



Environmental Design & Research,
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February 10, 2017

Mr. Tim Bradley
Senior Associate
Stantec
61 Commercial Street, Suite 100
Rochester, NY 14614-1009
Sent via email to: tim.bradley@stantec.com

RE: Wetland Delineation Letter Report
MP 219.91, Mohawk Street, Herkimer, Herkimer County, New York
(BIN 1020079)
EDR Project No. 16134

Dear Mr. Bradley:

Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) is pleased to provide you with this brief Wetland Delineation Letter Report for the above referenced project. As requested by Stantec (the Client), and on behalf of the New York State Thruway Authority (NYSTA), EDR conducted a wetland delineation within the Study Area, which is located at the overpass of the New York State Thruway (I-90) and Mohawk Street in the Town of Herkimer, Herkimer County, New York (see Figures 1 and 2). The Study Area was defined by the Client. This letter report summarizes our review of background data, field visit, methodology, and findings. Supporting figures are attached.

Review of Background Data

A review of existing wetland and stream databases (National Wetland Inventory [NWI], New York State Department of Environmental Conservation [NYSDEC] mapped wetlands, and NYSDEC mapped streams) did not indicate the presence of mapped wetlands or streams within the Study Area. However, one large NWI mapped wetland is mapped approximately 170 feet west of the Study Area. Similarly, a portion of the Mohawk River (a NYSDEC Class B protected stream) is mapped approximately 75 feet south of the Study Area (Figure 3).

Field Visit and Methodology

On November 2, 2016, EDR biologists conducted a site visit to determine if wetlands exist within the Study Area, and to delineate the extent of existing wetlands. The identification of wetland boundaries was made based on the methodology described in the *U.S. Army Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987). The determination of wetland boundaries was also guided by the methodologies presented in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)* (USACE, 2012). According to the U.S Army Corps of Engineers (Corps) methodologies, wetland hydrology, when combined with a hydrophytic plant community and hydric soils, indicate the presence of a wetland. Attention was also given to the identification of potential hydrologic connections between wetlands and areas that could influence their jurisdictional status.

Wetland boundaries were defined in the field and mapped using a Trimble GeoXH 6000 GPS unit with reported sub-meter accuracy. As discussed with the Client, wetland data forms were not completed due to field work being conducted outside of the growing season. If the Client indicates that delineated wetlands may be impacted by proposed Project construction, EDR will confirm wetland boundaries and collect wetland data from sample plots within the delineated wetlands in the spring of 2017, and data will be recorded on Routine Wetland Data forms. The data collected will include vegetation, hydrology indicators, and soils characteristics.

Findings

Based on our field investigations, wetlands and other waters (i.e., a stream) are present within the Study Area. These include one perennial stream (R3), the Mohawk River (a NYSDEC Class B protected stream) located in the southern portion of the Study Area, and one palustrine emergent (PEM) wetland associated with the Mohawk River located in the western portion of the Study Area. The PEM wetland is characterized by soil saturation as well as hydrophytic vegetation including common reed (*Phragmites australis*) and canary reed grass (*Phalaris arundinacea*). Vegetation observations will need to be confirmed during the growing season if the wetlands may be disturbed. The wetlands and streams are listed below in Table 1 and locations of each wetland and stream are indicated in Figure 4.

A network of roadside ditches exists throughout the Study Area. These features collect surface water runoff from adjacent parking lots and roads, and appear to be created wholly in uplands for the purpose of controlling and conveying stormwater runoff from the surrounding impervious surfaces. At the time of the field visit, flow was not present within these roadside ditches. According to the June 5, 2007 Clean Water Act jurisdiction guidance issued by the United States Environmental Protection Agency (EPA) and the Department of Army (DOA) following the Supreme Court's decision in *Rapanos and Carabell* (547 U.S., June 29, 2006), "Ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water" are not considered jurisdictional Waters of the U.S. Therefore, because the ditches within the Study Area do not exhibit an ordinary high water mark or relatively permanent flow, and do not drain jurisdictional wetlands, it is EDR's opinion that the network of roadside ditches found throughout the Study Area are not jurisdictional (subject to USACE concurrence).

Table 1. Delineated Wetlands and Streams

Wetland/Stream ID	Community Type	Area ¹	Federal Jurisdiction ²	State Jurisdiction ²
Wetland A	PEM	0.06	Yes	No
Stream 1	R3	172	Yes	Yes – Article 15

¹ Area is expressed in acres, streams are expressed in feet, and both are specific to the Study Area only.

² Based on agency mapping and field observations of hydrologic connections. Final jurisdiction will be determined by the USACE and/or NYSDEC.

Conclusion

EDR delineated one PEM wetland and one perennial stream within the Study Area. The PEM wetland was identified based on the presence of hydrophytic vegetation, hydric soils, and wetland hydrology and totals approximately 0.06 acre within the Study Area. Portions of the Mohawk River were also delineated as Stream 1, which is a NYSDEC Class B protected stream. The Mohawk River totals approximately 172 linear feet within the Study Area.

The PEM wetland appears to have surface water connection to the adjacent Mohawk River, and therefore is likely to be considered jurisdictional by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. Due to the distance from the nearest NYSDEC regulated wetland (approximately 1-mile) and lack of hydrologic or significant habitat connectivity, in EDR's opinion this wetland should not be regulated under Article 24 of the Environmental Conservation Law. Additionally, the Mohawk River is expected to be regulated by the NYSDEC under Article 15 of the Environmental Conservation Law. However, final determination of the jurisdictional status of all wetlands must be made by the USACE and NYSDEC.

If wetlands may be impacted by proposed Project construction, EDR will confirm wetland boundaries and collect wetland data in the spring of 2017 prior to mowing and maintenance activities when vegetation can be identified.

Thank you for the opportunity to prepare this review. If you have any questions or require any additional information, please contact us at (315) 471-0688 or cgraff@edrdpc.com.

Sincerely,



Carin LeFevre
Environmental Analyst



Michael Kopansky, PWS, CAE
Project Manager



Caitlin Graff
Project Manager

List of Attachments:

- Figure 1. Regional Project Location
- Figure 2. Project Site
- Figure 3. Mapped Wetlands and Streams
- Figure 4. Delineated Wetlands
- Photos of Representative Wetland and Stream Communities

References

Environmental Laboratory. 1987. *Corps of Engineers Wetland Delineation Manual*. Technical Report Y-87-1. U.S. Army Corps of Engineers: Waterways Experiment Station; Vicksburg, MS.

United States Army Corps of Engineers (USACE). 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region*. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

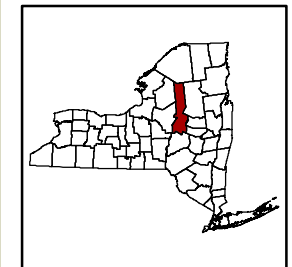
Replacement of Syracuse Division Bridges

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**Figure 1. Regional
Project Location -
Mohawk Street,
Herkimer NY,
MP 219.91
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 Study Area

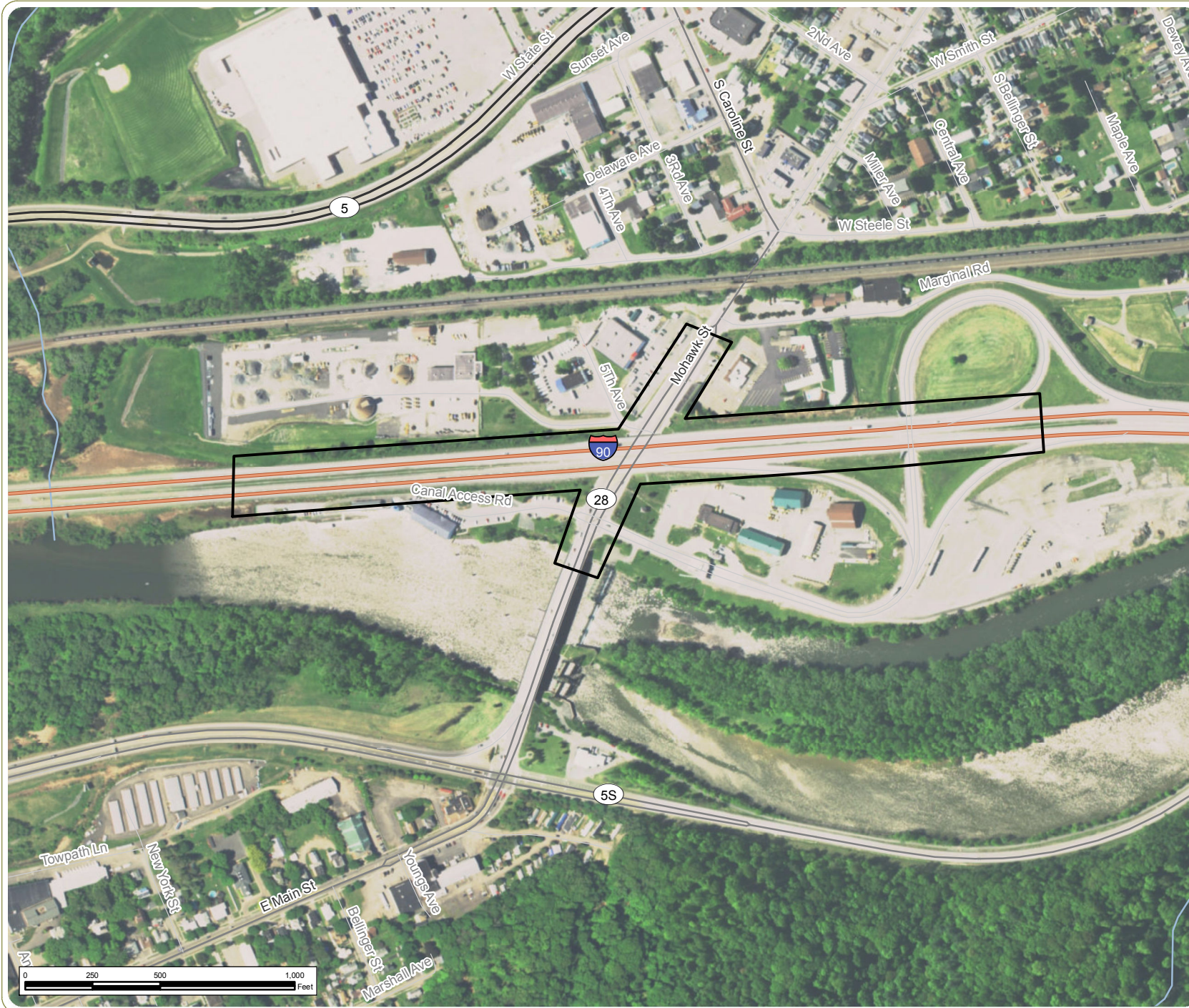


Notes:
1. Basemap: ESRI ArcGIS Online
"World Street Map" Map Service.
2. This is a color graphic. Reproduction
in grayscale may misrepresent the data.



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**Figure 2. Study Area -
Mohawk Street,
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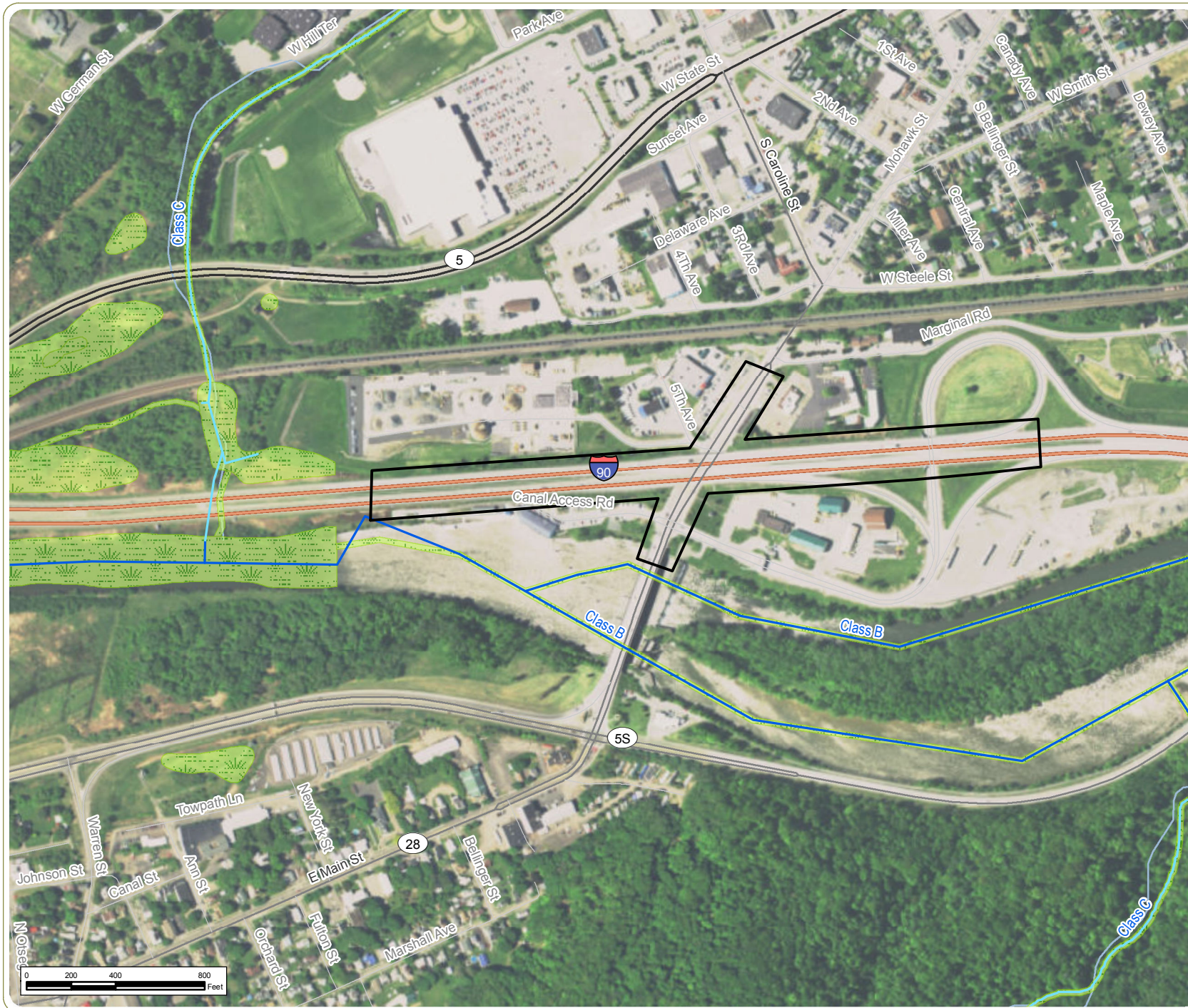
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 Study Area

Notes:
1. Basemap: ESRI ArcGIS Online
"World Imagery" Map Service.
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**Figure 3. Mapped
Wetlands and Streams -
Mohawk Street,
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Study Area

NWI Wetland

NYSDEC Stream Classification

NYS Protected Stream

Unprotected Stream

Notes:

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**Figure 4. Delineated
Wetland and Streams -
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- Study Area
- Delineated Wetland
- Delineated Stream
- Wetland Continues

Notes:

1. Basemap: ESRI ArcGIS Online "World Imagery" Map Service.
2. This is a color graphic. Reproduction in grayscale may misrepresent the data.



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**Site Photograph
Locations -
Mohawk Street,
Herkimer NY,
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-  Photo Locations
-  Study Area
-  Delineated Wetland
-  Wetland Continue

Notes:
1. Basemap: USDA National Agriculture
Imagery Program "New York 2015"
Map Service.
2. This is a color graphic. Reproduction
in grayscale may misrepresent the data.



Photo 1

Wetland A, view to the east.



Photo 2

Wetland A, view to the southwest.

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Site Photographs - Mohawk Street, Herkimer NY, MP 219.91 (BIN 1020079)

Sheet 1 of 2



Photo 2

Stream 1, Mohawk River,
view to the south.

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Town of Herkimer, Herkimer County, New York

Site Photographs - Mohawk Street, Herkimer NY, MP 219.91 (BIN 1020079)

Sheet 2 of 2