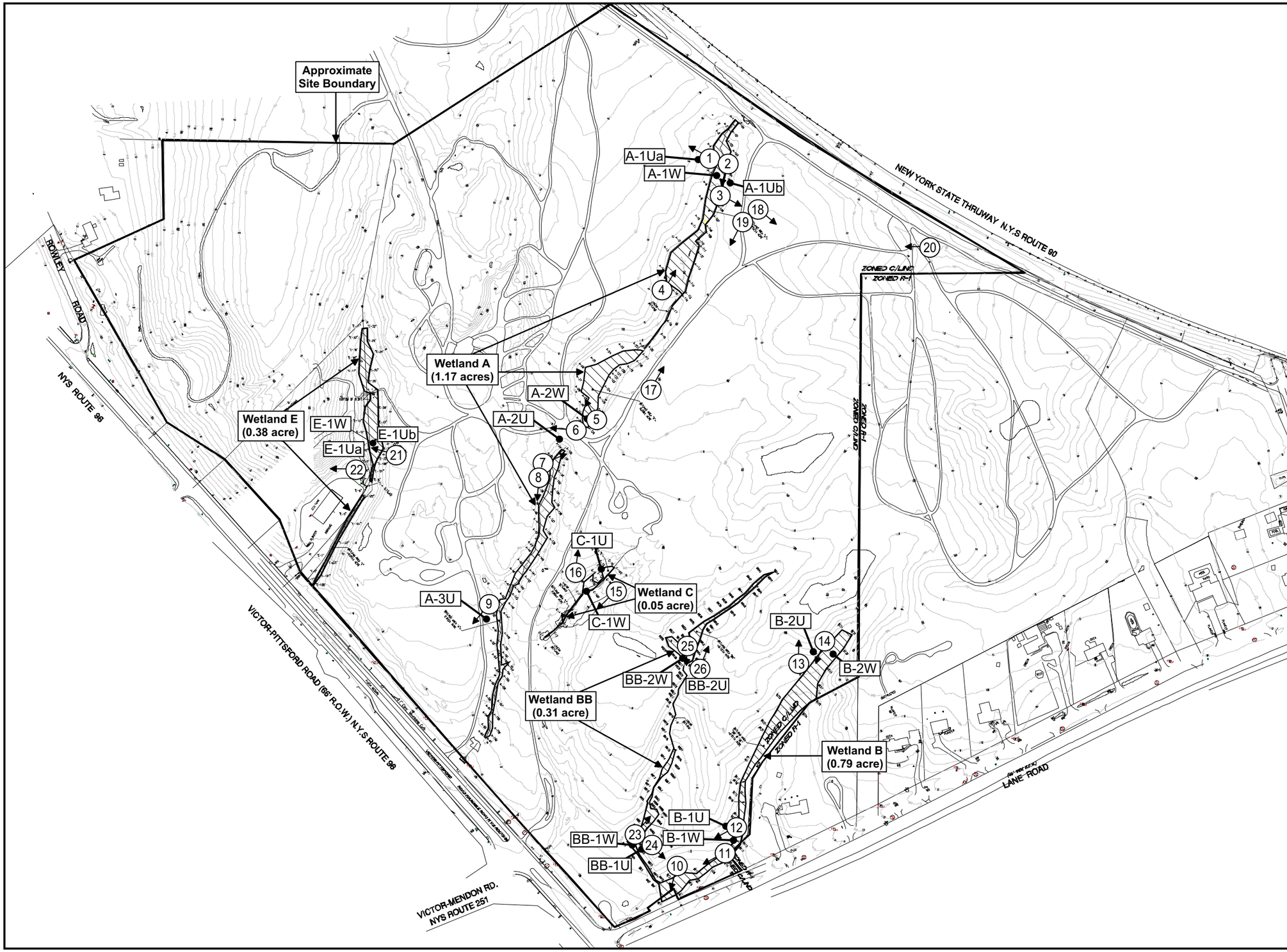
Figure prepared by
Terrestrial Environmental Specialists, Inc.

Base Map provided by
Costich Engineering

Figure 6.

Wetland Location Map

TES File: COS-3050\3050fig6.dsf\7-6-07



LEGEND

Wetland

B-1W Sample Plot Location

1 → Photo Location and Direction

NORTH

0 150' 300'

APPROXIMATE SCALE IN FEET

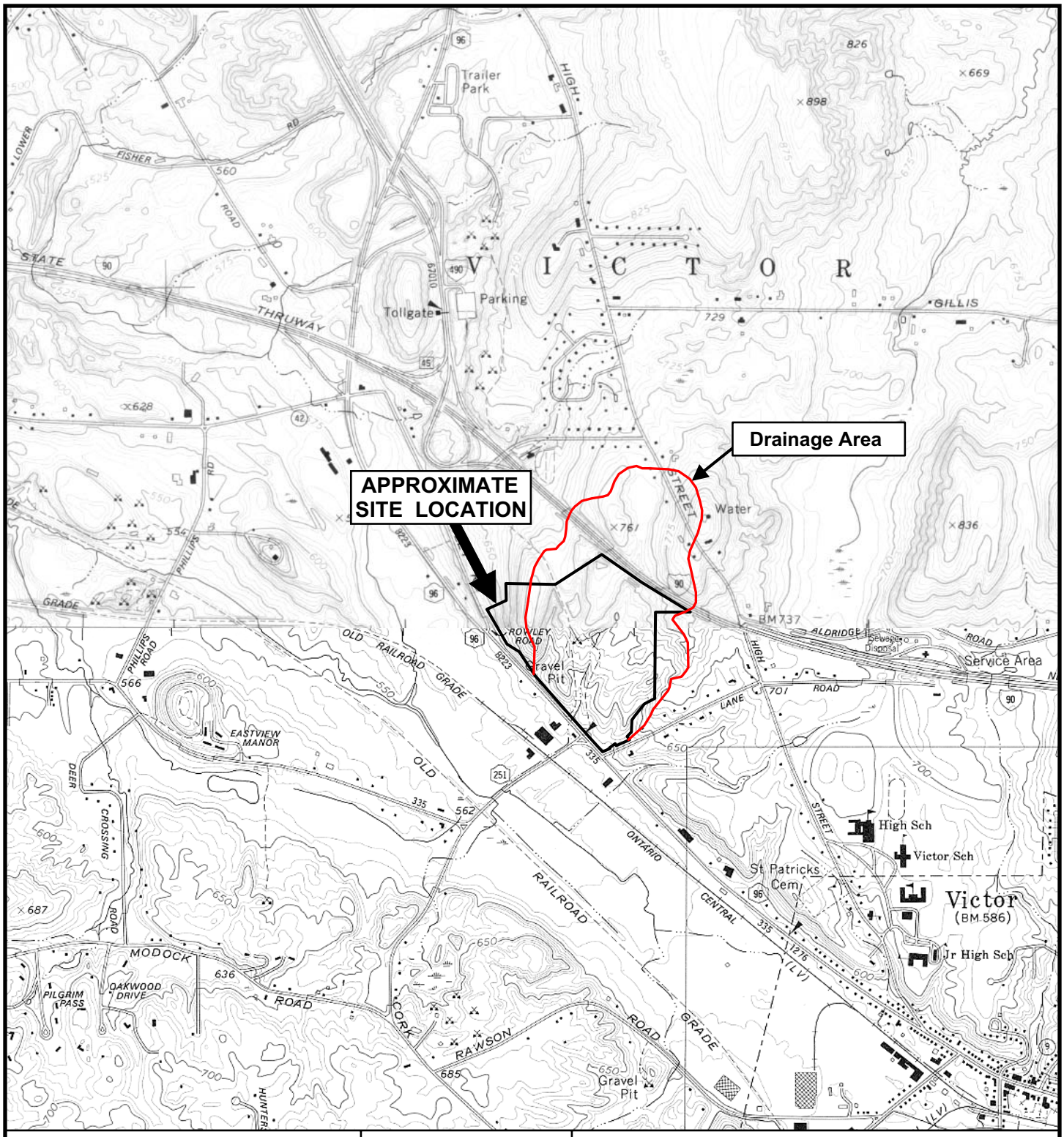
Figure Prepared by Terrestrial Environmental Specialists, Inc.

Base Map Provided by Bergmann Associates

Figure 7.

Wetland Boundaries with Sample Plot and Photograph Locations

TES File: COS-3050\3050plot+photo.dsf\07-08-08



0 1000' 2000'

SCALE 1" = 2000'

NORTH

Figure 8. Drainage Area

NYS DOT Topographic Map

Victor Quadrangle 1979
Fairport Quadrangle 1980

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: COS-3050\3050fig8.dsf\7-17-08

APPENDIX A – Photographs

Photo 1.

Photo 2.

Photo 3.

Photo 4.

Photo 5.

Photo 6.

Photo 7.

Photo 8.

Photo 9.

Photo 10.

Photo 11.

Photo 12.

Photo 13.

Photo 14.

Photo 15.

Photo 16.

Photo 17.

Photo 18.

Photo 19.

Photo 20.

Photo 21.

Photo 22.

Photo 23.

Photo 24.

Photo 25.

Photo 26.

APPENDIX B – Wetland Determination Data Sheets

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** A-1Ua **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Upland

Investigators: JMM-SLS-KLM **Flag No.:** A-6 **Field Photo** (roll/frame): 1

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Prunus avium	20%	UPL	*
Fraxinus americana	20%	FACU	*

Dominance = 40 **50% =** 20.0 **20% =** 8.0

SHRUBS

Species	Cover	Status	*
Lonicera sp.	80%	FAC-	*
Cornus foemina ssp. racemosa	20%	FAC-	*

Dominance = 100 **50% =** 50.0 **20% =** 20.0

HERBS

Species	Cover	Status	*
Solidago canadensis	30%	FACU	*
Dipsacus fullonum	5%	FAC-	
Cornus foemina ssp. racemosa	5%	FAC-	

Dominance = 40 **50% =** 20.0 **20% =** 8.0

VINES

Species	Cover	Status	*
Vitis sp.	10%	FAC	*

Dominance = 10 **50% =** 5.0 **20% =** 2.0

Percent of Dominant Species that are OBL, FACW, and/or FAC: 16.7%

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Ontario gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 4 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3/2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/3

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Silt//Loam

B horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** A-1W **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Emergent Wetland

Investigators: JMM-SLS-KLM **Flag No.:** _____ **Field Photo** (roll/frame): 2

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Dominance = **50% =** **20% =**

HERBS

Species	Cover	Status	*
Epilobium hirsutum	70%	FACW	*
Phalaris arundinacea	30%	FACW	*
Agrostis gigantea	10%	FACW	
Typha sp.	10%	OBL	
Juncus effusus	5%	FACW+	
Dipsacus fullonum	5%	FAC-	

Dominance = 130 **50% =** 65.0 **20% =** 26.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **100.0%**

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Ontario gravelly loam, eroded **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 4 (in.)

Mottled Yes

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4 / 2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 1

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☑ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

3 / 4

A horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

Mottle abundance: (few/common/many) Many

Mottle contrast: (faint/distinct/prominent) Prominent

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☑ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** 1 (in.)

% Area inundated: ☐ 1-25 ☑ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** ____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☑ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☑ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** A-1Ub **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Upland

Investigators: JMM-SLS-KLM **Flag No.:** A-104 **Field Photo** (roll/frame): 3

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Species	Cover	Status	*
Cornus foemina ssp. racemosa	70%	FAC-	*
Lonicera sp.	20%	FAC-	*

Dominance = 90 **50% =** 45.0 **20% =** 18.0

HERBS

Species	Cover	Status	*
Solidago canadensis	30%	FACU	*
Tussilago farfara	20%	FACU	*
Lonicera sp.	20%	FAC-	*
Alliaria petiolata	5%	FACU-	

Dominance = 75 **50% =** 37.5 **20% =** 15.0

VINES

Species	Cover	Status	*
Vitis sp.	50%	FAC	*

Dominance = 50 **50% =** 25.0 **20% =** 10.0

Percent of Dominant Species that are OBL, FACW, and/or FAC: 16.7%

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Ontario gravelly loam, eroded **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 3 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/3

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5/4

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** A-2U **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Upland

Investigators: JMM-SLS-KLM **Flag No.:** A-33 **Field Photo** (roll/frame): 6

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Fraxinus americana	5%	FACU	*

Dominance = 5 **50% =** 2.5 **20% =** 1.0

SHRUBS

Species	Cover	Status	*
Elaeagnus umbellata	30%	FACU	*
Lonicera sp.	10%	FAC-	*

Dominance = 40 **50% =** 20.0 **20% =** 8.0

HERBS

Species	Cover	Status	*
Festuca rubra	30%	FACU	*
Tussilago farfara	20%	FACU	*
Solidago canadensis	10%	FACU	
Phragmites australis	5%	FACW	
Andropogon virginicus	5%	FACU	

Dominance = 70 **50% =** 35.0 **20% =** 14.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 0.0%

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra and Howard soils **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 12 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 6

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Gravel

B horizon soil texture: (sand/silt/clay/loam/other)

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** A-2W **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Emergent Wetland

Investigators: JMM-SLS-KLM **Flag No.:** A-32 **Field Photo** (roll/frame): 5

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Species	Cover	Status	*
Salix sp.	5%	FACW	*

Dominance = 5 **50% =** 2.5 **20% =** 1.0

HERBS

Species	Cover	Status	*
Phragmites australis	100%	FACW	*
Salix sp.	3%	FACW	

Dominance = 103 **50% =** 51.5 **20% =** 20.6

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **100.0%**

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra and Howard soils **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 2 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

2 / 1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4 / 2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3 / 1

A horizon soil texture: (sand/silt/clay/loam/other) Sand

B horizon soil texture: (sand/silt/clay/loam/other) Sand

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☑ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** 3 (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** ____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☐ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☑ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** A-3U **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forest Upland

Investigators: JMM-SLS-KLM **Flag No.:** _____ **Field Photo** (roll/frame): 10

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Populus deltoides	60%	FAC	*
Juglans cinerea	5%	FACU+	

Dominance = 65 **50% =** 32.5 **20% =** 13.0

SHRUBS

Species	Cover	Status	*
Lonicera sp.	70%	FAC-	*

Dominance = 70 **50% =** 35.0 **20% =** 14.0

HERBS

Species	Cover	Status	*
Geum sp.	20%	FAC	*
Solidago canadensis	20%	FACU	*
Phleum pratense	20%	FACU	*
Alliaria petiolata	10%	FACU-	
Verbena urticifolia	5%	FACU	

Dominance = 75 **50% =** 37.5 **20% =** 15.0

VINES

Species	Cover	Status	*
Vitis sp.	20%	FAC	*

Dominance = 20 **50% =** 10.0 **20% =** 4.0

Percent of Dominant Species that are OBL, FACW, and/or FAC: **50.0%**

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 8 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other - _____

3/2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other - _____

4/2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other - _____

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Gravel

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Gravel

Mottle abundance: (few/common/many) _____

Mottle contrast: (faint/distinct/prominent) _____

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks: *disturbed- old mine area*

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** _____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** _____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks: *Upland adjacent to waterbank*

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** B-1U **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forest Upland

Investigators: JMM-SLS-KLM **Flag No.:** _____ **Field Photo** (roll/frame): 13

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Carya ovata	60%	FACU	*
Prunus serotina	30%	FACU	*

Dominance = 90 **50% =** 45.0 **20% =** 18.0

SHRUBS

Species	Cover	Status	*
Fraxinus americana	70%	FACU	*
Ligustrum vulgare	10%	FACU	
Carya ovata	10%	FACU	

Dominance = 90 **50% =** 45.0 **20% =** 18.0

HERBS

Species	Cover	Status	*
Fraxinus americana	20%	FACU	*

Dominance = 20 **50% =** 10.0 **20% =** 4.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 0.0%

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 4 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/3

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** B-1W **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Wetland

Investigators: JMM-SLS-KLM **Flag No.:** B-10 **Field Photo** (roll/frame): 12

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Species	Cover	Status	*
Viburnum lentago	20%	FAC	*

Dominance = 20 **50% =** 10.0 **20% =** 4.0

HERBS

Species	Cover	Status	*
Symplocarpus foetidus	30%	OBL	*
Alliaria petiolata	20%	FACU-	*
Ligustrum vulgare	5%	FACU	

Dominance = 55 **50% =** 27.5 **20% =** 11.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 66.7%

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: palmyra gravelly loam **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 8 (in.)

Mottled Yes

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4 / 1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4 / 4

A horizon soil texture: (sand/silt/clay/loam/other) SiltLoam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

Mottle abundance: (few/common/many) Many

Mottle contrast: (faint/distinct/prominent) Distinct

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☑ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** 10 (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☑ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☐ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☑ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** B-2U **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forest Upland

Investigators: JMM-SLS-KLM **Flag No.:** _____ **Field Photo** (roll/frame): 14

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Populus deltoides	60%	FAC	*
Populus tremuloides	10%	FACU	
Fraxinus americana	5%	FACU	

Dominance = 75 **50% =** 37.5 **20% =** 15.0

SHRUBS

Species	Cover	Status	*
Cornus foemina ssp. racemosa	40%	FAC-	*
Carpinus caroliniana	20%	FAC	*

Dominance = 60 **50% =** 30.0 **20% =** 12.0

HERBS

Species	Cover	Status	*
Equisetum hyemale	90%	FACW	*
Toxicodendron radicans	20%	FAC	
Alliaria petiolata	10%	FACU-	

Dominance = 120 **50% =** 60.0 **20% =** 24.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 75.0%

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 10 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/3

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** B-2W **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub-Wetland

Investigators: JMM-SLS-KLM **Flag No.:** B-23 **Field Photo** (roll/frame): 15

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Species	Cover	Status	*
Cornus foemina ssp. racemosa	5%	FAC-	*

Dominance = 5 **50% =** 2.5 **20% =** 1.0

HERBS

Species	Cover	Status	*
Carex sp.	60%	FAC	*
Solidago rugosa	30%	FAC	*
Solidago gigantea	5%	FACW	

Dominance = 95 **50% =** 47.5 **20% =** 19.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 66.7%

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 10 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

2 / 1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 4

A horizon soil texture: (sand/silt/clay/loam/other) Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

Mottle abundance: (few/common/many) Common

Mottle contrast: (faint/distinct/prominent) Distinct

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** ____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☑ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☐ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☑ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** BB-1U **Date:** 5/14/2008

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Upland

Investigators: J.McMullen, M.Caves **Flag No.:** BB-6 **Field Photo** (roll/frame): 3

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Fraxinus americana	35%	FACU	*

Dominance = 35 **50% =** 17.5 **20% =** 7.0

SHRUBS

Species	Cover	Status	*
Ligustrum vulgare	80%	FACU	*
Lonicera tatarica	40%	FACU	*

Dominance = 120 **50% =** 60.0 **20% =** 24.0

HERBS

Species	Cover	Status	*
Viburnum opulus v. americanum	40%	FACW	*
Toxicodendron radicans	35%	FAC	*
Alliaria petiolata	15%	FACU-	
Ranunculus sp.	10%	FAC	
Fraxinus americana	5%	FACU	

Dominance = 105 **50% =** 52.5 **20% =** 21.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **40.0%**

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 6 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3/2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3/3

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** BB-1W **Date:** 5/14/2008

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Wetland

Investigators: J.McMullen, M. Caves **Flag No.:** BB-6 **Field Photo** (roll/frame): 2

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Fraxinus pennsylvanica	25%	FACW	*

Dominance = 25 **50% =** 12.5 **20% =** 5.0

SHRUBS

Species	Cover	Status	*
Cornus amomum	45%	FACW	*
Ligustrum vulgare	35%	FACU	*

Dominance = 80 **50% =** 40.0 **20% =** 16.0

HERBS

Species	Cover	Status	*
Equisetum arvense	30%	FAC	*
Symplocarpus foetidus	20%	OBL	*
Onoclea sensibilis	15%	FACW	
Aster sp.	10%	FAC	
Fraxinus pennsylvanica	10%	FACW	
Toxicodendron radicans	5%	FAC	

Dominance = 90 **50% =** 45.0 **20% =** 18.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **80.0%**

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 8 (in.)

Mottled Yes

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3 / 1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4 / 2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 6

A horizon soil texture: (sand/silt/clay/loam/other) Sand/loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand

Mottle abundance: (few/common/many) Many

Mottle contrast: (faint/distinct/prominent) Prominent

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** 1 (in.)

% Area inundated: ☑ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** ____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☑ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☑ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** BB-2U **Date:** 5/14/2008

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forest Upland

Investigators: J.McMullen, M. Caves **Flag No.:** _____ **Field Photo** (roll/frame): 9

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Populus deltoides	35%	FAC	*
Prunus serotina	15%	FACU	*

Dominance = 50 **50% =** 25.0 **20% =** 10.0

SHRUBS

Species	Cover	Status	*
Lonicera tatarica	50%	FACU	*
Cornus foemina ssp. racemosa	35%	FAC-	*
Ligustrum vulgare	20%	FACU	
Rhamnus cathartica	10%	FACU+	
Cornus amomum	5%	FACW	

Dominance = 120 **50% =** 60.0 **20% =** 24.0

HERBS

Species	Cover	Status	*
Viburnum opulus v. americanum	30%	FACW	*
Fraxinus pennsylvanica	15%	FACW	*
Rosa multiflora	5%	FACU	

Dominance = 50 **50% =** 25.0 **20% =** 10.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **50.0%**

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 10 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3 / 2

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

5 / 4

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** BB-2W **Date:** 5/14/2008

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forest Wetland

Investigators: J.McMullen, M. Caves **Flag No.:** _____ **Field Photo** (roll/frame): 8

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Fraxinus pennsylvanica	20%	FACW	*

Dominance = 20 **50% =** 10.0 **20% =** 4.0

SHRUBS

Species	Cover	Status	*
Ligustrum vulgare	50%	FACU	*
Viburnum lentago	15%	FAC	
Fraxinus pennsylvanica	15%	FACW	

Dominance = 80 **50% =** 40.0 **20% =** 16.0

HERBS

Species	Cover	Status	*
Ligustrum vulgare	35%	FACU	*
Aster sp.	20%	FAC	*
Equisetum sp.	10%	FAC	
Ranunculus sp.	5%	FAC	

Dominance = 70 **50% =** 35.0 **20% =** 14.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **50.0%**

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 8 (in.)

Mottled Yes

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other - 3/1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other - 4/2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other - 5/6

A horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Clay/Loam

Mottle abundance: (few/common/many) Common

Mottle contrast: (faint/distinct/prominent) Distinct

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** 1 (in.)

% Area inundated: ☑ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** ____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☑ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☑ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** C-1U **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forest Upland

Investigators: JMM-SLS-KLM **Flag No.:** _____ **Field Photo** (roll/frame): 19

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Populus deltoides	70%	FAC	*

Dominance = 70 **50% =** 35.0 **20% =** 14.0

SHRUBS

Species	Cover	Status	*
Cornus foemina ssp. racemosa	100%	FAC-	*
Fraxinus americana	30%	FACU	*

Dominance = 130 **50% =** 65.0 **20% =** 26.0

HERBS

Species	Cover	Status	*
Cornus foemina ssp. racemosa	20%	FAC-	*

Dominance = 20 **50% =** 10.0 **20% =** 4.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 25.0%

Greater than 50% of plant species are FAC or wetter. ☐

Less than or equal to 50% of plant species are FAC or wetter. ☑

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 5 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3 / 3

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4 / 4

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** _____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** _____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? No

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** C-1W **Date:** 11/15/2005

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Wet Meadow

Investigators: JMM-SLS-KLM **Flag No.:** _____ **Field Photo** (roll/frame): 18

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Dominance = **50% =** **20% =**

HERBS

Species	Cover	Status	*
Carex sp.	40%	FAC	*
Solidago sp.	30%	FAC	*
Solidago gigantea	20%	FACW	
Eupatorium perfoliatum	20%	FACW+	
Eupatorium sp.	10%	FAC	
Scirpus atrovirens	5%	OBL	
Aster sp.	5%	FAC	

Dominance = 130 **50% =** 65.0 **20% =** 26.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: **100.0%**

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra gravelly loam **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 5 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

4/1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

6/1

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** _____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** _____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☑ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☐ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☑ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** E-1Ua **Date:** 5/7/2007

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Upland

Investigators: S.Sheridan **Flag No.:** E-12 **Field Photo** (roll/frame): 22

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Quercus rubra	40%	FACU-	*

Dominance = 40 **50% =** 20.0 **20% =** 8.0

SHRUBS

Species	Cover	Status	*
Lonicera tatarica	50%	FACU	*
Populus deltoides	20%	FAC	*
Salix sp.	20%	FACW	*

Dominance = 90 **50% =** 45.0 **20% =** 18.0

HERBS

Dominance = **50% =** **20% =**

VINES

Species	Cover	Status	*
Vitis sp.	20%	FAC	*

Dominance = 20 **50% =** 10.0 **20% =** 4.0

Percent of Dominant Species that are OBL, FACW, and/or FAC: **60.0%**

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra and Howard soils **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 8 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3 / 3

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3 / 4

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** E-1W **Date:** 5/7/2007

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Scrub-Shrub Wetland

Investigators: S.Sheridan **Flag No.:** E-12 **Field Photo** (roll/frame): 21

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Dominance = **50% =** **20% =**

SHRUBS

Species	Cover	Status	*
Lonicera tatarica	40%	FACU	*
Cornus amomum	20%	FACW	*
Rosa multiflora	10%	FACU	

Dominance = 70 **50% =** 35.0 **20% =** 14.0

HERBS

Species	Cover	Status	*
Symplocarpus foetidus	70%	OBL	*
Poa sp.	30%	FAC	*

Dominance = 100 **50% =** 50.0 **20% =** 20.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 75.0%

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra and Howard soils **Different than mapped?** Yes

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 6 (in.)

Mottled Yes

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑ 2.5 y ☐ 5 y ☐ Other - 3/1

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑ 2.5 y ☐ 5 y ☐ Other - 3/2

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑ 2.5 y ☐ 5 y ☐ Other - 4/6

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

B horizon soil texture: (sand/silt/clay/loam/other) Sand/Loam

Mottle abundance: (few/common/many) Few

Mottle contrast: (faint/distinct/prominent) Distinct

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☑ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☐ Matrix chroma greater than 2

Remarks: *Stoney soil*

HYDROLOGY

Is the ground surface inundated ? Yes **Depth of surface water:** 2 (in.)

% Area inundated: ☐ 1-25 ☑ 26-75 ☐ 76-100

Is soil saturated ? Yes **Depth to saturated soil** ____ (in.) **or** ☑ **Surface**

Other evidence of hydrology? ☑ **Yes (see Hydrology Indicators)** ☐ **No**

Primary indicators:

☑ Inundated ☑ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☑ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☐ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? Yes

Is the Hydrology Criterion Met? Yes

Is the Sample Plot a Wetland? Yes

Additiona lRemarks:

WETLAND DETERMINATION DATA SHEET

Project: COS-3050 VICTOR TOWN SQUARE **Sample Plot No.:** E-1Ub **Date:** 5/7/2007

Town/County/State VICTOR / ONTARIO / NY **Community Type:** Deciduous Forerst Upland

Investigators: S.Sheridan **Flag No.:** E-30 **Field Photo** (roll/frame):

Do normal environmental conditions exist at the plant community? (if no, explain): Yes

VEGETATION

(* = Dominant species in each stratum)

TREES

Species	Cover	Status	*
Ulmus americana	30%	FACW-	*
Acer rubrum	25%	FAC	*

Dominance = 55 **50% =** 27.5 **20% =** 11.0

SHRUBS

Species	Cover	Status	*
Rosa multiflora	15%	FACU	*

Dominance = 15 **50% =** 7.5 **20% =** 3.0

HERBS

Species	Cover	Status	*
Poa sp.	50%	FAC	*
Taraxacum officinale	10%	FACU-	
Tussilago farfara	10%	FACU	

Dominance = 70 **50% =** 35.0 **20% =** 14.0

VINES

Dominance = **50% =** **20% =**

Percent of Dominant Species that are OBL, FACW, and/or FAC: 75.0%

Greater than 50% of plant species are FAC or wetter. ☑

Less than or equal to 50% of plant species are FAC or wetter. ☐

Remarks:

SOILS

Mapping Unit: Palmyra and Howard soils **Different than mapped?** No

The mapped soil type is recognized by the NRCS as:

☐ Hydric ☐ Soil with potential hydric inclusions ☑ Non-hydric

Depth of A horizon: 12 (in.)

Mottled No

A horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☑ 5 y ☐ Other -

3/3

B horizon matrix color

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☑
2.5 y ☐ 5 y ☐ Other -

3/3

B horizon mottle color, if present

2.5 yr ☐ 5 yr ☐ 7.5 yr ☐ 10 yr ☐
2.5 y ☐ 5 y ☐ Other -

A horizon soil texture: (sand/silt/clay/loam/other) Sand/Silt

B horizon soil texture: (sand/silt/clay/loam/other) Silt/Loam/Gravelly

Mottle abundance: (few/common/many)

Mottle contrast: (faint/distinct/prominent)

Hydric soil indicators:

☐ Histosol ☐ Aquic Moisture Regime
☐ Histic Epipedon ☐ Redoximorphic Features
☐ Sulfidic Odor ☐ Sandy Soils with Organic Streaking or High Organic Content in Surface Layer
☐ Gleyed

Upland soil indicators:

☐ Matrix chroma of 2 without mottle ☑ Matrix chroma greater than 2

Remarks:

HYDROLOGY

Is the ground surface inundated ? No **Depth of surface water:** ____ (in.)

% Area inundated: ☐ 1-25 ☐ 26-75 ☐ 76-100

Is soil saturated ? No **Depth to saturated soil** ____ (in.) **or** ☐ **Surface**

Other evidence of hydrology? ☐ **Yes (see Hydrology Indicators)** ☑ **No**

Primary indicators:

☐ Inundated ☐ Saturated in Upper 12 in.
☐ Water Marks ☐ Drift Lines
☐ Sediment Deposits ☐ Drainage Patterns in Wetlands

Secondary indicators:

☐ Oxidized Root Channels in Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral Test

Upland Indicators:

☑ Insufficient hydrologic indicators met. No primary indicators and less than two secondary indicators observed.

Remarks:

JURISDICTIONAL DETERMINATION

Is the Hydrophytic Vegetation Criterion Met? Yes

Is the Hydric Soil Criterion Met? No

Is the Hydrology Criterion Met? No

Is the Sample Plot a Wetland? No

Additiona lRemarks: