



FAIRMONT PARK WATER MAIN IMPROVEMENTS

ENVIRONMENTAL ASSESSMENT
DETERMINATIONS AND COMPLIANCE
FINDINGS FOR HUD-ASSISTED
PROJECTS IN ACCORDANCE WITH 24
CFR PART 58 AND THE NATIONAL
ENVIRONMENTAL POLICY ACT
(NEPA)

Prepared by:

Town of Union, NY Planning Department
June 2020





U.S. Department of Housing and Urban Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Name: Fairmont Park Water Main Improvements

Responsible Entity: Planning Department, Town of Union, New York

Grant Recipient: (same)

State/Local Identifier: B-19-MC-36-0117

Preparer: Sara L. Zubalsky-Peer

Certifying Officer Name and Title: Sara Zubalsky-Peer, Planning Director

Grant Recipient: (same)

Direct Comments to: Sara L. Zubalsky-Peer, Community Development Coordinator
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Project Location: Fairmont Park Neighborhood, Village of Johnson City, Broome County, New York

Project NEPA Classification: 24 CFR 58.36 (Environmental Assessment)

Environmental Finding:

☒ Finding of No Significant Impact- The project will not result in a significant impact on the quality of the human environment

☐ Finding of Significant Impact- The project may significantly impact the quality of the human environment

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

The Town of Union is currently working with a developer who will be constructing affordable housing in the Fairmont Park neighborhood. The town is undertaking this project in support of the affordable housing development and seeks to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more

stringent than when the subdivision was originally built. The water mains will be up-sized from ¾ inch lines and one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed. Any appropriate easements will be obtained before construction begins.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The proposed project will bring the current public water distribution system up to current Health Department standards. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more stringent than when the subdivision was originally built. The town is working with a developer who is receiving NYS funding to construct flood resilient, affordable housing in this neighborhood. This project is in support of the affordable housing development.

Existing Conditions and Trends [24 CFR 58.40(a)]: The existing water mains are ¾ inch and one inch lines. These lines are undersized for the existing subdivision and prevent any new construction according the Health Department standards. In addition, the lines are not looped and the current system requires periodic hydrant flushing. The Fairmont Park neighborhood was hard hit during the 2011 flood event and underwent a round of buyouts that devastated the neighborhood. The Town of Union has put a significant amount of funds into providing flood mitigation for the neighborhood, including completion of a flood gate closure across Watson Boulevard, completed in 2017, and repairs and extension of an existing earthen levee along Barton Avenue, due to begin construction in 2020. In order for the affordable housing complex, to be built with flood resilient design, the water mains must be improved.

Funding Information

Grant Number	HUD Program	Funding Amount
B-19-MC-36-0117	Community Development Block Grant	\$90,000.00

Estimated Total HUD Funded Amount: \$90,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$455,920.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24	Are formal compliance steps or	Compliance determinations
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CFR §58.5 and §58.6	mitigation required?	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project site is not located within 1 mile of a military airport or within 2,500 feet of a civil airport. No impacts would result.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project area is not located within a coastal barrier resource area. No impacts would result.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Following the existing FEMA floodplain maps, the project site is located within the 100-year floodplain. (See attached FEMA floodplain maps) No actual building is being constructed, therefore flood insurance is not necessary.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Broome County is in attainment status for all criteria pollutants. While construction activities may result in temporary increases in emissions from on-site equipment, construction-related vehicles and non-road engines, and fugitive dust, all activities resulting from the proposed project would comply with applicable federal, state, and local laws and regulations regarding construction emissions. Air quality impacts resulting from construction will be short-term and localized. Therefore, the proposed project would be in compliance with the Clean Air Act and the State Implementation Plan (SIP). No significant impacts on air quality would result and further assessment is not required.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project site is not located within the boundaries of the New York State Coastal Zone (see attached map). Therefore, the proposed project would be in compliance with the Coastal Zone Management Act.

<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The New York State Department of Environmental Conservation (NYSDEC) spill database does not identify any open chemical or petroleum spill incidents in areas where construction would take place. Therefore, no construction activity would occur in an area with known on-site or nearby toxic, hazardous, or radioactive substances that could affect health and safety.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>A review of the USFWS 7-step process, website and IPaC indicates that the Northern Long Eared Bat and Bald Eagles, may lie within the vicinity of the project site. There are no known individuals or critical habitat within the vicinity of the project site. There is no anticipated removal of trees. (see Appendix A for consultation).</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project involves minor construction and does not result in an increased number of people being exposed to hazardous operations by increasing residential densities, converting the type of use of a building to habitation, or making a vacant building habitable. Therefore, the provisions of the 24 CFR Part 51 Subpart C do not apply.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project is located in an area of Cy, MhF, Ms, and UnB soils. The project area consists of existing roadways and subdivision and is not used or able to be used as farmland. Therefore, the proposed action would not cause disturbance of Prime, Unique, or Statewide Important Farmland and would not involve the conversion of farmland to non-agricultural use. Therefore, the proposed project would not violate the Farmland Protection Policy Act.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located within the 100-year floodplain (see floodplain map). In accordance with Executive Order 11988, the Floodplain Management 8 Step Decision Making Process was completed.</p>

<p align="center">Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The New York State Historic Preservation Office (SHPO) was consulted by the engineering consultant. A response was received on February 27, 2020; the project was found to have no potential to affect archaeological or historic resources, including those listed on or eligible for the New York State and National Registers of Historic Places. Potentially affected tribal nations were also consulted. The proposed project was found to be outside the area of interest for all tribes (see Appendix C).</p>
<p align="center">Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project would not result in a new facility that would generate noise on the project site, nor would it introduce any new or rehabilitate any existing noise sensitive uses. While construction of the proposed project would cause temporary increased in noise levels, all construction activities would comply with local noise ordinances. Therefore, no significant noise impacts would occur as a result of the proposed project.</p>
<p align="center">Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The U.S. Environmental Protection Agency (USEPA) was consulted on February 21, 2020. A response was not received; therefore it is assumed the proposed project would not pose a significant threat to public health or groundwater resources and complies with Section 1424(e) of the Safe Drinking Water Act. (see Appendix D for consultation).</p>
<p align="center">Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There is no National Wetland identified in the project area (see attached map). Therefore, the proposed project would not violate Executive Order 11990.</p>
<p align="center">Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project site is not located within the vicinity of any designated wild, scenic, or recreational rivers (see attached map). Therefore, the proposed project would not violate the Wild and Scenic Rivers Act.</p>
<p align="center">ENVIRONMENTAL JUSTICE</p>		
<p align="center">Environmental Justice</p>	<p>Yes No</p>	<p>The proposed site is not located in or</p>

Executive Order 12898	<input type="checkbox"/> <input checked="" type="checkbox"/>	adjacent to a potential environmental justice area as identified by the New York State Department of Environmental Conservation. Therefore the proposed project would not violate Executive Order 12898.
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]:

Impact Codes:

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed project site is designed to improve an existing public water distribution system in an existing subdivision to support new construction of affordable housing.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The proposed project involves improvement to an existing water distribution system. No new volume of water will be created. Therefore, no impacts are anticipated.
Hazards and Nuisances including Site Safety and Noise	2	The development of the proposed project would consist of standard construction practices associated with improvements to water mains. Typical effects of construction may temporarily include fugitive dust and noise, which would be addressed under existing regulations governing construction activity in New York State, Broome County, and the Town of Union. Measures would be implemented to minimize the exposure of workers and the public to any hazardous items present on-site. No impacts are anticipated.
Energy Consumption	2	The proposed project would not significantly increase energy generation or distribution and would meet New York State energy code requirements. No impacts are anticipated.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		

Employment and Income Patterns	2	The actions comprising the proposed project are limited to water main improvement only. The proposed project has no potential to affect long-term employment opportunities or income patterns. Therefore, no impacts are anticipated.
Demographic Character Changes, Displacement	2	The project itself involves water main improvements is not expected to induce any change in the demographic character of the neighborhood in which the work is being done. In addition, the proposed project would not result in any new residential units and would therefore not change the demographic character of the area. Due to the nature of the project, no residential or commercial space would be displaced. Therefore, no impacts are anticipated.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The proposed project involves improvement to water mains and would not result in any impacts to educational facilities. SHPO has determined that the proposed project would have no effect on historic/cultural resources (see Appendix C). Therefore, no impacts are anticipated.
Commercial Facilities	2	The proposed project is limited to water main improvements and would not introduce any new development that would require retail services or other commercial facilities. Therefore, no impacts are anticipated.
Health Care and Social Services	2	The proposed project is limited to water main improvements and would not introduce any new development that would require the availability of routine or emergency health services. The proposed project would not significantly impact health care or social services. Therefore, no impacts are anticipated.
Solid Waste Disposal / Recycling	2	The proposed project is limited to water main improvements and would not introduce any new development that would generate significant levels of solid waste. Therefore, no impacts are anticipated.
Waste Water / Sanitary Sewers	2	The proposed project involves water main improvements and would not introduce any new development that would generate significant levels of waste water. No new wastewater will be created. Therefore, no impacts are anticipated.
Water Supply	2	The proposed project involves water main improvements and would not introduce any new development that would generate significant demand for water. Therefore, no impacts are anticipated.
Public Safety -	2	The proposed project involves water main improvements

Police, Fire and Emergency Medical		and would not introduce any new development that would generate significant levels of demand for fire, police, or emergency services. Therefore, no impacts are anticipated.
Parks, Open Space and Recreation	2	The proposed project involves water main improvements. It would not result in the creation of any open space or recreation resources nor would it directly impact any existing publicly accessible open space or recreation resources. Therefore, no impacts are anticipated.
Transportation and Accessibility	2	The proposed project would not introduce any new development that would require new or improved transportation connections and would not add any new demand on transportation services. Therefore, no impacts are anticipated.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The NYSDEC does not list any designated Critical Environmental Areas (CEA) within or adjacent to the proposed project site; the only CEAs listed in Broome County are located across the Susquehanna River in Vestal, New York (see attached CEA maps). In addition, the proposed site does not contain any agricultural lands and is not suited for agricultural uses. Therefore, no impacts are anticipated.
Vegetation, Wildlife	2	The U.S. Fish and Wildlife Service New York Field Office (USFWS) and NYSDEC New York Natural Heritage Program were consulted regarding this project.; a response from NYSDEC was received on March 2, 2020. It was determined that this project would have “No Effect” on threatened or endangered species (see Appendix A and Appendix E). Therefore, no impacts are anticipated.
Other Factors	2	None identified

Additional Studies Performed: N/A

Field Inspection (Date and completed by): N/A

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

- Federal Emergency Management Agency-Map Service Center
 - <https://msc.fema.gov/portal>
 - Last accessed 2/20/2020

- National Wild and Scenic Rivers- New York
 - <http://www.dec.ny.gov/permits/32739.html>
 - Last accessed 2/20/2020
- New York State Department of Environmental Conservation- Chemical/Petrol Spills/Remediation Sites
 - <http://www.dec.ny.gov/cfm/external/derexternal/index.cfm?pageid=2>
 - Last accessed 2/20/2020
- New York State Department of Environmental Conservation- Critical Environmental Areas
 - <http://www.dec.ny.gov/permits/6184.html>
 - Last accessed 2/18/2020
- New York State Department of Environmental Conservation-Environmental Justice
 - <http://www.dec.ny.gov/public/899.html>
 - Last accessed 2/20/2020
- New York State Department of Environmental Conservation- Environmental Resource Mapper
 - <http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>
 - Last accessed: 2/18/2020
- New York State Department of Environmental Conservation- Natural Heritage Program
 - Consult dated: 2/19/2020
- New York State Department of State- NYS Coastal Zone Boundary
 - https://appext20.dos.ny.gov/coastal_map_public/map.aspx
 - Last accessed 2/20/2020
- New York State Historic Preservation Office
 - Consult dated: 2/19/2020
- New York State Parks, Recreation, and Historic Preservation- CRIS Mapper
 - <https://cris.parks.ny.gov/>
 - Last accessed: 2/20/2020
- United States Environmental Protection Agency- Nonattainment Areas for Criteria Pollutants
 - <http://www3.epa.gov/airquality/greenbook/anc1.html>
 - Last accessed: 2/20/2020
- United States Environmental Protection Agency-Sole Source Aquifer
 - <http://www.epa.gov/dwssa/map-sole-source-aquifer-locations>
 - Consult dated 2/20/2020
- United States Fish and Wildlife Service- New York Field Office
 - Consult dated: 2/19/2020
- United States Fish and Wildlife Service- Wetland Mapper
 - <http://www.fws.gov/wetlands/Data/Mapper.html>
 - Last accessed: 2/20/2020

- United States Fish and Wildlife Service- Endangered Species
 - <http://ecos.fws.gov/ipac/>
 - Last accessed: 2/19/2020
- Delaware Tribe
 - Letter Dated 2/20/2020
- Delaware Nation
 - Letter Dated 2/20/2020
- Oneida Nation
 - Letter dated 2/20/2020
- Onondaga Nation
 - Letters dated 2/20/2020
- Seneca-Cayuga Nation
 - Letter dated 2/20/2020
- Tuscarora Nation of New York
 - Letter dated 2/20/2020

List of Reviews Obtained:

- State Environmental Quality Review Act (SEQRA)
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Office of Parks, Recreation, and Historic Preservation (SHPO)
- United States Fish and Wildlife Service (USFWS)
- United State Environmental Protection Agency (USEPA)

Public Outreach [24 CFR 50.23 & 58.43]:

The Town of Union Board typically holds public meetings twice per month. The public is encouraged to attend these meetings to discuss any potential issues with new projects. Given the situation surrounding the COVID-19 pandemic, the Town of Union opted to hold virtual public hearings and allow for call in and write in public comments. In addition, the town frequently posts information on its website and issues press releases for publication in the town's official newspapers.

Both hard copies and digital copies of this report will be made available to the public by request. Public Notice of the Intent to Request Release of Funds (FONSI-RROF) will be published in the Binghamton Press & Sun- Bulletin and posted on the town webpage on 6/11/2020. Any individual, group, or agency will be allowed to submit written comments that will be considered prior to authorizing submission of a request for release of funds.

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed Fairmont Park Water Main Improvements project involves improvement to an existing water supply distribution system in the Fairmont Park neighborhood, Johnson City, Broome County, New York. These improvements would include upsizing the existing undersized lines and looping the system. The improvements will allow the current system to be brought up to current Broome County Health Department standards for existing residents and will allow for reinvestment in the neighborhood through the construction of 34 new affordable housing units. There was no finding of significant impact associated with this project.

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

The alternative actions considered are as follows: (1) No Action. There were no other practicable alternatives to evaluate. Either the existing water distribution system remains as constructed or the town undertakes improvements to the system to meet the minimum Health Department standards.

No Action Alternative [24 CFR 58.40(e)]: Under the No Action alternative, conditions of the environment would remain unchanged and the Fairmont Park Neighborhood would continue to be served by an outdated water distribution system consisting of $\frac{3}{4}$ inch and one inch lines that do not meet current Health Department standards. No new construction would be allowed in the neighborhood. There would be continued need for periodic hydrant flushing and current homeowners would continue to be at risk of experiencing potential water supply issues. The No Action alternative provides no incentive for redevelopment in the neighborhood.

Summary of Findings and Conclusions:

The Proposed Action involves improvements to an existing public water distribution system. Construction will take place in an existing subdivision. The project will not have any effect on water surface elevations, will not cause any increase in the actual volume of storm water, and will not result in significant adverse impacts to the floodplain. It seeks to provide benefits to residents and property owners in the project area and provide infrastructure in support of affordable housing. The Proposed Action would not result in a net increase of flood levels, flood risk, or the flow of flood waters on the project site or surrounding areas. The proposed improvements to the existing water distribution system would increase community resilience by providing water supply that meets Health Department standards. The project does not pose a risk to floodplain values.

As shown above in the Environmental Assessment Checklist, no significant land development, neighborhood, socioeconomic, natural resources, community facility, or other direct, indirect, or cumulative impacts would result from the proposed project. As shown in the accompanying Statutory Checklists, the proposed project would comply with all relevant regulations listed in 24 CFR subparts 58.5 and 58.6.

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

Law, Authority, or Factor	Mitigation Measure
	None Required

Determination:

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

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

Preparer Signature

Date

Sara Zubalsky-Peer/Planning Director/Town of Union
Name/Title/Organization

Certifying Officer Signature

Date

Sara Zubalsky-Peer/Planning Director/Town of Union
Name/Title/Organization

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. Urban	Rural (non-agriculture)	Industrial	Commercial
<input type="checkbox"/> Forest	Agriculture	Aquatic	Residential (suburban)
<input type="checkbox"/> Parkland			
Other(Specify):			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input type="checkbox"/>	YES <input type="checkbox"/>

49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input type="checkbox"/>	YES <input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input type="checkbox"/>	YES <input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

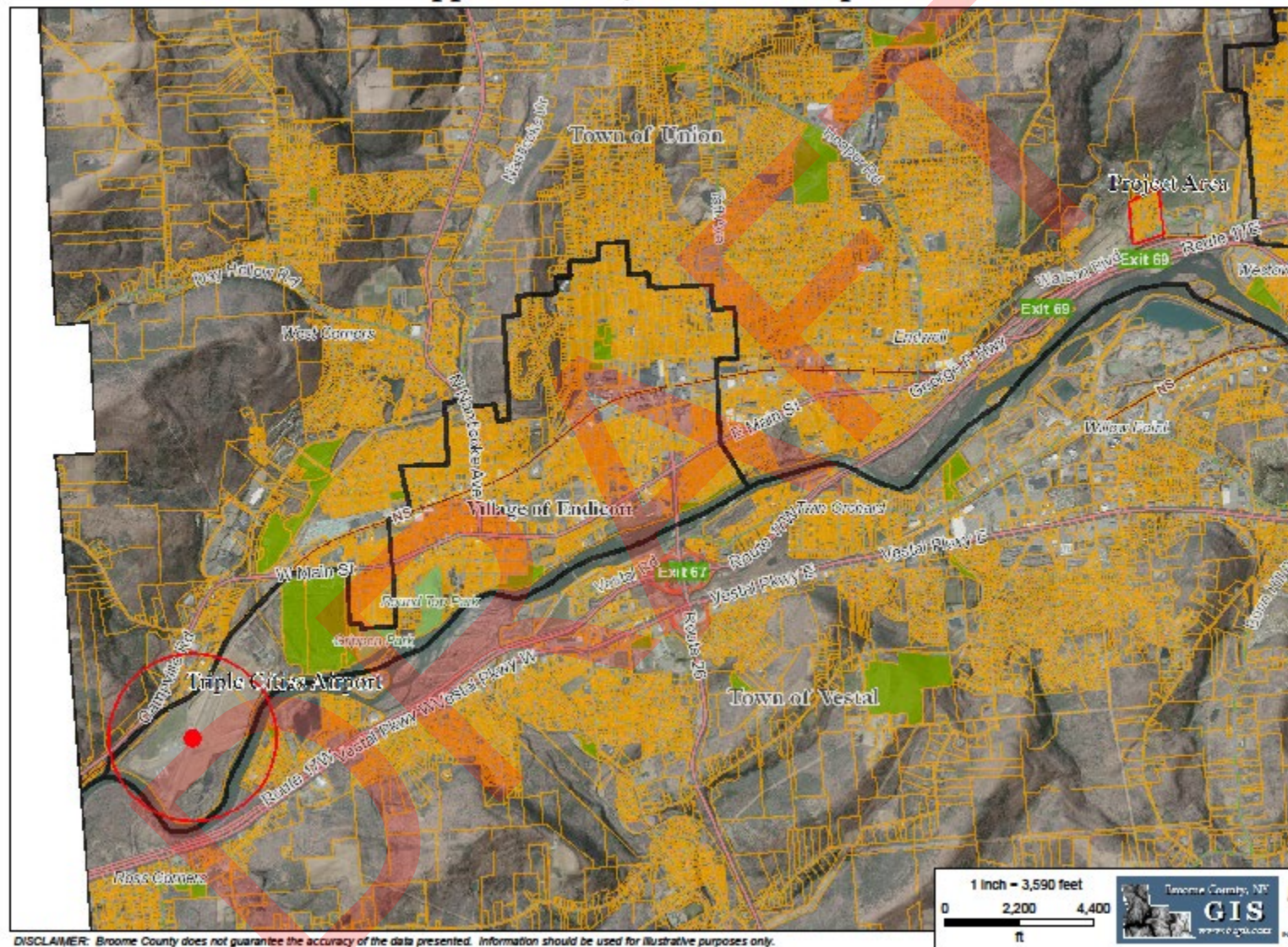
Title of Responsible Officer

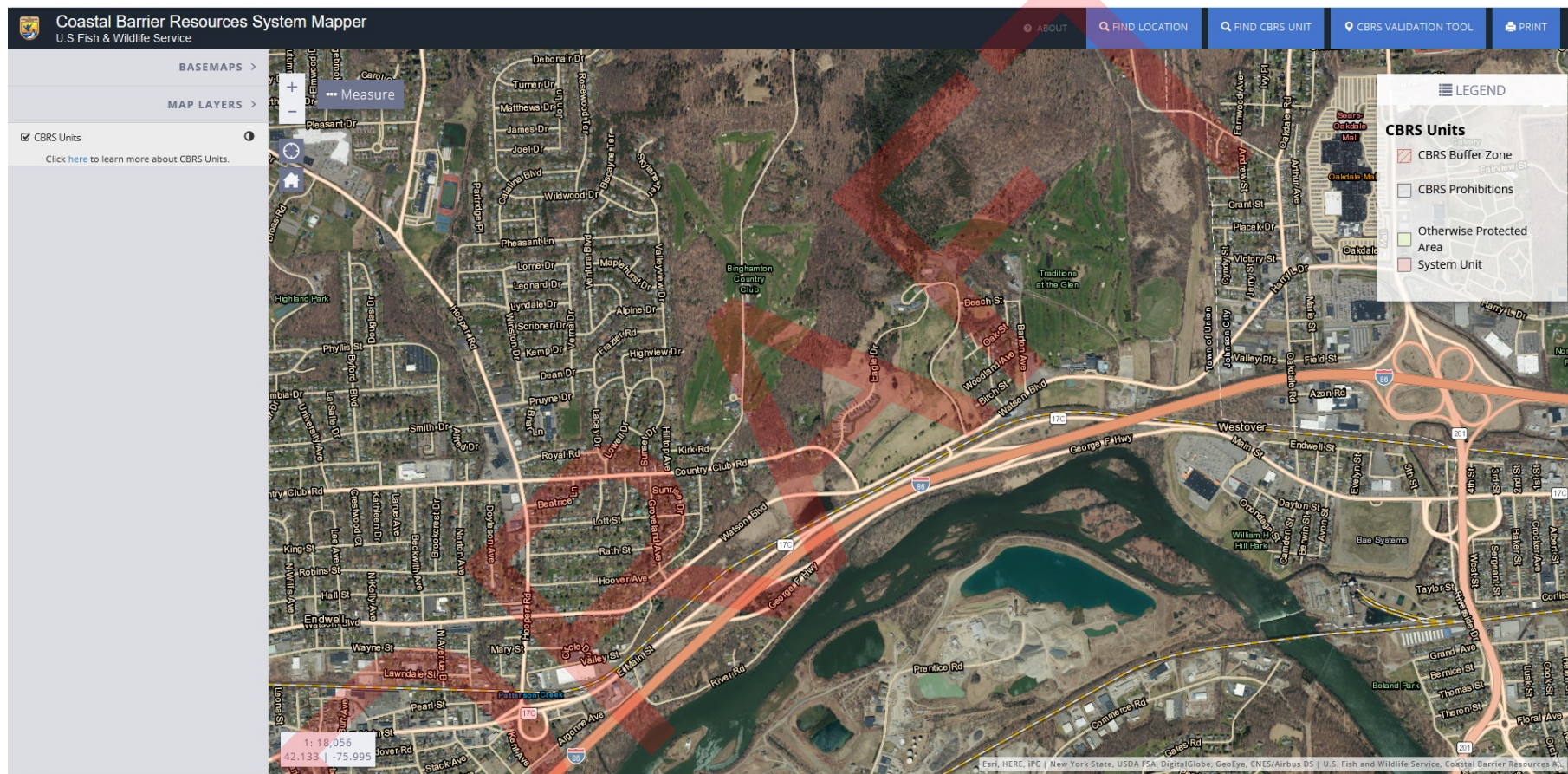
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

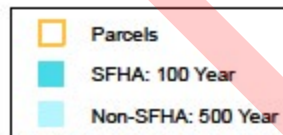
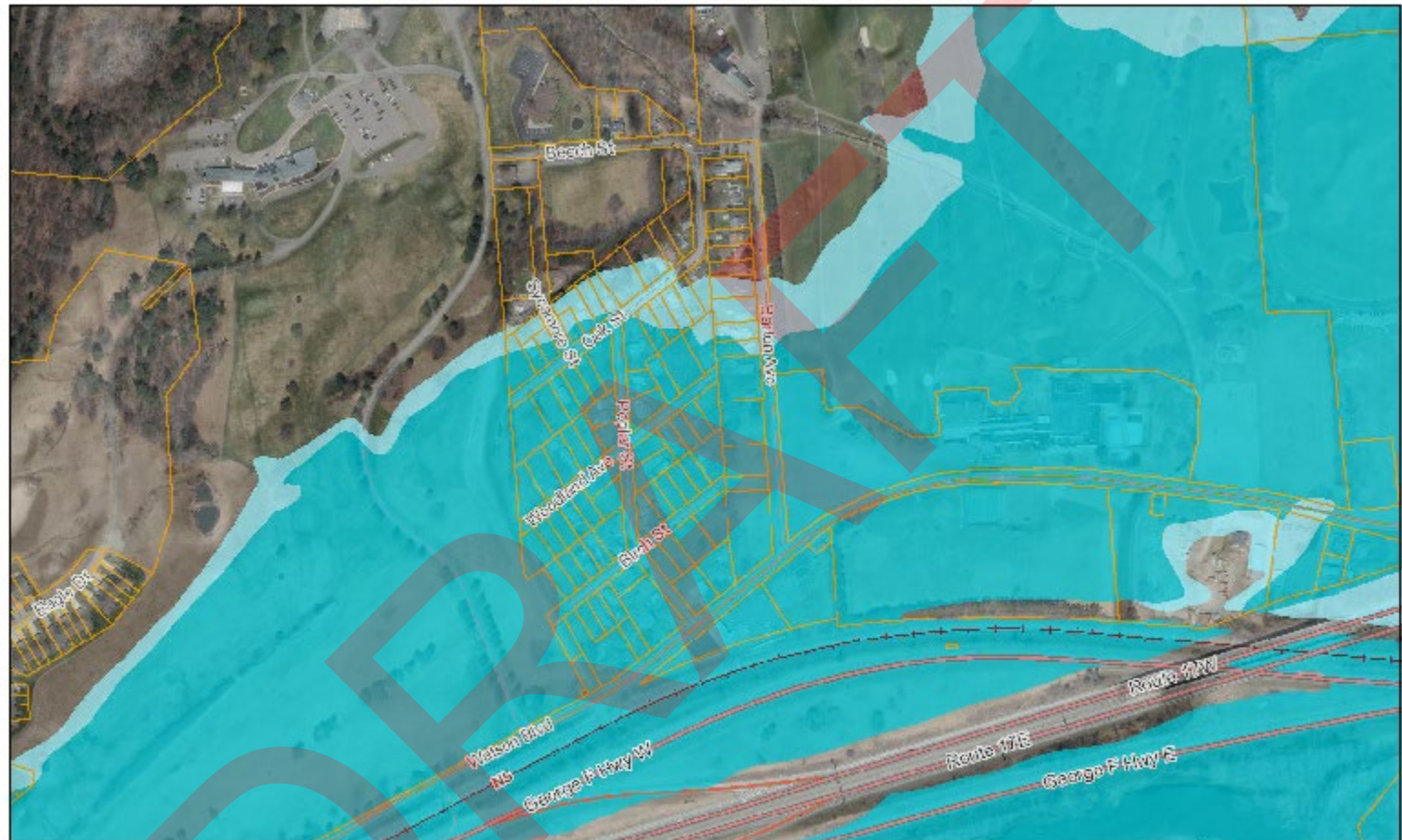
DRAFT

Approximate 2,500 Buffer Airport

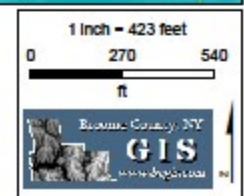




Fairmont Park Existing FEMA Floodplain

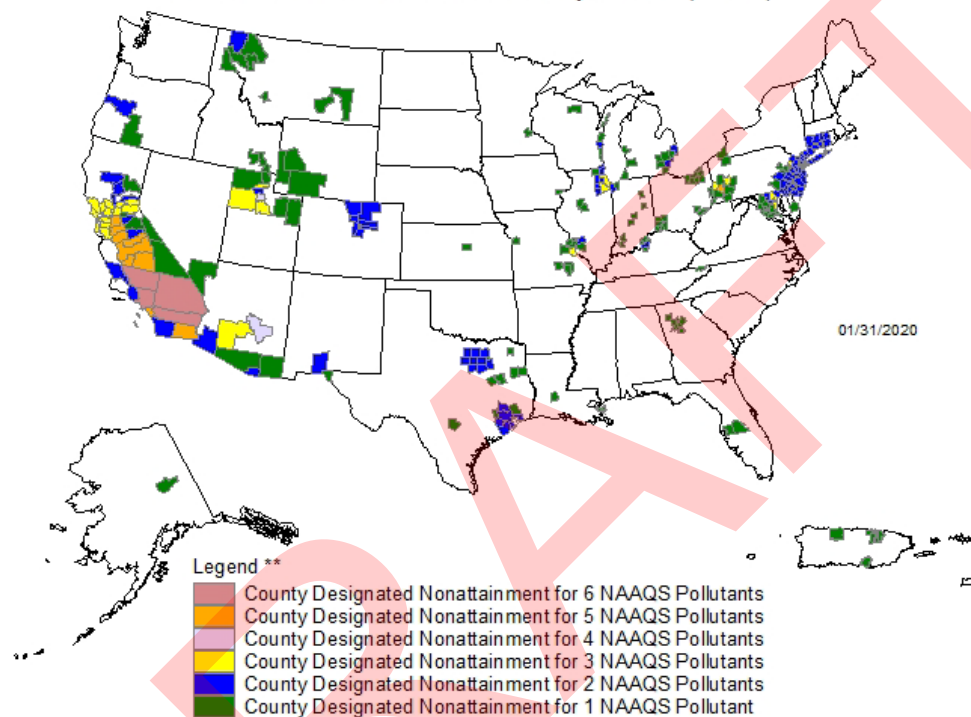


DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.



Counties Designated "Nonattainment"

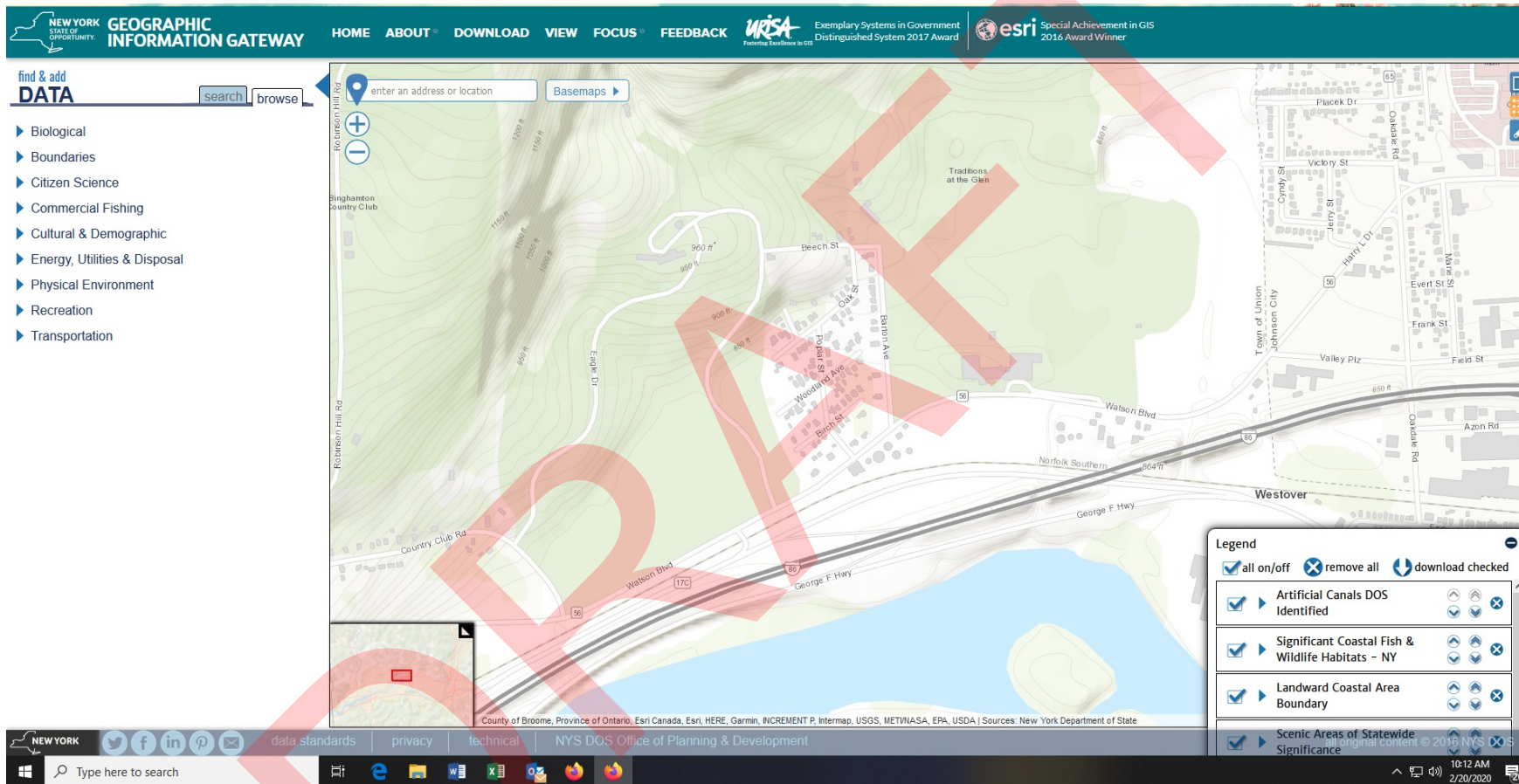
for Clean Air Act's National Ambient Air Quality Standards (NAAQS) *



Guam - Piti and Tanguisson power stations are designated nonattainment for the SO₂ (1971) NAAQS
Piti and Cabras power stations are designated nonattainment for the SO₂ (2010) NAAQS

*The National Ambient Air Quality Standards (NAAQS) are health standards for Carbon Monoxide, Lead (1978 and 2008), Nitrogen Dioxide, 8-hour Ozone (2008), Particulate Matter (PM-10 and PM-2.5 (1997, 2006 and 2012), and Sulfur Dioxide (1971 and 2010)

** Included in the counts are counties designated for NAAQS and revised NAAQS pollutants. Revoked 1-hour (1979) and 8-hour Ozone (1997) are excluded. Partial counties, those with part of the county designated nonattainment and part attainment, are shown as full counties on the map.



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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Spill Incidents Database Search Results

Record Count: 9 Rows: 1 to 9

[Export XLS](#)[Export CSV](#)

	Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1.	1811642	02/21/2019	HEATING OIL UST FOUND WHILE DEMOLISHING BUILDING	Broome	JOHNSON CITY	99 CORLISS AVE
2.	1901423	05/08/2019	CONSTRUCTION SITE	Broome	JOHNSON CITY	42-46 CORLISS AVE
3.	1903119	06/26/2019	RECYCLING TRUCK	Broome	JOHNSON CITY	124 BROWN ST
4.	1903290	06/30/2019	TRAILER PARK	Broome	JOHNSON CITY	378 STATE RT 26
5.	1906138	09/13/2019	BROOME COUNTY AIRPORT	Broome	JOHNSON CITY	2534 AIRPORT RD
6.	1906593	09/27/2019	JAY'S ONE STOP INC	Broome	JOHNSON CITY	429 RIVERSIDE DRIVE
7.	1907537	10/25/2019	CK'S CAR WASH	Broome	JOHNSON CITY	721 HARRY L DRIVE
8.	1907539	10/28/2019	FRONT YARD	Broome	JOHNSON CITY	2200 FARM TO MARKET
9.	1909117	12/18/2019	SOIL	Broome	JOHNSON CITY	OAKDALE ROAD



Services News Government Local

DATA.NY.GOV OPEN NY CATALOG DEVELOPERS HELP ▾ ABOUT ▾

Sign Up Log In

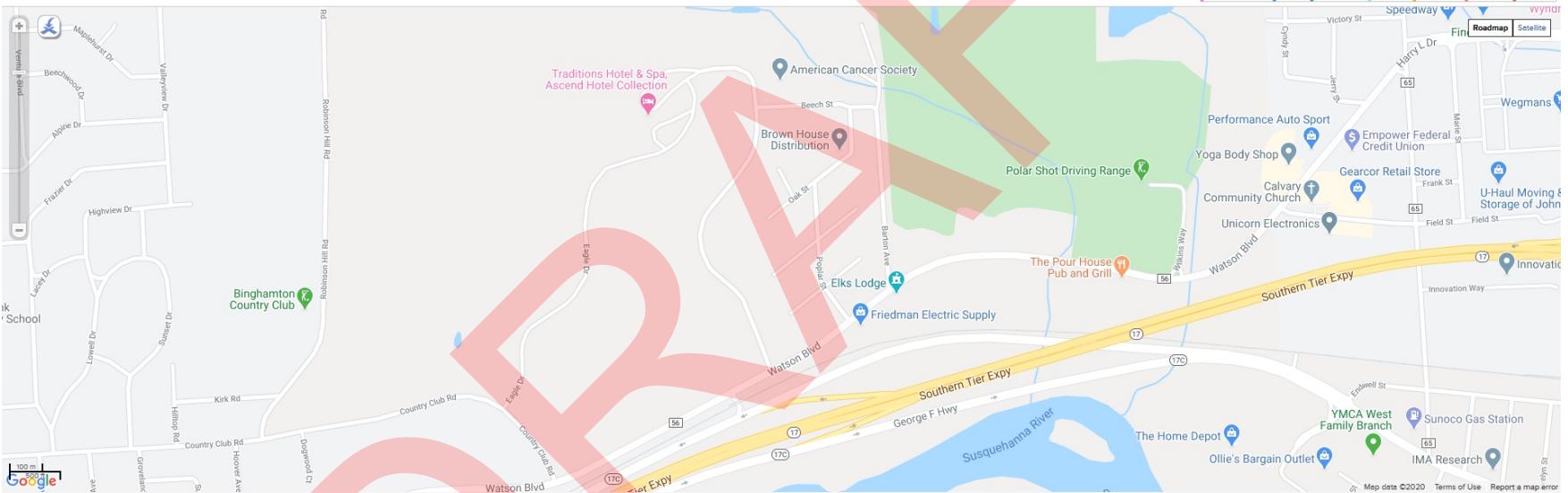
Landfill - Solid Waste Management Facilities Map

Based on [Landfill - Solid Waste Management Facilities Map](#)

Active Solid Waste Management Facilities

Find in this Dataset

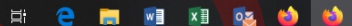
More Views Filter Visualize Export Discuss Embed About



Terms of Service Privacy Accessibility Give Feedback

NEW YORK STATE OFFICE OF INFORMATION TECHNOLOGY SERVICES

Type here to search



10:07 AM 2/20/2020

Environmental Site Remediation Database Search Results

Record Count: 10 Rows: 1 to 10

[Export XLS](#)
[Export CSV](#)
[Export KML](#)

	Site Code	Site Name	Program	Site Class	County	City/town	Address
1	C704041	Former Endicott Johnson-Ranger Paracord, NE Seg.	BCP	C	Broome	Johnson City (V)	10 Gannett Drive
2	C704042	Former Endicott Johnson-Ranger Paracord Site	BCP	N	Broome	Johnson City (V)	90 Lester Ave.
3	C704048	Fmr Endicott Johnson-Ranger Paracord, Southern Seg	BCP	C	Broome	Johnson City (V)	90 Lester Ave.
4	E704040	Former Endicott Johnson, Ranger Paracord Site	ERP	N	Broome	Johnson City (V)	90 Lester Ave.
5	704020	U.S. Air Force Plant No. 59	HW	02	Broome	Johnson City	Main Street
6	704023	Former Bright Outdoors	HW	04	Broome	Johnson City	631 Field Street
7	704034	Johnson City Wellfield (Dry Cleaner)	HW	N	Broome	Johnson City	Johnson City Wellfield (Dry Cleaner)
8	V00219	Former Ranger Paracord Site	VCP	N	Broome	Johnson City	Lester Avenue & CFJ Boulevard
9	V00726	Former Endicott Johnson-Ranger Paracord, NE Seg.	VCP	N	Broome	Johnson City (V)	90 Lester Ave.
10	V00727	Former Endicott Johnson-Ranger Paracord Site	VCP	N	Broome	Johnson City (V)	90 Lester Ave.

Explore location

LOCAL OFFICE NY ESFO ▾



LOCATION

Broome County, New
York[CHANGE LOCATION](#)

Resources

ENDANGERED SPECIES

MIGRATORY BIRDS !

FACILITIES

WETLANDS !

PRINT RESOURCE LIST

What's next?

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

[DEFINE PROJECT](#)

Endangered species

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

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

Additional information on endangered species data is provided [below](#).

THERE ARE NO ENDANGERED SPECIES EXPECTED TO OCCUR AT THIS LOCATION.

- > What does IPaC use to generate the list of endangered species potentially occurring in my specified location?
- > Do these lists represent all species to be considered at this location?
- > What is an 'official species list' and why would I need one?

ECOS

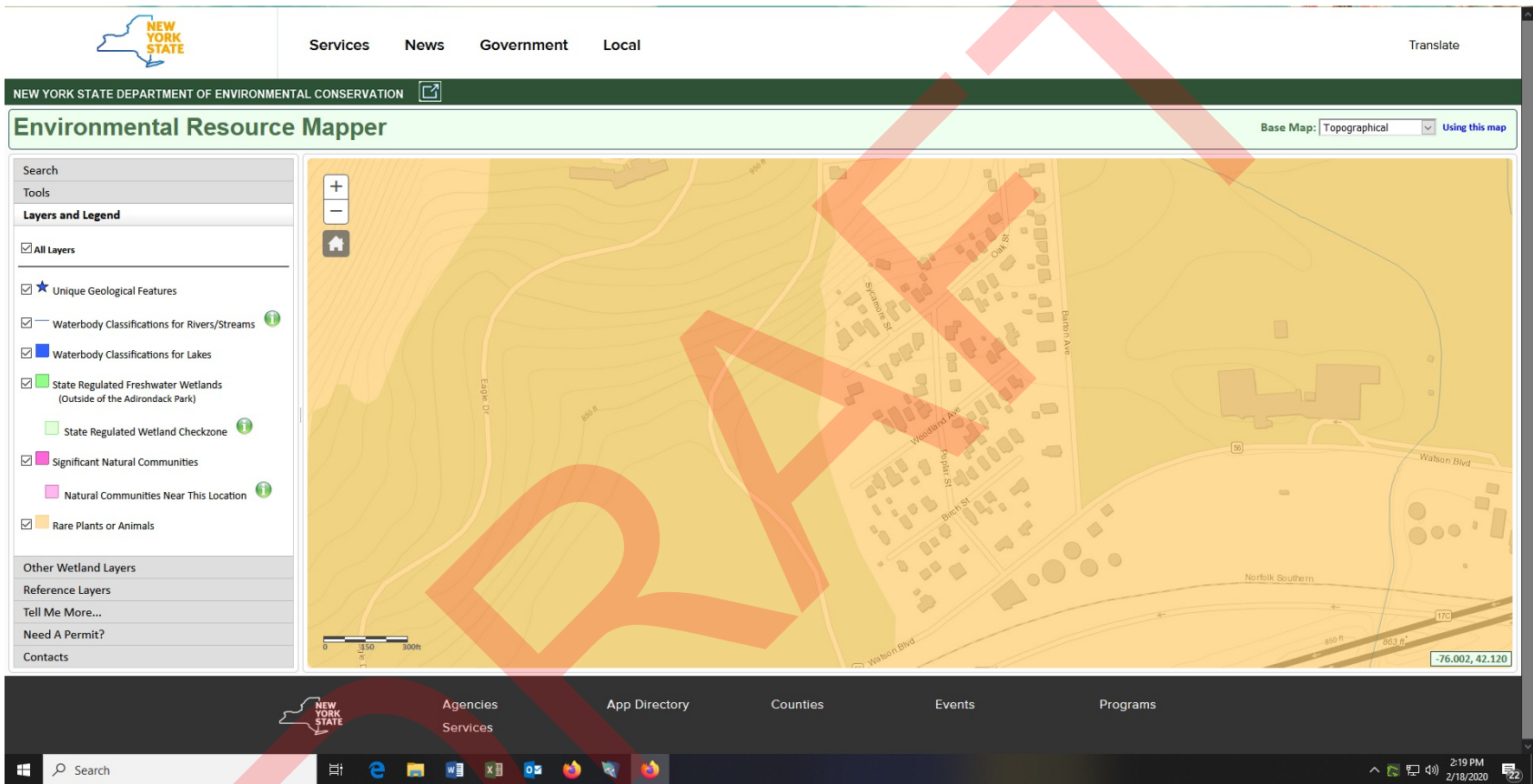
[ECOS Home](#)
[About ECOS](#)
[Contact Us](#)

POLICIES

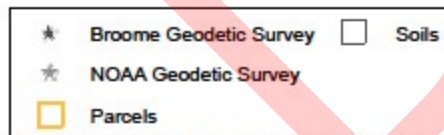
[Accessibility](#)
[Privacy](#)
[Notices](#)
[Disclaimer](#)

ABOUT

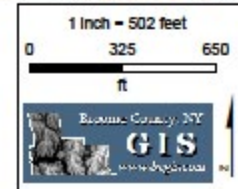
[About the US FWS](#)
[USA.gov](#)
[FOIA](#)



Fairmont Park Soils



DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.





National Wetlands Inventory
surface waters and wetlands

ABOUT GET DATA PRINT FIND LOCATION

BASEMAPS > MAP LAYERS >

- ☒ Wetlands 1 2
- ☒ Riparian 1 2
- ☒ Riparian Mapping Areas 1 2
- ☒ Data Source 1 2
 - ☐ Source Type
 - ☐ Image Scale
 - ☐ Image Year
- ☒ Areas of Interest 2
- ☒ FWS Managed Lands 1 2
- ☒ Historic Wetland Data 1 2

Measure

1:4,514
42.124 | -75.992

Triditions at the Glen

esri


POWERED BY

New York State, USDA-FSA, DigitalGlobe, GeoEye | Esri, HERE, Garmin, IPC | U.S. Fish and Wildlife Service, National Standards and Supp...


ng for fwsprimary.wim.usgs.gov...

Type here to search

10:02 AM
2/20/2020



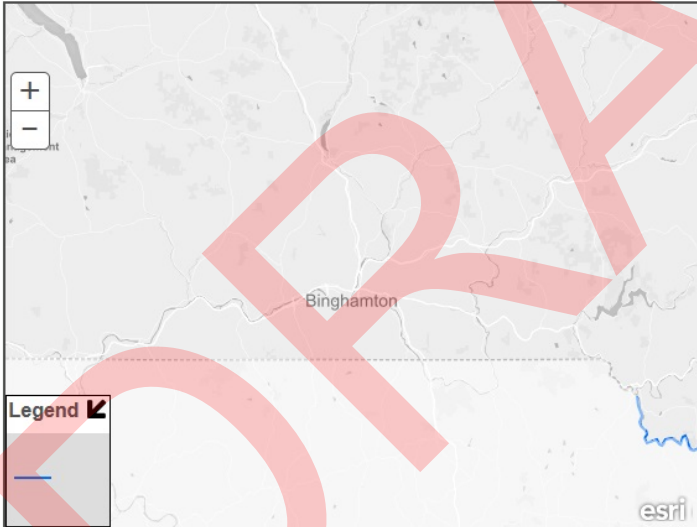
NATIONAL WILD AND SCENIC RIVERS SYSTEM



[NATIONAL SYSTEM](#)[MANAGEMENT](#)[RESOURCES](#)[PUBLICATIONS](#)[CONTACT US](#)[50 YEARS](#)[SITE INDEX](#)

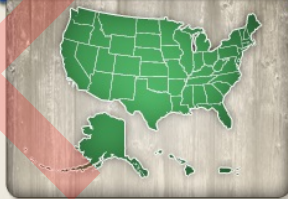
NEW YORK


New York has approximately 51,790 miles of river, of which 73.4 miles are designated as wild & scenic—a bit more than 1/10th of 1% of the state's river miles.



[+ View larger map](#)

EXPLORE DESIGNATED RIVERS






Choose A State

Choose A River

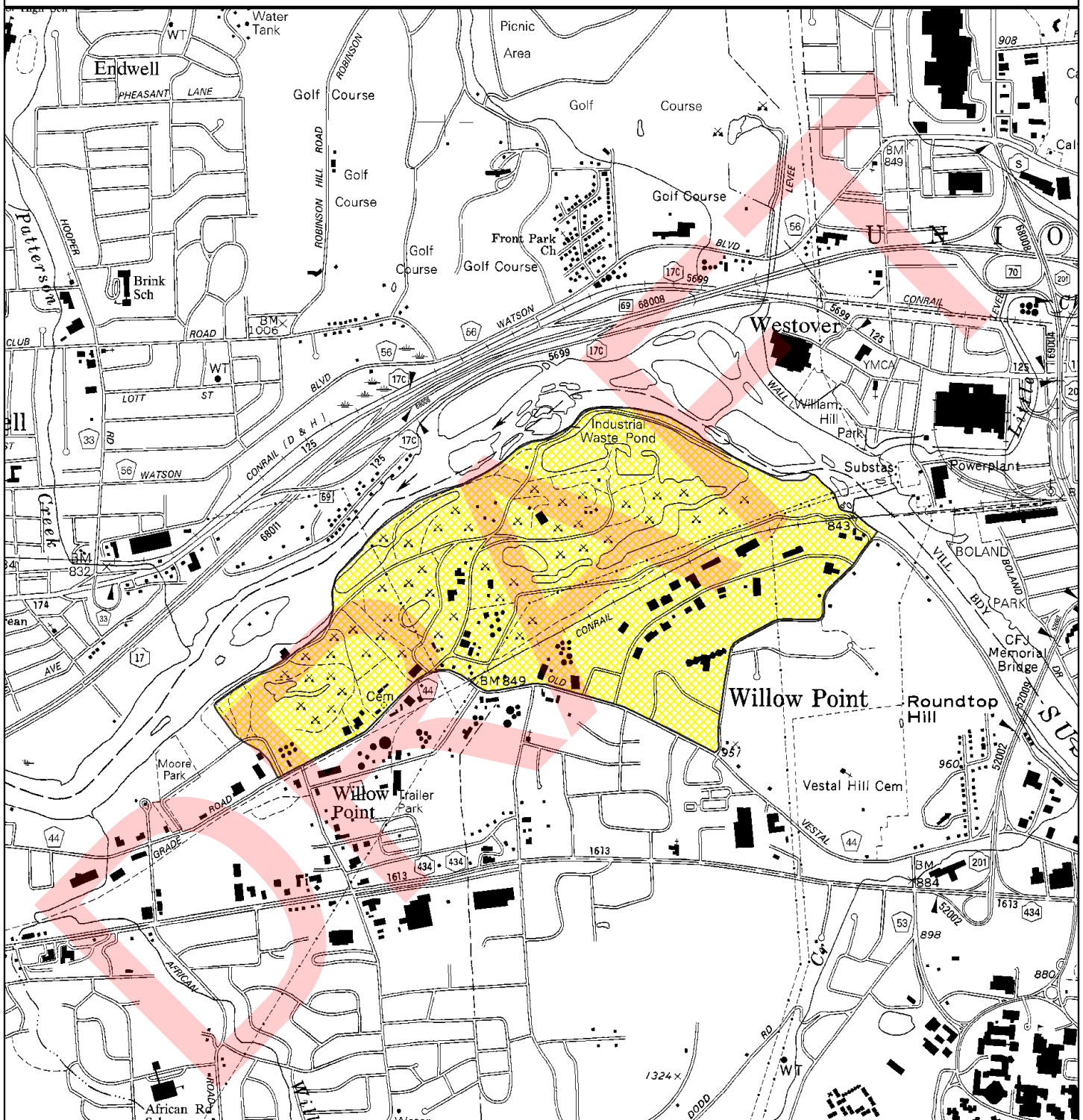
Still, white winters, subtle shades of spring green, lazy summer days, autumns lit with color, rivers in the Northeast showcase the seasons.



Well Field 4-2, 4-3, and 4-4 Recharge Areas Critical Environmental Area (CEA)

Effective Date of Designation: 9-28-90

Designating Agency: Town of Vestal



Legend

Well Field 4-2, 4-3, and 4-4 Recharge Areas CEA

0 1,000 2,000 4,000
Feet



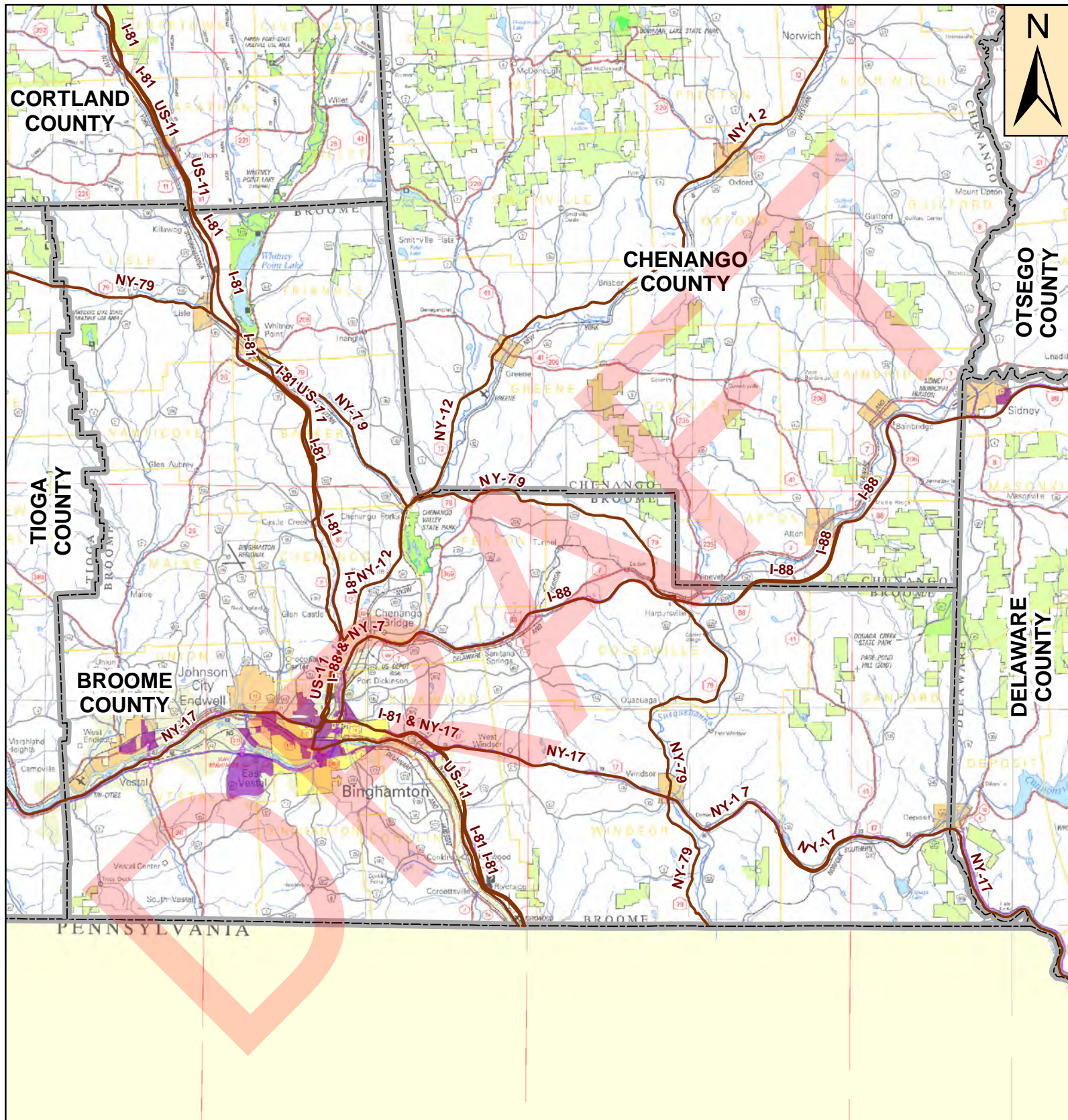
Base Map: DOT 1:24,000 Planimetric Images

1 inch equals 2,000 feet

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data. Please contact the designating authority for additional information regarding legal boundary descriptions.

Potential Environmental Justice Areas in Broome County, New York

Click on any Potential EJ Area outlined in blue for a detailed map



This computer representation has been compiled from supplied data or information that has not been verified by NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

NYSDEC does not guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

Legend

- Potential EJ Area
- County Boundary

0 2 4 6 8 10 Miles

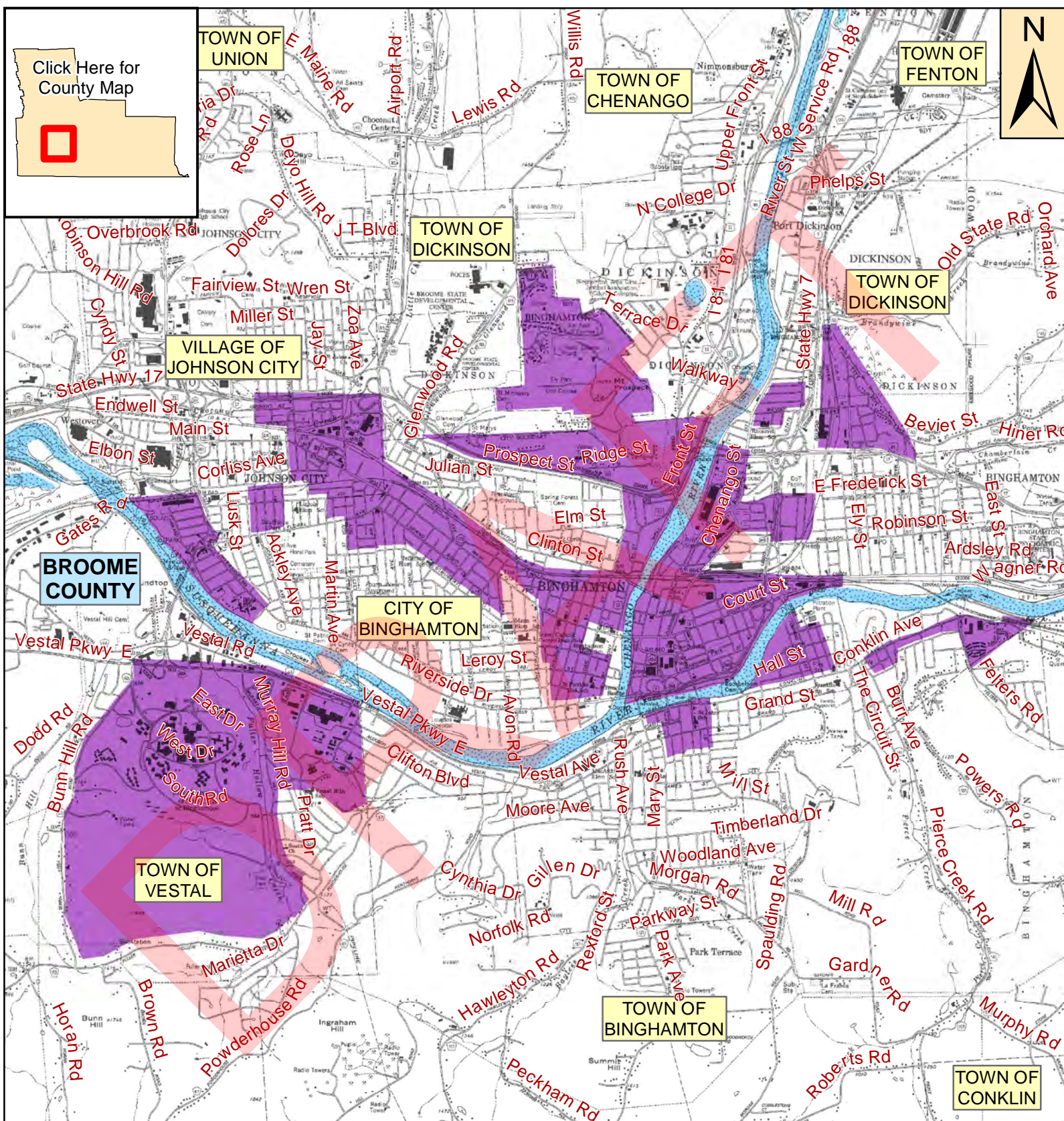
SCALE: 1:325,000

For questions about this map contact:
New York State Department of
Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, New York 12233-1500
(518) 402-8556
ej@gw.dec.state.ny.us



Potential Environmental Justice Areas in the Binghamton Area

Broome County, New York






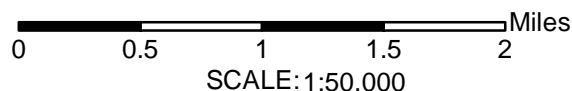
This computer representation has been compiled from supplied data or information that has not been verified by NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

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Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

Legend

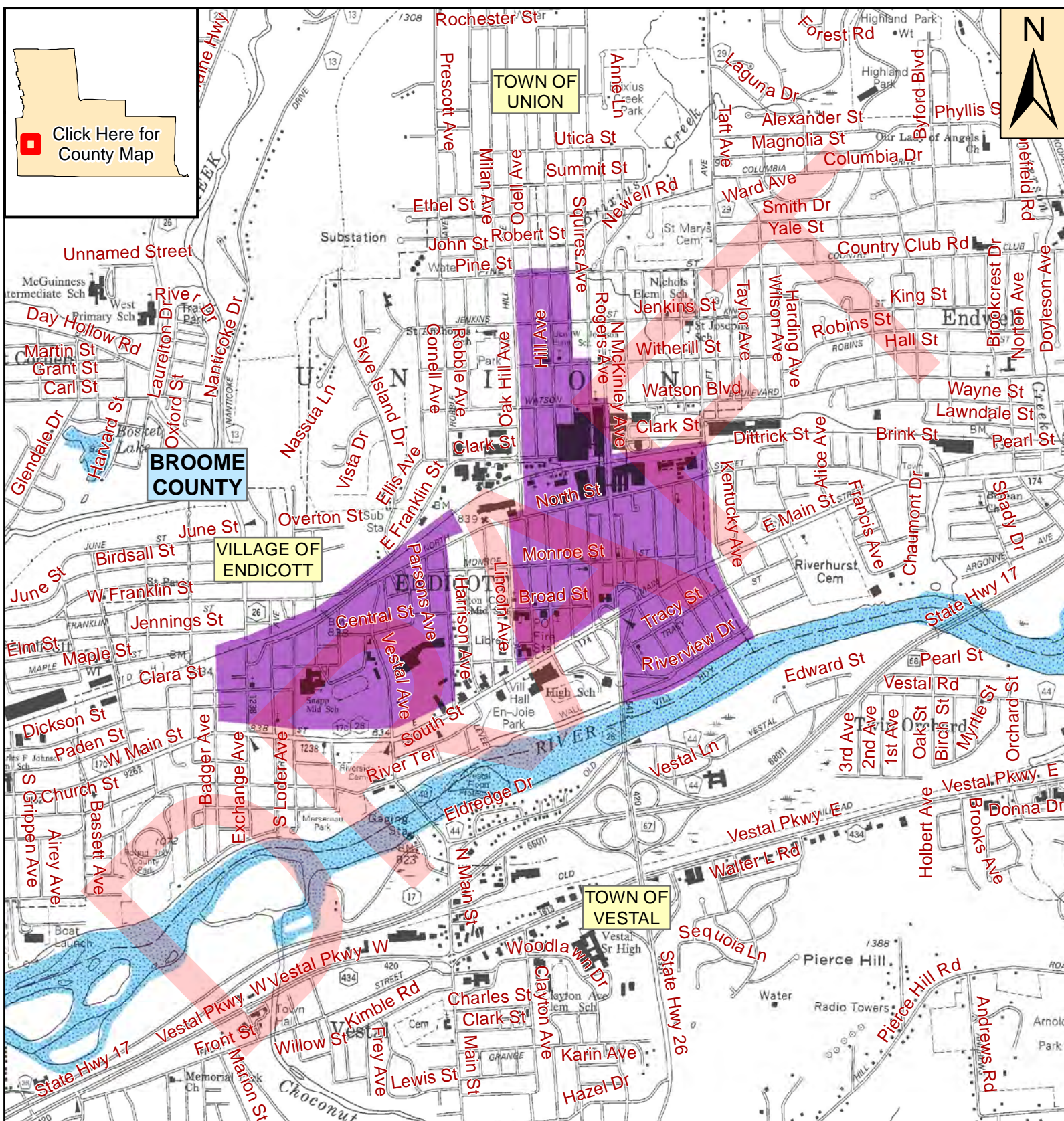
-  Potential EJ Area
 County Boundary
 Waterbodies



For questions about this map contact:
New York State Department of
Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, New York 12233-1500
(518) 402-8556
ej@gw.dec.state.ny.us



Potential Environmental Justice Areas in the Village of Endicott Broome County, New York



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NYSDEC does not guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

DRAFT

APPENDIX A
ENDANGERED SPECIES ACT DETERMINATION

Fairmont Park Water Main Improvements Broome County, New York

Endangered species review

EXIT REVIEW

Step 1: Request an official species list

An official species list is a letter from the local U.S. Fish and Wildlife Service office with information that assists in the evaluation of potential impacts of this project. It includes a list of species that should be considered under [Section 7](#) of the Endangered Species Act, a project tracking number, and other pertinent information from the local office.



Processing species list request

The request was submitted on February 19, 2020 at 8:17 AM MST.

Your species list request was submitted and is currently being processed. An official species list will be available momentarily. **Note that official species lists are no longer emailed.**

You may continue your review, or wait for the processing to complete. This page will refresh when the official species list is available. After processing, the official species list can also be found on the [Documents](#) page.

RETURN TO REGULATORY REVIEW

Fairmont Park Water Main Improvements

The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of



LOCATION Broome County, New York

CREATED February 19, 2020

What's next?

SPECIES LIST

Requesting an official species list is now part of IPaC's endangered species review.

Local office

New York Ecological
Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

3817 Luker Road
Cortland, NY
13045-9385

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

Resources

This project has no known impact on resources managed or regulated by the U.S. Fish and Wildlife Service.

- Migratory bird information is not available at this time
- Wetland information is not available at this time

IPaC resource list

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

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

Location

Broome County, New York



Local office

New York Ecological Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

3817 Luker Road
Cortland, NY 13045-9385

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

Endangered species

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

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

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

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

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

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

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

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

THERE ARE NO ENDANGERED SPECIES EXPECTED TO OCCUR AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

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

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

Additional information can be found using the following links:

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

MIGRATORY BIRD INFORMATION IS NOT AVAILABLE AT THIS TIME

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

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

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

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

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

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

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

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

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

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

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

What are the levels of concern for migratory birds?

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

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

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

Details about birds that are potentially affected by offshore projects

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

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

What if I have eagles on my list?

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

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is

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

Facilities

National Wildlife Refuge lands

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

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

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

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

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

Data limitations

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

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

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

Data exclusions

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

Data precautions

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

DRAFT
NOT FOR CONSULTATION



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road

Cortland, NY 13045-9385

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

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

In Reply Refer To:

February 19, 2020

Consultation Code: 05E1NY00-2020-SLI-1744

Event Code: 05E1NY00-2020-E-05255

Project Name: Fairmont Park Water Main Improvements

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

To Whom It May Concern:

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

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

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

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

Project Summary

Consultation Code: 05E1NY00-2020-SLI-1744

Event Code: 05E1NY00-2020-E-05255

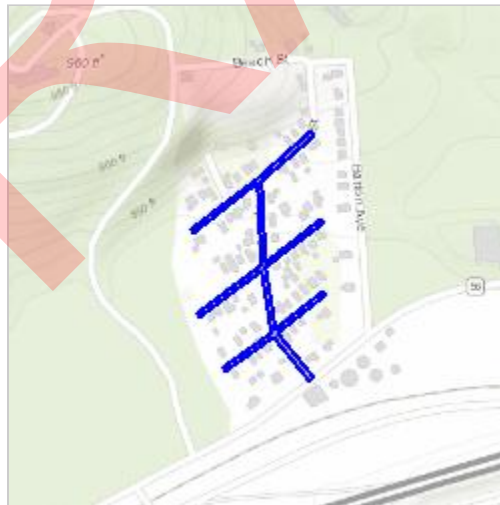
Project Name: Fairmont Park Water Main Improvements

Project Type: WATER SUPPLY / DELIVERY

Project Description: The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.120645875503556N75.99280550082801W>



Counties: Broome, NY

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

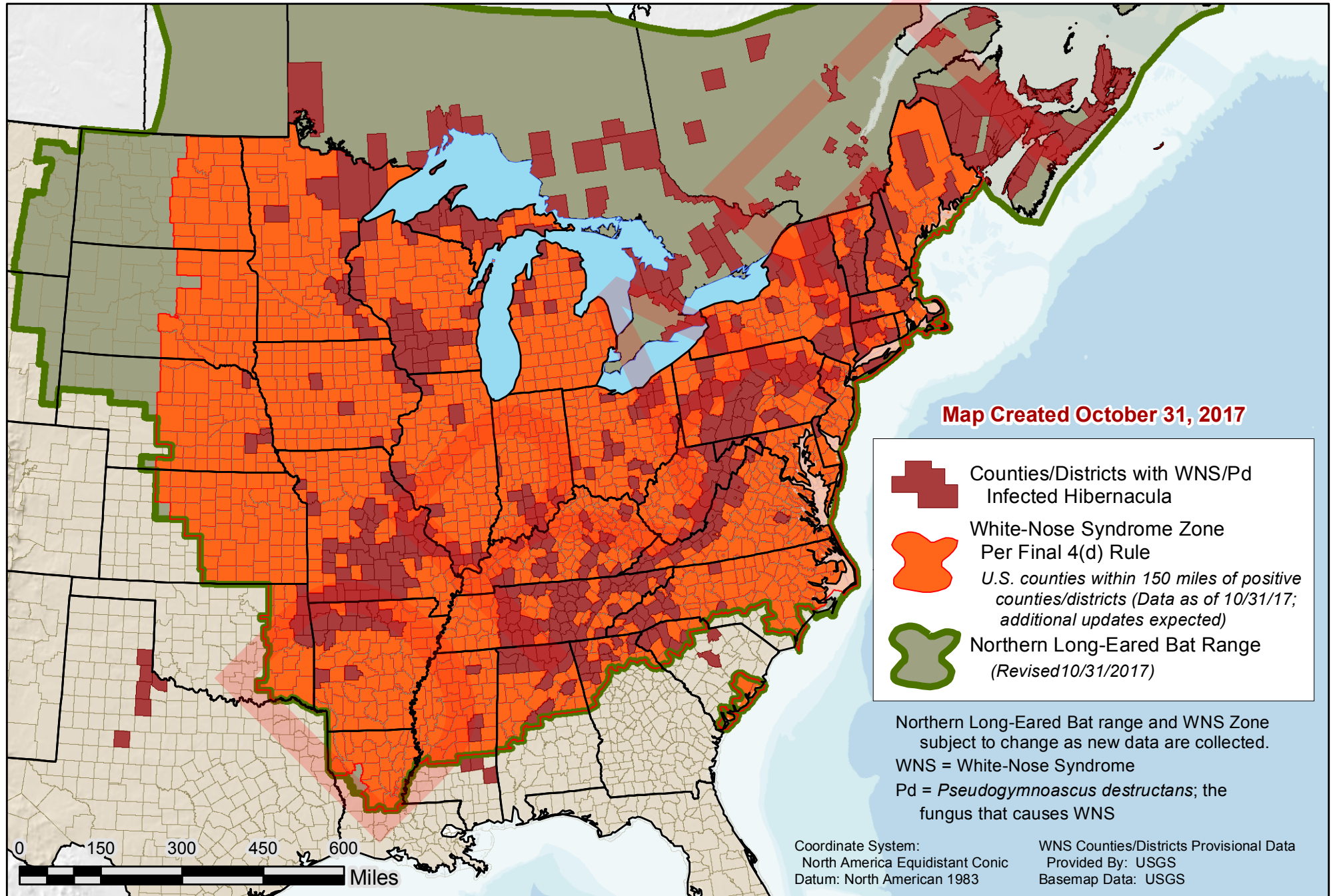
THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



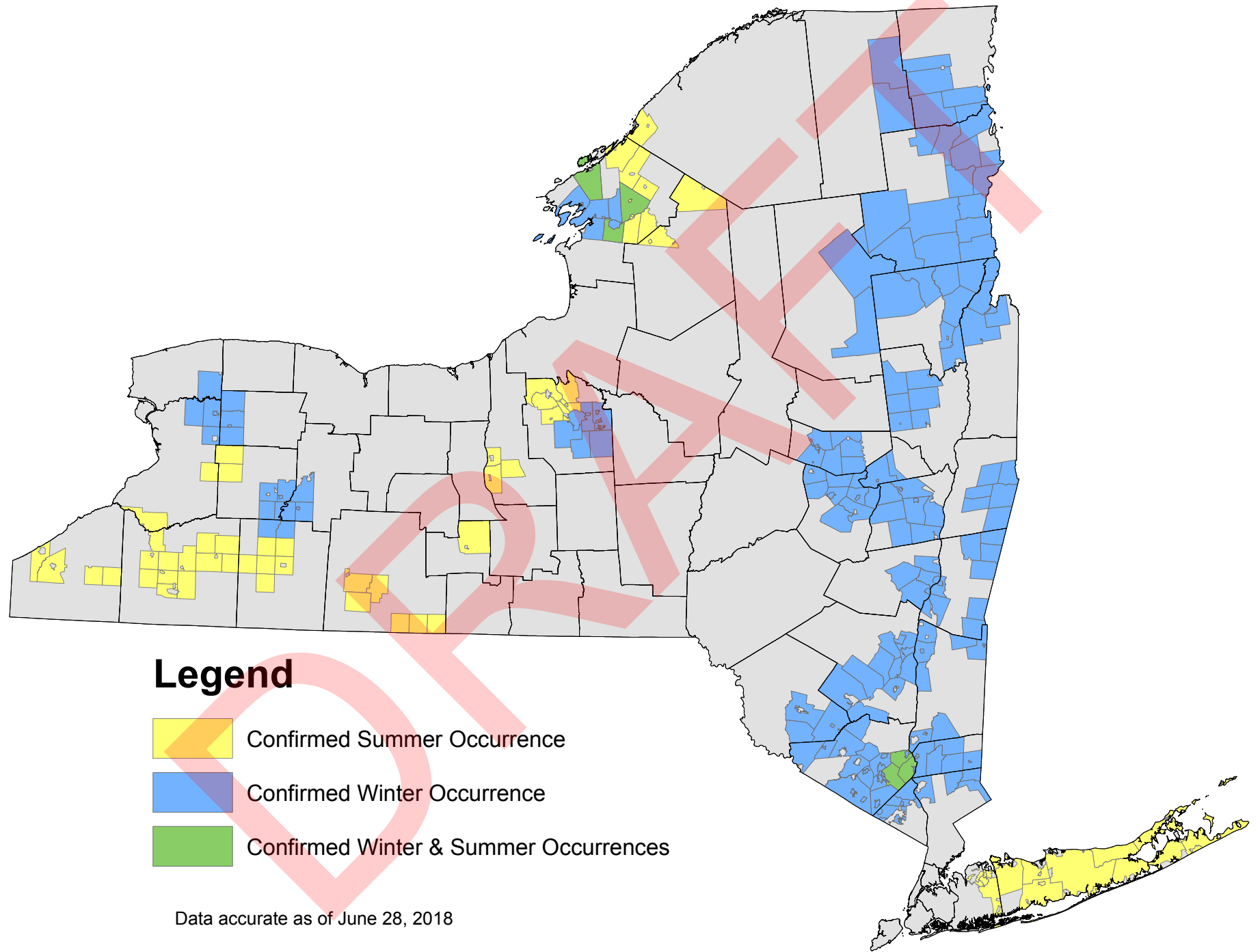
U.S. Fish & Wildlife Service

Northern Long-Eared Bat Final 4(d) Rule

White-Nose Syndrome Zone Around WNS/Pd Positive Counties/Districts



Northern Long-eared Bat Occurrences by Town



Northern Long-eared Bat Occurrences by Town

*if your town is highlighted in yellow, please contact [NYNHP](#) to see whether your project site is within 0.25 miles of a hibernacula, or 150 feet of a summer occurrence.

County	Name	Occurrence	
		Summer	Winter
Albany	Altamont		Yes
	Berne		Yes
	Bethlehem		Yes
	Coeymans		Yes
	Guilderland		Yes
	Knox		Yes
	New Scotland		Yes
	Voorheesville		Yes
	Westerlo		Yes
Allegany	Allen	Yes	
	Angelica	Yes	
	Belfast	Yes	
	Caneadea	Yes	
	Friendship	Yes	
	Granger		Yes
	Hume		Yes
	New Hudson	Yes	
Cattaraugus	Ellicottville	Yes	
	Farmersville	Yes	
	Franklinville	Yes	
	Great Valley	Yes	
	Little Valley	Yes	
	Lyndon	Yes	
	Machias	Yes	
	Mansfield	Yes	
	Napoli	Yes	
	New Albion	Yes	
	Otto	Yes	
	Salamanca	Yes	
Cayuga	Ledyard	Yes	
	Scipio	Yes	
	Springport	Yes	
Chautauqua	Chautauqua	Yes	
	Ellington	Yes	
	Gerry	Yes	
	Westfield	Yes	
Clinton	Ausable		Yes
	Black Brook		Yes
	Dannemora		Yes
	Peru		Yes
	Saranac		Yes

Note: not all portions of listed towns are covered by a buffer. If your town is listed, contact [NYNHP](#) or your [regional DEC office](#) to see whether your project site falls within known occupied habitat.

County	Name	Occurrence	
		Summer	Winter
Columbia	Ancram		Yes
	Austerlitz		Yes
	Canaan		Yes
	Chatham		Yes
	Copake		Yes
	Germantown		Yes
	Greenport		Yes
	Hudson		Yes
	Livingston		Yes
	New Lebanon		Yes
Dutchess	East Fishkill		Yes
	Fishkill		Yes
	Hyde Park		Yes
	Millerton		Yes
	Northeast		Yes
	Pine Plains		Yes
	Red Hook		Yes
	Rhinebeck		Yes
Erie	Akron		Yes
	Alden		Yes
	Clarence		Yes
	Collins	Yes	
	Newstead		Yes
	Wales	Yes	
Essex	Chesterfield		Yes
	Crown Point		Yes
	Elizabethtown		Yes
	Essex		Yes
	Jay		Yes
	Lewis		Yes
	Minerva		Yes
	Moriah		Yes
	Newcomb		Yes
	North Hudson		Yes
	Schroon		Yes
	Ticonderoga		Yes
	Westport		Yes
	Wilmington		Yes
Franklin	Bellmont		Yes
	Franklin		Yes
Genesee	Alabama		Yes
	Corfu		Yes
	Darien		Yes
	Pembroke		Yes

Note: not all portions of listed towns are covered by a buffer. If your town is listed, contact [NYNHP](#) or your [regional DEC office](#) to see whether your project site falls within known occupied habitat.

County	Name	Occurrence	
		Summer	Winter
Greene	Athens		Yes
	Cairo		Yes
	Catskill		Yes
	Coxsackie		Yes
Hamilton	Indian Lake		Yes
	Wells		Yes
Jefferson	Alexandria	Yes	
	Black River	Yes	
	Brownville		Yes
	Champion	Yes	
	Chaumont		Yes
	Clayton	Yes	Yes
	Dexter		Yes
	Evans Mills	Yes	
	Glen Park		Yes
	Hounsfield		Yes
	Le Ray	Yes	Yes
	Lyme		Yes
	Pamelia		Yes
	Philadelphia	Yes	
	Rutland	Yes	
	Theresa	Yes	
	Watertown	Yes	Yes
Lewis	Copenhagen	Yes	
	Denmark	Yes	
	Diana	Yes	
Livingston	Mount Morris		Yes
	Nunda		Yes
	Portage		Yes
Montgomery	Ames		Yes
	Canajoharie		Yes
	Charleston		Yes
	Glen		Yes
	Mohawk		Yes
	Nelliston		Yes
	Palatine		Yes
	Palatine Bridge		Yes
	Root		Yes
Nassau	Brookville	Yes	
	Muttontown	Yes	
	Oyster Bay	Yes	
	Oyster Bay Cove	Yes	
	Upper Brookville	Yes	
Niagara	Royalton		Yes

Note: not all portions of listed towns are covered by a buffer. If your town is listed, contact [NYNHP](#) or your [regional DEC office](#) to see whether your project site falls within known occupied habitat.

County	Name	Occurrence	
		Summer	Winter
Onondaga	Camillus	Yes	
	Clay	Yes	
	De Witt		Yes
	East Syracuse		Yes
	Fayetteville		Yes
	Geddes	Yes	
	La Fayette		Yes
	Liverpool	Yes	
	Lysander	Yes	
	Manlius		Yes
	Minoa		Yes
	Onondaga		Yes
	Pompey		Yes
	Salina	Yes	
	Syracuse		Yes
	Van Buren	Yes	
Orange	Blooming Grove		Yes
	Chester		Yes
	Cornwall	Yes	Yes
	Cornwall-on-Hudson		Yes
	Crawford		Yes
	Deerpark		Yes
	Goshen		Yes
	Greenwood Lake		Yes
	Hamptonburgh		Yes
	Harriman		Yes
	Highland Falls		Yes
	Highlands	Yes	Yes
	Kiryas Joel		Yes
	Monroe		Yes
	Mount Hope		Yes
	Otisville		Yes
	South Blooming Grove		Yes
	Tuxedo		Yes
	Tuxedo Park		Yes
	Wallkill		Yes
	Warwick		Yes
	Washingtonville		Yes
	Woodbury	Yes	Yes
Putnam	Brewster		Yes
	Carmel		Yes
	Cold Spring		Yes
	Kent		Yes
	Nelsonville		Yes
	Philipstown		Yes
	Putnam Valley		Yes
	Southeast		Yes

Note: not all portions of listed towns are covered by a buffer. If your town is listed, contact [NYNHP](#) or your [regional DEC office](#) to see whether your project site falls within known occupied habitat.

County	Name	Occurrence	
		Summer	Winter
Rensselaer	Berlin		Yes
	Grafton		Yes
	Petersburgh		Yes
	Poestenkill		Yes
	Sand Lake		Yes
	Stephentown		Yes
Rockland	Haverstraw		Yes
	Hillburn		Yes
	Pomona		Yes
	Ramapo		Yes
	Sloatsburg		Yes
	Stony Point		Yes
Saratoga	Corinth		Yes
	Edinburg		Yes
	Galway		Yes
	Greenfield		Yes
	Milton		Yes
	Providence		Yes
Schenectady	Delanson		Yes
	Duanesburg		Yes
	Princetown		Yes
Schoharie	Carlisle		Yes
	Cobleskill		Yes
	Esperance		Yes
	Esperance		Yes
	Fulton		Yes
	Middleburgh		Yes
	Schoharie		Yes
	Seward		Yes
	Sharon		Yes
	Wright		Yes
Schuyler	Hector	Yes	
St Lawrence	Hammond	Yes	
Steuben	Cameron	Yes	
	Canisteo	Yes	
	Caton	Yes	
	Jasper	Yes	
	Lindley	Yes	
	Tuscarora	Yes	
Suffolk	Brookhaven	Yes	
	Dering Harbor	Yes	
	East Hampton	Yes	
	Huntington	Yes	
	Islandia	Yes	
	Islip	Yes	
	Lloyd Harbor	Yes	
	Mastic Beach	Yes	

Note: not all portions of listed towns are covered by a buffer. If your town is listed, contact [NYNHP](#) or your [regional DEC office](#) to see whether your project site falls within known occupied habitat.

County	Name	Occurrence	
		Summer	Winter
Suffolk (cont'd)	Riverhead	Yes	
	Sag Harbor	Yes	
	Shelter Island	Yes	
	Shoreham	Yes	
	Smithtown	Yes	
	Southampton	Yes	
	Southold	Yes	
	Village of the Branch	Yes	
Sullivan	Bloomingburg		Yes
	Forestburgh		Yes
	Mamakating		Yes
	Thompson		Yes
	Wurtsboro		Yes
Ulster	Esopus		Yes
	Hurley		Yes
	Kingston		Yes
	Marbletown		Yes
	New Paltz		Yes
	Rochester		Yes
	Rosendale		Yes
	Shawangunk		Yes
	Ulster		Yes
	Wawarsing		Yes
Warren	Bolton		Yes
	Chester		Yes
	Hague		Yes
	Horicon		Yes
	Johnsburg		Yes
	Lake George		Yes
	Queensbury		Yes
Washington	Dresden		Yes
	Fort Ann		Yes
	Putnam		Yes
	Whitehall		Yes
Westchester	Cortlandt		Yes
	Lewisboro		Yes
	North Salem		Yes
	Somers		Yes
Wyoming	Bennington	Yes	
	Castile		Yes
	Gainesville		Yes
	Genesee Falls		Yes
	Pike		Yes
	Sheldon	Yes	

Note: not all portions of listed towns are covered by a buffer. If your town is listed, contact [NYNHP](#) or your [regional DEC office](#) to see whether your project site falls within known occupied habitat.

Species Conclusions Table

Project Name: Fairmont Park Water Main Improvements, Johnson City, NY 13790

Date: February 18th, 2020

Species Name	Potential Habitat Present?	Species Present?	Piping Plover Critical Habitat Present?	ESA / Eagle Act Determination (REQUIRED) (e.g. no effect, may affect but not likely to adversely affect, likely to adversely affect, no take, may affect but 4(d) rule).	Notes / Documentation Summary (include full rationale in your report)
Northern Long Eared Bat	Yes	No	No	No effect	There is no critical habitat present; this project will not involve tree removal

Last modified: 9/29/2016

APPENDIX B
FLOODPLAIN 8-STEP PROCESS

**FLOODPLAIN 8-STEP PROCESS IN ACCORDANCE WITH
EXECUTIVE ORDER 11988: FLOODPLAIN MANAGEMENT**

Town of Union, New York
Fairmont Park Water Main Improvements
Johnson City, Broome County, NY
Sara Zubalsky-Peer, Planning Director
April 30, 2020

The Town of Union is requesting funding from the U.S. Department of Housing and Urban Development (“HUD”) for the “Fairmont Park Water Main Improvements” (“Proposed Action”), located in Johnson City, Broome County, New York (see attached map). The town is conducting an environmental review of the Proposed Action on behalf of HUD as the recipient of Community Development Block Grant (“CDBG”) funds under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014).

The Town of Union is currently working with a developer who will be constructing flood resilient, affordable housing in the Fairmont Park neighborhood. The town is undertaking this project in support of the affordable housing development and seeks to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more stringent than when the subdivision was originally built. The water mains will be up-sized from ¾ inch lines and one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed. Any appropriate easements will be obtained before construction begins.

The Fairmont Park neighborhood was hard hit during the 2011 flood event and underwent a round of buyouts that devastated the neighborhood. The Town of Union has put a significant amount of funds into providing flood mitigation for the neighborhood, including completion of a flood gate closure across Watson Boulevard, completed in 2017, and repairs and extension of an existing earthen levee along Barton Avenue, due to begin construction in 2020. In order for the affordable housing complex, to be built with flood resilient design, the water mains must be improved.

STEP ONE: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland.

Review of Flood Insurance Rate Map community panel number 3600560025B effective date November 21, 1980 shows the proposed project is located in Flood Zone A and Zone B. The Town of Union considers the Proposed Action a critical action as it will bring the existing public water distribution system up to current Health Department standards and will allow for new construction of flood resilient, affordable housing in a neighborhood impacted by the 2011 flood event. Any required easements will be obtained before construction begins.

The project does not meet any of the exemptions in 24 CFR 55.12, therefore, E.O. 19988 applies. An evaluation of direct and indirect impacts associated with construction within a floodplain is required. This analysis considers impacts to flood levels, flood risk, and the flow of flood waters in the project area and to surrounding areas.

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

A public notice describing the project was published in the Binghamton Press & Sun-Bulletin, the local and regional paper and posted on the Town of Union's official webpage (www.townofunion.com) on February 26, 2020. The notice targeted citizens who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment. As required by regulation the notice included the name, proposed location, and description of the activity. It also included the HUD official or responsible entity contact information as well as the location and hours of the office at which a full description of the Proposed Action could be viewed. A copy of the published notification is attached hereto. The required 15 calendar days were allowed for public comment. No comments were received during the 15 calendar days following publication.

Step THREE: Identify and evaluate practicable alternatives.

After consideration of the following alternatives, the Town of Union has determined the best practicable alternative is the Proposed Action. The alternative actions considered are as follows: (1) No Action. There were no other practicable alternatives to evaluate. Either the existing water distribution system remains as constructed or the town undertakes improvements to the system to meet the minimum Health Department standards.

No Action Alternative

Under the No Action alternative, conditions of the environment would remain unchanged and the Fairmont Park Neighborhood would continue to be served by an outdated water distribution system consisting of ¾ inch and one inch lines that do not meet current Health Department standards. No new construction would be allowed in the neighborhood. There would be continued need for periodic hydrant flushing and current homeowners would continue to be at risk of experiencing potential water supply issues. The No Action alternative provides no incentive for redevelopment in the neighborhood.

Step FOUR: Identify Potential Direct and Indirect Impacts Associated with Floodplain Development.

The Proposed Action involves improvements to an existing public water distribution system. Construction will take place in an existing subdivision. The project will not have any effect on water surface elevations, will not cause any increase in the actual volume of storm water, and will not result in significant adverse impacts to the floodplain. It seeks to provide benefits to residents and property owners in the project area and provide infrastructure in support of affordable housing. The Proposed Action would not result in a net increase of flood levels, flood risk, or the flow of flood waters on the project site or surrounding areas.

Step FIVE: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.

The proposed improvements to the existing water distribution system would increase community resilience by providing water supply that meets Health Department standards. The project does not pose a risk to floodplain values.

Step SIX: Re-evaluate the Proposed Action

Despite being located in a 100-year floodplain, the Proposed Action was designed to minimize impacts on floodplain values and seeks to provide benefits by providing improved water supply infrastructure to Fairmont Park residents and property owners.

The Town of Union has reevaluated the Proposed Action and determined that it is practicable and necessary in light of its exposure to inadequate water supply infrastructure. There is no practicable alternative to the Proposed Action. The No Action alternative is not practicable because it would fail to meet the project purpose and need. The residents and property owners in Fairmont Park would remain at risk for potential water supply issues and no new construction or investment in the neighborhood would be allowed.

Step SEVEN: Issue Findings and a Public Explanation

It is determined by the Town of Union that there is no practicable alternative to locating the Proposed Action in the flood zone and the proposed Fairmont Park Water Main Improvements project is the preferred alternative. This is due to: 1) the need to provide improved water supply distribution infrastructure that meets current Health Department standards to current residents and property owners; 2) the project purpose to provide infrastructure in support of flood resilient, affordable housing 3) providing infrastructure that allows for the opportunity for reinvestment in a previously devastated neighborhood; 4) the ability to mitigate risk and minimize impacts on public safety and floodplain values.

A 7-day “Notice for Final Public Review of a Proposed Activity in a 100-Year Floodplain” was published in the Binghamton Press & Sun-Bulletin, the local and regional paper and posted to the Town of Union official webpage on April 22, 2020. The notice targeted citizens who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment. A copy of the published notification is attached hereto.

Step EIGHT: Implement the Proposed Action

The Town of Union will ensure that this plan, as described above, is executed and necessary language will be included in all agreements with participating parties. Further, the Town of Union will see that all mitigation measures as prescribed in the following reviews are completed: National Environmental Policy Act (NEPA) review in accordance with 24 CFR Part 58 and a New York State Environmental Quality Review Act (SEQR) review in accordance with 6 NYCRR Part 617. Lastly, The Town of Union will take an active role

in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

DRAFT



TOWN OF UNION, NEW YORK

**Early Notice and Public Review of a Proposed
Activity in a 100-year Floodplain
Town of Union, New York
Fairmont Park Water Main Improvements
Johnson City, Broome County, NY
Sara Zubalsky-Peer, Planning Director**

To: All interested Agencies, Groups and Individuals.

This is to give notice that the Town of Union under 24 CFR Part 58 has determined that the following proposed action in Johnson City, Broome County, New York ("Proposed Action") is located in the 100-year floodplain. The Town of Union is conducting an environmental review of the Proposed Action as the recipient of Community Development Block Grant ("CDBG") funds from the U.S. Department of Housing and Urban Development under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014). As required by Executive Order 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, the Town of Union will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as the potential impacts on the floodplain. The Proposed Action is a federally funded undertaking involving federal, state, and local regulatory approvals and discretionary permits associated with modification of an existing public water distribution system in the Fairmont Park subdivision in the Town of Union, NY.

The proposed project will bring the current public water distribution system up to current Health Department standards. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more stringent than when the subdivision was originally built. The existing water mains consist of ¾" and 1" lines. These lines are undersized for the existing subdivision and prevent any new construction. In addition, the lines are not looped and the current system requires periodic hydrant flushing. The proposed project will upgrade the water mains to 8" lines and will loop the system per current Health Department standards.

There are three primary reasons for this notice. First, citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool.

The dissemination of information about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

COMMENTS:

Written comments are requested and will be accepted by the person noted below, on or before March 12th, 2020 at 4:00 PM.

FOR FURTHER INFORMATION CONTACT:

Town of Union
Department of Planning
3111 E. Main St.
Endwell, New York 13760
Attn: Sara Zubalsky-Peer, Planning Director
(607) 786-2977
szubalsky@townofunion.com

Comments may also be submitted or further information can be requested via email to:

cdbg@townofunion.com

A full description of the project may also be reviewed from 8:00 AM - 4:00 PM, Monday through Friday, at the Town of Union office address listed above.



Town of
Union

HOME DEPARTMENTS ▼ GOVERNMENT ▼ COMMUNITY ▼ CONTACT

FOR CORONAVIRUS (COVID-19) UPDATES CLICK HERE

THE TOWN HALL IS CURRENTLY CLOSED TO THE PUBLIC - PLEASE CALL 607-786-2900



35° F

Cloudy



Flood Information



Parks & Rec
Online Registration



Public Notices

Public Notices, Press Releases & Newsletters

Categories

Community Choice Aggregation (CCA)

Documents

Notice of Special Election - West Endicott Fire District	New Popular	15 Apr 2020
PERMISSIVE REFERENDUM - Infrastructure	Popular	03 Apr 2020
PERMISSIVE REFERENDUM - Street Lighting	Popular	03 Apr 2020
PERMISSIVE REFERENDUM - Bldg Improvements	Popular	03 Apr 2020
2020 2024 Input Hearing Flyer	Popular	06 Mar 2020
PERMISSIVE REFERENDUM - 2020 CHEVROLET SILVERADO 2500HD	Popular	06 Mar 2020
Public Review of a Proposed Activity in a 100-year Floodplain Town of Union	Popular	26 Feb 2020
PERMISSIVE REFERENDUM - PAPER STREET KNOWN AS LANDMARK DRIVE	Popular	23 Jan 2020
TOWN OF UNION CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT	Popular	02 Dec 2019



TOWN OF UNION, NEW YORK

**Final Notice and Public Review of a Proposed
Activity in a 100-year Floodplain
Town of Union, New York
Fairmont Park Water Main Improvements
Johnson City, Broome County, NY
Sara Zubalsky-Peer, Planning Director**

To: All interested Agencies, Groups and Individuals.

This is to give notice that the Town of Union under 24 CFR Part 58 has determined that the following proposed action in Johnson City, Broome County, New York ("Proposed Action") is located in the 100-year floodplain. The Town of Union is conducting an environmental review of the Proposed Action as the recipient of Community Development Block Grant ("CDBG") funds from the U.S. Department of Housing and Urban Development under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014). As required by Executive Order 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, the Town of Union will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as the potential impacts on the floodplain. The Proposed Action is a federally funded undertaking involving federal, state, and local regulatory approvals and discretionary permits associated with modification of an existing public water distribution system in the Fairmont Park subdivision in the Town of Union, NY.

The proposed project will bring the current public water distribution system up to current Health Department standards. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more stringent than when the subdivision was originally built. The existing water mains consist of ¾" and 1" lines. These lines are undersized for the existing subdivision and prevent any new construction. In addition, the lines are not looped and the current system requires periodic hydrant flushing. The proposed project will upgrade the water mains to 8" lines and will loop the system per current Health Department standards.

There are three primary reasons for this notice. First, citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool.

The dissemination of information about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

COMMENTS:

Written comments are requested and will be accepted by the person noted below, on or before April 30th, 2020 at 4:00 PM.

FOR FURTHER INFORMATIONCONTACT:

Town of Union
Department of Planning
3111 E. Main St.
Endwell, New York 13760
Attn: Sara Zubalsky-Peer, Planning Director
(607) 786-2977
szubalsky@townofunion.com

Comments may also be submitted or further information can be requested via email to:

cdbg@townofunion.com

A full description of the project may also be reviewed from 8:00 AM - 4:00 PM, Monday through Friday, at the Town of Union office address listed above by appointment only.

Public Notices

public notices/legals email: cnylegals@gannett.com
or call: 844.994.0699

IMPORTANT INFORMATION ABOUT YOUR SPECTRUM CHANNEL LINEUP

Communities Served: Towns of Callicoon, Colchester, Delaware, Denning, Fallsburg, Fremont, Liberty, Neversink, Rockland; Villages of Jeffersonville and Liberty, NY

Effective on or after June 1st, 2020, Shop Zeal 9 will no longer be available on Basic/Starter TV channels 479 & 493.

For a complete channel lineup, visit Spectrum.com/channels. To view this notice online, visit Spectrum.net/programmingnotices.

You may downgrade or disconnect your service without charge within 30 days of receipt of this notice.
4/22/2020

LEGAL NOTICE [CORRECTION]
PUBLIC HEARING
PLANNING COMMISSION
of the CITY OF BINGHAMTON

PLEASE NOTE, THE CALL IN NUMBER AND ACCESS CODE FOR THIS MEETING HAS CHANGED. SEE BELOW.

NOTICE IS HEREBY GIVEN that the City of Binghamton Planning Commission will hold a public hearing on 4/27/2020. Due to the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, the Planning Commission meeting will be held video/teleconference scheduled to begin at 5:20 p.m. Parties of interest and citizens wishing to be heard in reference to an application by Family & Children's Society, for Site Plan Review and a special use permit to construct an 9,292ft2 building and an ancillary parking lot in association with the expansion of an existing Human Service Agency at 257-261 Main St and 264-266 Main St, Binghamton, New York will have an opportunity to comment by phone during the public hearing or by writing in advance, in accordance with Executive Order 202.15. Written comments should be emailed to oavarughese@cityofbinghamton.com or mailed to the Planning Department, 38 Hawley St, Binghamton, NY 13901 in advance of the meeting. Comments sent by physical mail less than three days prior to the meeting may not be received by staff. Written comments will be distributed to the Planning Commission and appended to the hearing record.

To listen to the meeting audio via phone, call: (631) 992-3221 and use the access code: 859-113-150. To speak during the public hearing, commenters may call the Planning Department at 607 772-7028. Commenters will be allowed to speak in the order that calls are received. Calls cannot be queued; if a caller receives a busy signal, they should wait one minute and retry the call.

Nicholas Corcoran, Planning Commission Chair
4/22/2020

Final Notice and Public Review of a Proposed Activity in a 100-year Floodplain Town of Union, New York Fairmont Park Water Main Improvements Johnson City, Broome County, NY Sara Zubalsky-Peer, Planning Director To: All interested Agencies, Groups and Individuals. This is to give notice that the Town of Union under 24 CFR Part 58 has determined that the following proposed action in Johnson City, Broome County, New York ("Proposed Action") is located in the 100-year floodplain. The Town of Union is conducting an environmental review of the Proposed Action as the recipient of Community Development Block Grant ("CDBG") funds from the U.S. Department of Housing and Urban Development under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014). As required by Executive Order 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, the Town of Union will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as the potential impacts on the floodplain.

The Proposed Action is a federally funded undertaking involving federal, state, and local regulatory approvals and discretionary permits associated with modification of an existing public water distribution system in the Fairmont Park subdivision in the Town of Union, NY. The proposed project will bring the current public water distribution system up to current Health Department standards. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more stringent than when the subdivision was originally built. The existing water mains consist of 3/4" and 1" lines. These lines are undersized for the existing subdivision and prevent any new construction. In addition, the lines are not looped and the current system requires periodic hydrant flushing. The proposed project will upgrade the water mains to 8" lines and will loop the system per current Health Department standards. There are three primary reasons for this project:

Legal Notices

First, citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

COMMENTS: Written comments are requested and will be accepted by the person noted below, on or before April 30th, 2020 at 4:00 PM. FOR FURTHER INFORMATION CONTACT: Town of Union Department of Planning 3111 E. Main St. Endwell, New York 13760 Attn: Sara Zubalsky-Peer, Planning Director (607) 786-2977 szubalsky@townofunion.com

Comments may also be submitted or further information can be requested via email to: cdbg@townofunion.com A full description of the project may also be reviewed from 8:00 AM - 4:00 PM, Monday through Friday, at the Town of Union office address listed above by appointment only.
4/22/2020

SUMMONS, NOTICE AND BRIEF STATEMENT OF NATURE OF ACTION CONSUMER CREDIT TRANSACTION SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF BROOME Index No. EFCAC2019-001317 M&T BANK, Plaintiff, - against- SHAWN JORGENSEN, AS HEIR TO THE ESTATE OF LOU ANN JORGENSEN A/K/A LOU ANN SHIRLEY; BRANDY JORGENSEN, AS HEIR TO THE ESTATE OF LOU ANN JORGENSEN A/K/A LOU ANN SHIRLEY, ALL UNKNOWN HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES OF LOU ANN JORGENSEN A/K/A LOU ANN SHIRLEY AND ANY OF HIS, HER OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE, AND INTEREST; et al Defendants. TO THE DEFENDANT(S): All Unknown Heirs, Devisees and Personal Representatives of Lou Ann Jorgensen a/k/a Lou Ann Shirley and any of his, her or their successors in right, title and interest. YOU ARE HEREBY SUMMONED and required to serve upon plaintiff's attorneys an answer to the complaint in this action within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after service is complete if the Summons is not personally delivered to

Legal Notices

you within the State of New York. The United States of America, if designated as a defendant in this action, may answer or appear within sixty (60) days of service hereof. In case of your failure to answer, judgment will be taken against you for the relief demanded in the complaint. Trial is desired in the County of BROOME. The basis of venue designated above is that the real property, which is the subject matter of this action, is located in the County of BROOME, New York. NOTICE: YOU ARE IN DANGER OF LOSING YOUR HOME IF YOU DO NOT RESPOND TO THIS SUMMONS AND COMPLAINT BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE MORTGAGE COMPANY WHO FILED THIS FORECLOSURE PROCEEDING AGAINST YOU AND FILING THE ANSWER WITH THE COURT A DEFAULT JUDGMENT MAY BE ENTERED AND YOU CAN LOSE YOUR HOME. SPEAK TO AN ATTORNEY OR GO TO THE COURT WHERE YOUR CASE IS PENDING FOR FURTHER INFORMATION ON HOW TO ANSWER THE SUMMONS AND PROTECT YOUR PROPERTY. SENDING A PAYMENT TO YOUR MORTGAGE COMPANY WILL NOT STOP THIS FORECLOSURE ACTION. YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT. The foregoing Summons is served upon you by publication pursuant to an order of Hon. Joseph F. Cawley, Justice of the Supreme Court of the State of New York, signed on March 9, 2020 in Binghamton, New York and entered in the BROOME County Clerk's Office, in Binghamton, New York on March 16, 2020. The Nature of this action pertains to a note and mortgage held by Plaintiff on real property owned by the above named defendants as specified in the complaint filed in this action. The above named defendants have failed to comply with the terms and provisions of the said mortgage and said instruments secured by said mortgage, by failing and omitting to pay the balance due and owing and the Plaintiff has commenced a foreclosure action. Plaintiff is seeking a judgment foreclosing its mortgage against the real property and premises which situate in the Town of Union, County of Broome and State of New York and is commonly known as 407 Marion Street, Endicott, New York 13760 and all other relief as to the Court may seem just and equitable. DATED: March 19, 2020 SCHILLER, KNAPP, LEFKOWITZ & HERTZEL, LLP BY: WILLIAM B. SCHILLER, ESQ. Attorneys for Plaintiff 950 New Loudon Road Latham, New York 12110 Telephone: (518) 786-9069 68934
4/1 4/8 4/15 4/22/2020

Legal Notices
LLC & PLC

33 SJ LLC Articles of Org. filed with NYS Department of State Division of Corporations and State Records on 03/27/202 in NY. Office in Broome county and NYS shall mail process to 116 Murray St, Binghamton NY 13905 which is also the principal business location. Purpose of the LLC is for real estate holding.
4/15, 4/22, 4/29, 5/6,, 5/13 5/20/2020

Articles of Organization of 182 Win, LLC filed with the NYS Secretary of State (NYS) on 3/9/20. Office of LLC is in Broome County. The Secretary of State designated as agent for service of process against it. NYSS shall mail process to 182 Baldwin Street, Johnson City, NY 13790. Business purpose: any lawful activity.
3/18, 3/25, 4/1, 4/8, 4/15, 4/22/2020

Articles of Organization of 607 Construction LLC filed with the NYS Secretary of State (NYSS) on 4/8/2020. Office of LLC is in Broome County. The Secretary of State designated as agent for service of process against it. NYSS shall mail process to 434 Cloverdale Road, Chenango Forks, NY 13746. Business purpose: any lawful activity."
4/15, 22, 29, 5/6, 13, 20, 2020

BC Power Washing LLC Articles of Organization filed with NY Sec. of State (SSNY) on 03/10/2020. Office in Broome County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail a copy of process to: 1040 Schuyler Street Endicott, NY 13760. Purpose: Any lawful purpose.
3/25, 4/1, 4/8, 4/15, 4/22, 4/29/2020

GMJ Small Engine Repair LLC. Arts. of Org. Filed with SSNY on 03/26/20. Office: Broome County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 486 Cherry Valley Hill Rd. Maine, New York 13802. Purpose: Any lawful purpose
4/22, 4/29, 5/6, 5/13, 5/20, 5/27/2020

NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY: The name of the limited liability company is: Tammy S. Lippman LCSW, PLLC (the "Company"). The date of filing of the Articles of Organization of the Company with the Secretary of State was February 25, 2020. The county in which the principal place of business of the Company shall be located is Broome County. The Secretary of State has been designated as agent of the Company upon whom process against it may be served. The Secretary of State shall mail a copy of any process

Legal Notices
LLC & PLC

against the Company, to Hinman, Howard & Kattell, LLP, Attn: Ryan M. Mead, 80 Exchange Street, Suite 700, Binghamton, NY 13901. The purpose of the business of the Company is any lawful business purpose.
3/18, 3/25, 4/1, 4/8, 4/15, 4/22/2020

Notice of Formation of Me-ll's Pet Pourri, LLC. Arts. of Org. filed with NY Dept. of State on 2/12/20. Office location: Broome County. NY Sec. of State designated agent of the LLC upon whom process against it may be served, and shall mail process to 5 Peterson Rd, Binghamton, NY 13901. Purpose: any lawful activity.
3/18, 3/25, 4/1, 4/8, 4/15, 4/22/2020

Notice of Formation of Mushock Development LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/17/2006. Office location: Broome Co. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 1137 Simon Road, Endicott, New York 13760. Purpose: any lawful activities.
4/22, 29, 5/6, 13, 20, 27, 2020

Notice of Formation of Richford Pizza Plus, LLC

Arts. of Org. filed with Secy. of State of NY (SSNY) on 04/17/2020. Office location: Tioga Co. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 931 West River Road, Nichols, New York 13812. Purpose: any lawful activities.
4/22, 29, 5/6, 13, 20, 27, 2020

The Decker Hive LLC. Arts. of Org. filed with the SSNY on 04/02/2020. Office: Broome County. Registered Agents Inc. designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to Registered Agents Inc. at 90 State Street, Suite 700 Office #40, Albany, NY 12207. Phone number (518) 533-5459. Purpose: Any lawful purpose.
4/8, 4/15, 4/22, 4/29, 5/6, 5/13/2020

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APPENDIX C
HISTORIC/CULTURAL RESOURCES DETERMINATION

Sara Zubalsky

From: New York State Parks CRIS Application <cris.web@parks.ny.gov>
Sent: Tuesday, February 18, 2020 3:38 PM
To: Sara Zubalsky
Subject: SHPO Initial Consultation Submission Received

This message is a notification from the New York State Historic Preservation Office (SHPO) through its Cultural Resource Information System (CRIS). Initial submission X8YM2RBJ8J4P has been received for the following project: Fairmont Park Water Main Improvements.

No action on your part is required at this time. You will receive an email notification when the submission is accepted as a new project record or if more information is necessary to process the submission.

If you have any questions about CRIS, please contact CRIS Help at CRISHelp@parks.ny.gov. For any other questions, please call 518-237-8643.

Sincerely,

New York State Historic Preservation Office

Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189

518-237-8643 | <https://parks.ny.gov/shpo>

CRIS: <https://cris.parks.ny.gov>

Are you registered to vote? [Register to vote online today](#). Moved recently? Update your information with the NYS Board of Elections. Not sure if you're registered to vote? [Search your voter registration status](#).

You are receiving this email as part of an online service administered by New York State Parks, Recreation and Historic Preservation's Division for Historic Preservation, also known as the New York State Historic Preservation Office (SHPO). The Cultural Resource Information System (CRIS) is an advanced Geographic Information System application that provides access to New York State's vast historic and cultural resource databases and digitized paper records. In addition, CRIS serves as an interactive portal for agencies, municipalities and the public who use or require consultation with our agency on historic preservation programs or issues.

Our email to you is in direct response to material that was submitted to our office regarding a project for which you were identified as a contact. Such projects include actions that are reviewable by our agency under the National Historic Preservation Act of 1966 (Section 106), the New York State Historic Preservation Act (Section 14.09 NYSPRHPL), or the State Environmental Quality Review Act (SEQRA).

If you did not enter this project directly into CRIS, you are receiving this notification as SHPO or another project contact has entered it in our system. You will receive future correspondence for this project via email.

If you are a registered CRIS user and the creator of this submission, you may edit the submission through the **My Submissions** tab on your Home dashboard. Otherwise, you may view or edit this submission in CRIS as follows:

1. Click or browse to CRIS: <https://cris.parks.ny.gov>
2. At the CRIS Legal Disclaimer, click **I Agree** to proceed.
3. Click **Proceed as Guest** or log in with an NY.gov ID account.
4. In the top navigation bar, click **Submit**.
5. On the Submit page, click the Consultation tile. Paste the submission Token (X8YM2RBJ8J4P) in the text box and click the Continue button.
6. The CRIS Submit application will open in a new browser tab. **NOTE:** If you edit this submission, please make sure you click **Submit to SHPO** to ensure that SHPO receives the revised submission.



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

February 27, 2020

Sara Zubalsky-Peer
Planning Director
Town of Union, NY
3111 E Main Street
Planning Department
Endwell, NY 13760

Re: HUD
Fairmont Park Water Main Improvements
Union, Broome County, NY
20PR01194

Dear Sara Zubalsky-Peer:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

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

Sincerely,

R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation



TOWN OF UNION

Department of Planning

SARA ZUBALSKY-PEER, DIRECTOR

3111 East Main Street
Endwell, New York 13760

February 20th, 2020

Kim Penrod, Director, Cultural Resources/106
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

RE: Fairmont Park Water Main Improvements, Johnson City, Broome County, New York

Dear Kim Penrod:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the Fairmont Park Water Main Improvements project, Broome County, New York (see enclosed map). This letter invites you to participate as a consulting party for review of the proposed project (collectively the "Proposed Actions") pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

The Proposed Action will modify an existing water distribution system in an existing subdivision. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be upsized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG on a case-by-case basis. A consultation for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Delaware Nation on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Delaware Nation Community. We would appreciate your response within thirty (30) days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below. A non-response within thirty (30) days shall constitute a favorable review of the project/activity.

Sara Zubalsky-Peer
Planning Director
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

I am available to answer any questions that you may have regarding this action. If you have any concerns, please feel free to contact me at (607) 786-2977 or via email at the address listed above. Thank you for your time and consideration.

Sincerely,



Sara Zubalsky-Peer
Planning Director

Enclosure:

Aerial Map of Project Site

Electronic Letter Sent to:

Kim Penrod, Director Cultural Resources/106, Delaware Nation (kpenrod@delawarenation.com)



The Delaware Nation

Historic Preservation /106 Department

31064 State Highway 281

Anadarko, OK 73005

Phone (405)247-2448

March 23, 2020

To Whom It May Concern:

The Delaware Nation Historic Preservation Department received correspondence regarding the following referenced project(s).

Project: Fairmont Park Water Main Improvements, Johnson City, Broome County, New York

Our office is committed to protecting tribal heritage, culture and religion with particular concern for archaeological sites potentially containing burials and associated funerary objects.

The Lenape people occupied the area indicated in your letter during prior to European contact until their eventual removal to our present locations. According to our files, the location of the proposed project does not endanger cultural, or religious sites of interest to the Delaware Nation. Please continue with the project as planned keeping in mind during construction should an archaeological site or artifacts inadvertently be uncovered, all construction and ground disturbing activities should immediately be halted until the appropriate state agencies, as well as this office, are notified (within 24 hours), and a proper archaeological assessment can be made.

Please note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Band of Mohican Indians are the only Federally Recognized Delaware/Lenape entities in the United States and consultation must be made only with designated staff of these three tribes. We appreciate your cooperation in contacting the Delaware Nation Cultural Preservation Office to conduct proper Section 106 consultation. Should you have any questions, feel free to contact our offices at 405-247-2448.

Erin Paden

Director of Historic Preservation

Delaware Nation

31064 State Highway 281

Anadarko, OK 73005

Ph. 405-247-2448 ext. 1403

epaden@delawarenation-nsn.gov



TOWN OF UNION

Department of Planning

SARA ZUBALSKY-PEER, DIRECTOR

3111 East Main Street
Endwell, New York 13760

Chester Brooks, Chief
Delaware Tribe of Indians
5100 Tuxedo Boulevard
Bartlesville, OK 74006

February 20, 2020

RE: Review for Fairmont Park Water Main Improvement project, Johnson City, Broome County, New York

Dear Chester Brooks:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the Fairmont Park Water Main Improvements project, Broome County, New York (see enclosed map). This letter invites you to participate as a consulting party for review of the proposed project (collectively the "Proposed Actions") pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 800).

The Proposed Action will modify an existing water distribution system in an existing subdivision. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG on a case-by-case basis. A consultation for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Delaware Tribe of Indians the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Delaware Tribe of Indians Community. We would appreciate your response within 30 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below. A non-response within thirty days shall constitute a favorable review of the project/activity.

Sara Zubalsky-Peer
Planning Director
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

I am available to answer any questions that you may have regarding this action. If you have any concerns, please feel free to contact me at (607) 786-2977 or via email at the address listed above. Thank you for your time and consideration.

Sincerely,



Sara Zubalsky-Peer
Planning Director

Enclosure:

Aerial Map of Project Site

Electronic Letter Sent to:

Dr. Brice Obermeyer, Historic Preservation, (bobermeyer@delawaretribe.org)
Susan Bacher, Preservation Representative



TOWN OF UNION

Department of Planning

SARA ZUBALSKY-PEER, DIRECTOR

3111 East Main Street
Endwell, New York 13760

February 20, 2020

Raymond Halbritter, Nation Representative
Oneida Nation of New York
Executive Office-TSCR
Verona, NY 13421

RE: Review for Fairmont Park Water Main Improvements project, Johnson City, Broome County, New York

Dear Raymond Halbritter:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the Fairmont Park Water Main Improvements project, Broome County, New York (see enclosed map). This letter invites you to participate as a consulting party for review of the proposed project (collectively the "Proposed Actions") pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 800).

The Proposed Action will modify an existing water distribution system in an existing subdivision. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG on a case-by-case basis. A consultation for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966 as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the

Proposed Actions.

At this time, the Town of Union is seeking comments from the Oneida Nation of New York the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Oneida Nation of New York Community. We would appreciate your response within 30 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below. A non-response within thirty days shall constitute a favorable review of the project/activity.

Sara Zubalsky-Peer
Planning Director
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

I am available to answer any questions that you may have regarding this action. If you have any concerns, please feel free to contact me at (607) 786-2977 or via email at the address listed above. Thank you for your time and consideration.

Sincerely,



Sara Zubalsky-Peer
Planning Director

Enclosure:
Aerial Map of Project Site



TOWN OF UNION

Department of Planning

SARA ZUBALSKY-PEER, DIRECTOR

3111 East Main Street
Endwell, New York 13760

February 20, 2020

Irving Powless, Chief
Onondaga Nation
3951 Route 11
Nedrow, NY 13120

RE: Review for Fairmont Park Water Main Improvements project, Broome County, New York

Dear Irving Powless:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the Fairmont Park Water Main Improvements project, Broome County, New York (see enclosed map). This letter invites you to participate as a consulting party for review of the proposed project (collectively the "Proposed Actions") pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

The Proposed Action will modify an existing water distribution system in an existing subdivision. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG on a case-by-case basis. A consultation for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966 as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Onondaga Nation the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Onondaga Nation Community. We would appreciate your response within 30 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below. A non-response within thirty days shall constitute a favorable review of the project/activity.

Sara Zubalsky-Peer
Planning Director
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

I am available to answer any questions that you may have regarding this action. If you have any concerns, please feel free to contact me at (607) 786-2977 or via email at the address listed above. Thank you for your time and consideration.

Sincerely,



Sara Zubalsky-Peer
Planning Director

Enclosure:
Aerial Map of Project Site

Electronic Mail Sent to:
Anthonyy Gonwea, THPO, (ononcomm@gmail.com)



TOWN OF UNION

Department of Planning

SARA ZUBALSKY-PEER, DIRECTOR

3111 East Main Street
Endwell, New York 13760

William Fisher, Chief
Seneca-Cayuga Nation
P.O. Box 453220
Grove, OK 74345-3220

February 20, 2020

RE: Review for Fairmont Park Water Main Improvements project, Broome County, New York

Dear William Fisher:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the Fairmont Park Water Main Improvements project, Broome County, New York (see enclosed map). This letter invites you to participate as a consulting party for review of the proposed project (collectively the "Proposed Actions") pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

The Proposed Action will modify an existing water distribution system in an existing subdivision. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG on a case-by-case basis. A consultation for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Seneca-Cayuga Nation the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Seneca-Cayuga Nation Community. We would appreciate your response within 30 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below. A non-response within thirty days shall constitute a favorable review of the project/activity.

Sara Zubalsky-Peer
Planning Director
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

I am available to answer any questions that you may have regarding this action. If you have any concerns, please feel free to contact me at (607) 786-2977 or via email at the address listed above. Thank you for your time and consideration.

Sincerely,



Sara Zubalsky-Peer
Planning Director

Enclosure:

Aerial Map of Project Site

Electronic Mail Sent to:

William Tarrant, THPO, (wtarrant@sctribe.com)



TOWN OF UNION

Department of Planning

SARA ZUBALSKY-PEER, DIRECTOR

3111 East Main Street
Endwell, New York 13760

Bryan Printup
5226 East Walmore Road
Lewiston, NY 14092

February 20, 2020

RE: Review for Fairmont Water Main Improvement project, Broome County, New York

Dear Bryan Printup:

The Town of Union Planning Department, on behalf of the Department of Housing & Urban Development (HUD), is preparing an Environmental Assessment (EA) for the Fairmont Park Water Main Improvements project, Broome County, New York (see enclosed map). This letter invites you to participate as a consulting party for review of the proposed project (collectively the "Proposed Actions") pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR§ 800).

The Proposed Action will modify an existing water distribution system in an existing subdivision. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). The Town of Union is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. The Town of Union is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

The Town of Union processes environmental reviews for projects funded with HUD CDBG on a case-by-case basis. A consultation for the project described herein has also been sent to the State Historic Preservation office (SHPO). In accordance with Section 101 (d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG funding, the Proposed Actions will undergo review pursuant to Section 106 of the NHPA. Review of the Proposed Actions under Section 106 of NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). The Town of Union is serving as lead agency under the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA"), and related laws, for the environmental review of the Proposed Actions.

At this time, the Town of Union is seeking comments from the Tuscarora Nation the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Tuscarora Nation Community. We would appreciate your response within 30 days of the date of this letter. Please respond by email to szubalsky@townofunion.com or in writing to the address listed below. A non-response within thirty days shall constitute a favorable review of the project/activity.

Sara Zubalsky-Peer
Planning Director
Town of Union Planning Department
3111 East Main Street
Endwell, New York 13760

I am available to answer any questions that you may have regarding this action. If you have any concerns, please feel free to contact me at (607) 786-2977 or via email at the address listed above. Thank you for your time and consideration.

Sincerely,



Sara Zubalsky-Peer
Planning Director

Enclosure:

Aerial Map of Project Site

Cc: Leo Henry, Chief

APPENDIX D
SOLE SOURCE AQUIFER REVIEW

Sara Zubalsky

From: Kluesner, Dave <kluesner.dave@epa.gov>
Sent: Thursday, February 20, 2020 8:39 PM
To: Sara Zubalsky
Cc: Austin, Mark; Poetzsch, Michael
Subject: Re: NEPA Sole Source Aquifer Question

Please direct these to Mark Austin, Env Review Team Lead for EPA Region 2, and copy Mike Poetzsch, bot copied. Thank you for reaching out.

David Kluesner,
Acting Director of Strategic Programs
Office of the Regional Administrator
U.S. EPA, Region 2 (New York, New Jersey, Puerto Rico, the U.S. VI and Eight Indian Nations)
(212) 637-3653 (O)
(347) 330-9439 (C)

Sent from my iPhone

On Feb 20, 2020, at 9:56 AM, Sara Zubalsky <szubalsky@townofunion.com> wrote:

Mr. Kluesner,

I'm looking for the person I should contact for an SSA review for an upcoming project. I used to send them to Grace Musumeci and Stephen Gould but their email address appear to no longer be active. I found your email on the EPA Region 2 website. Could you point me in the right direction?

Thank you!

Sara L. Zubalsky-Peer
Director of Planning &
Community Development
Town of Union
Phone: (607) 786-2977
Fax: (607) 748-0041

<image001.png>

This e-mail message and any attachments contain information intended for the exclusive use of the individual(s) or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please immediately notify the sender by electronic mail and delete the message. Thank you for your cooperation.

Sara Zubalsky

From: Sara Zubalsky
Sent: Friday, February 21, 2020 8:51 AM
To: Poetzsch, Michael; Austin, Mark
Subject: SSA Review
Attachments: EPA_Outreach_Packet.pdf

Mark and Mike:

Please find attached a request for an SSA review for a town project involving water main improvements. Please reach out if you have any questions or need any clarification.

Thank you in advance for your time!

Sara L. Zubalsky-Peer

Director of Planning &
Community Development
Town of Union
Phone: (607) 786-2977
Fax: (607) 748-0041



This e-mail message and any attachments contain information intended for the exclusive use of the individual(s) or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please immediately notify the sender by electronic mail and delete the message. Thank you for your cooperation.



TOWN OF UNION

Sara Zubalsky-Peer, Director

Department Of Planning

Mark Austin
Environmental Review Team Lead
U.S. Environmental Protection Agency
Region 2 Main Regional Office
290 Broadway New York, NY 10007-1866

February 21st, 2020

RE: Sole Source Aquifer Analysis- CDBG FFY 2019 Program- Fairmont Park Water Main Improvements Town of Union, Broome County, New York

Dear Mr. Austin:

The Town of Union has received a funding application for the proposed Fairmont Park Water Main Improvements project located in the Town of Union, Broome County, New York (see enclosed map). The proposed project consists of improvements to the existing public water supply distribution system. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to Health Department regulations that are more stringent than when the subdivision was originally built. The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking this project to improve the public water distribution system in the Fairmont Park subdivision. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Town of Union is acting as a recipient of Community Development Block Grant ("CDBG") funds from the United States Department of Housing and Urban Development ("HUD") and is the entity responsible for compliance with the HUD NEPA environmental review procedures set forth in 24 C.F.R. Part 58. This requires the Town of Union to review projects for conformance with the Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C.349) as amended, and Environmental Protection Agency ("EPA") regulations pertaining to Sole Source Aquifers found at 40 C.F.R. Part 149.

Responses can be sent to me via email at szubalsky@townofunion.com or via mail at 3111 East Main Street, Endwell NY, 13760. If you have any questions, please feel free to contact me at (607) 786-2977. Thank you for your time and consideration.

Sincerely,

Sara Zubalsky-Peer

Planning Director

Non-Housing/Project Activity Initial Screen Criteria - Sole Source Aquifer Checklist

The following list of criteria questions are to be used as an initial screen to determine which nonhousing projects/activities should be forwarded to the Environmental Protection Agency (EPA) for Preliminary Sole Source Aquifer (SSA) Review. If any of the questions are answered affirmatively, Attachment 3, SSA Preliminary Review Requirements, should also be completed. The application/final statement, this Attachment, Attachment 3, and any other pertinent information should then be forwarded to EPA at the address below. Any project/activity not meeting the criteria in this Attachment, but suspected of having a potential adverse effect on the Sole Source Aquifer should also be forwarded.

Chief, Environmental Impacts Branch
USEPA Region II
290 Broadway, 24th Floor
New York, New York 10007
(212) 637-3738

Criteria Questions	Response		
Is the project/activity located within a currently designated or proposed groundwater sensitive area such as a special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.? [This information can be obtained from the County or Regional planning board, the local health department, the State health department or the State environmental agency] (See Figure 2).	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Maybe
Is the project/activity located within a one half mile radius (2,640 feet) of a current or proposed public water supply well or wellfield? [This information can be obtained from the local health department, the State health department or the State environmental agency.] (See Figure 4).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
Will the project/activity include or directly cause: (check appropriate items)			
- construction or expansion of solid waste disposal, recycling or conversion facilities	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
- construction or expansion or closure of landfills	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
- construction or expansion of water supply facilities [define]	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
- construction or expansion of on-site wastewater treatment plants or sewage trunk lines [define]	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
- construction or expansion of gas or petroleum trunk lines greater than 1320 feet	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
- construction or expansion of railroad spurs or similar extensions	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
- construction or expansion of municipal sewage treatment plants	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
Will the project/activity include storage or handling of any hazardous constituents as listed in Attachment 4, Hazardous Constituents?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
Will the project/activity include bulk storage of petroleum in underground or above ground tanks in excess of 1100 gallons? (Please give what assurance they are done in a proper manner).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe
Will the project/activity require a federal or state discharge elimination permit or modification of an existing permit?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Maybe

This attachment was completed by:

Name: Sara Zubalsky - Peer
Title: Town of Union, Director of Planning
Address: 3111 E. Main St., Endwell, NY 13760
Telephone: (607) 786-2977

Date: 2/19/2020

Project Name: Fairmont Park Water Main Improvements

Signature

Sara Zubalsky - Peer



TOWN OF UNION, NEW YORK

I. Project/Activity Location

1. Provide the geographic location and total acreage of the project/activity site. Include a site location map which identifies the site in relation to the surrounding area. [Examples of maps which can be used include: 1:24,000 or 1:25,000 U.S. Geological Survey quadrangle sheet, Hagstrom Street Map.]

The project is located in the existing Fairmont Park subdivision off of Watson Boulevard, Johnson City, Broome County, NY 13790. The water mains are located in existing, previously disturbed roadways including Oak Street, Poplar Street, Birch Street, and Woodland Avenue. Total ground disturbance will be approximately 2.5 acres. An aerial location map is provided in **Figure 1**.

2. If applicable, identify which groundwater sensitive areas (Special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.) the project/activity is located within or adjacent to. [This information may be obtained from the County or Regional planning board, the local health department, the State health department or the State environmental agency.]

The project site is located within the boundaries of groundwater sensitive areas identified in the Source Water Assessment Program. A map illustrating SWAP Polygons is provided in **Figure 2**. The project site is not located within a ½ mile buffer of any wells.

II. Nature of Project Activity

3. Provide a general narrative describing the project/activity including but not limited to: type of facility; type of activities to be conducted; number and type of units; number of residents etc. Provide the general layout of the project/activity site and a site-plan if available.

The project includes upsizing inadequately sized water mains serving the existing Fairmont Park subdivision along Watson Boulevard, Johnson City, Broome County, NY 13790. The water mains are located in existing, previously disturbed roadways and will up-sized from one inch lines to eight inch lines and will be looped to prevent future hydrant flushing. The subdivision is existing but will have new, flood resilient affordable housing constructed on previously developed lots. There will be no increase in volume of storm water. The route for the improvements will maintain their existing location as much as possible. The project site layout is provided in **the attached plans**.

III. Public Water Supply

4. Provide a description of plans to provide water supply.

The proposed project involves improvements to an existing water distribution system. It involves upsizing existing water mains and will not require or provide a new water supply facility.

5. Provide the location of nearby existing or proposed public water supply wells or wellfields within a one half mile radius (2640 feet) of the project/activity. Provide the name of the supplier(s) of those wells or wellfields. This information should be available from the local health department, State health department or the State environmental agency.

There are no public water supply wells located on the project site. All wells are located outside a ½ - mile radius of the project site. See **Figure 2**.

IV. Wastewater and Sewage Disposal

6. Provide a description of plans to handle wastewater and sewage disposal. If the project/activity is to be served by existing public sanitary sewers provide the name of the sewer district.

The proposed project is for improvements to water mains only and is not anticipated to result in any increases to wastewater and sewage disposal.

7. Provide a description of plans to handle storm water runoff.

The project is not anticipated to result in an increase in stormwater runoff. The project will not increase the volume of stormwater.

8. Identify the location, design, size of any on-site recharge basins, dry wells, leaching fields, retention ponds etc.

No detention or retention ponds, dry wells, or leaching fields are planned as part of this project.

V. Use, Storage, Transport of Hazardous or Toxic Materials (Applies only to non-housing projects/activities)

9. Identify any products listed in Attachment 4, Hazardous Constituents, of the Housing and Urban Development-Environmental Protection Agency Memorandum of Understanding which may be used, stored, transported, or released as a result of the project not related to construction.

There are no identified products that will be used, stored, transported, or released as a result of this project.

10. Identify the number and capacity of underground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.

There are no existing underground storage tanks located at the project site. No underground storage tanks are planned as part of the proposed project.

11. Identify the number and capacity of above ground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.

There are no existing above ground storage tanks located at the project site. No above ground storage tanks are planned as part of the proposed project.

DRAFT

Figure 1



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



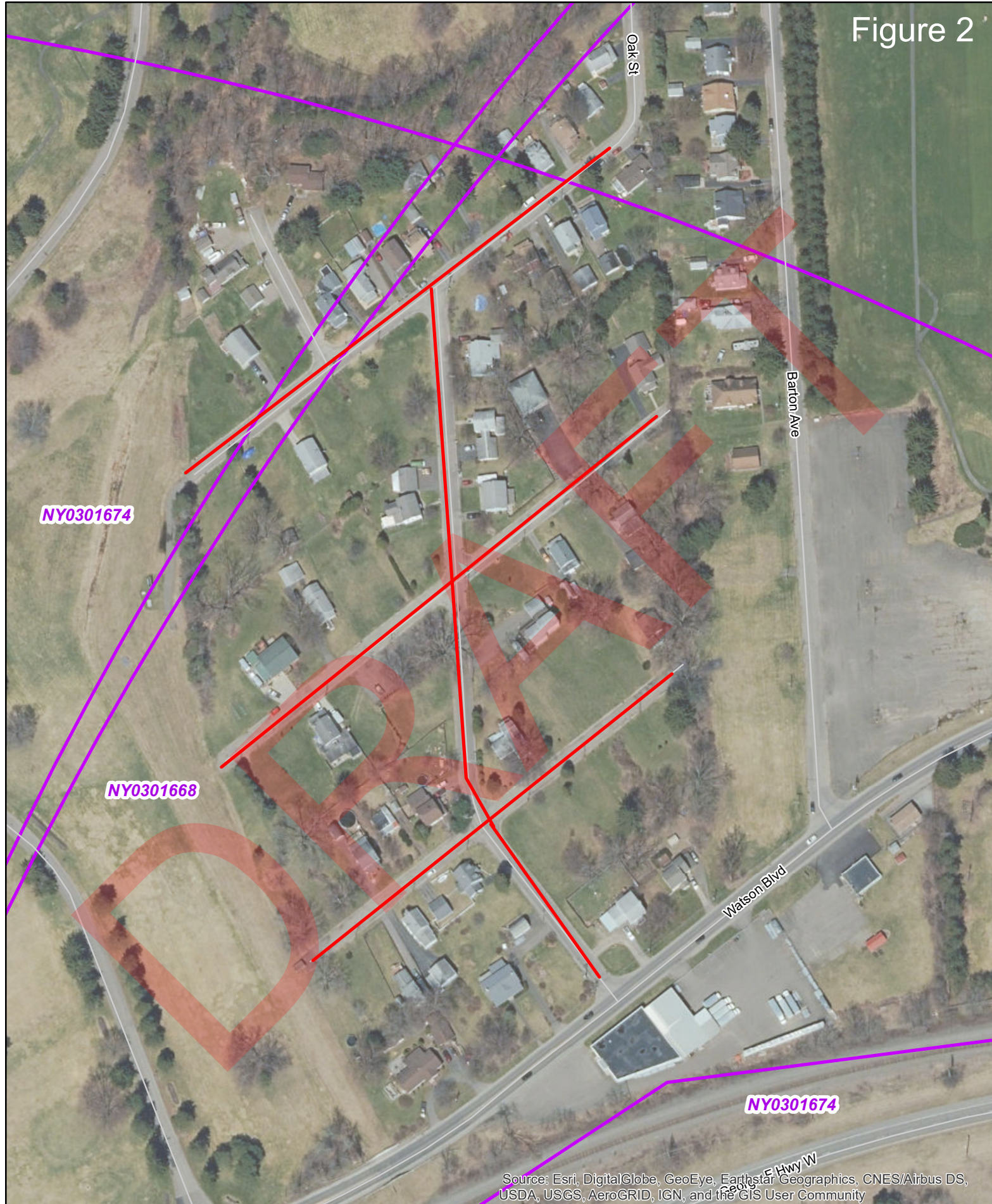
Town of Union, New York
Planning Department
Prepared February 2020

Fairmont Park Water Main Improvements- Project Site

0 162.5 325 650 Feet



Figure 2



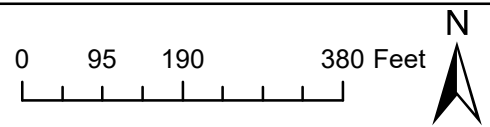
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Town of Union, New York
Planning Department
Prepared February 2020

Fairmont Park Water Main Improvements

 SWAP Polygons



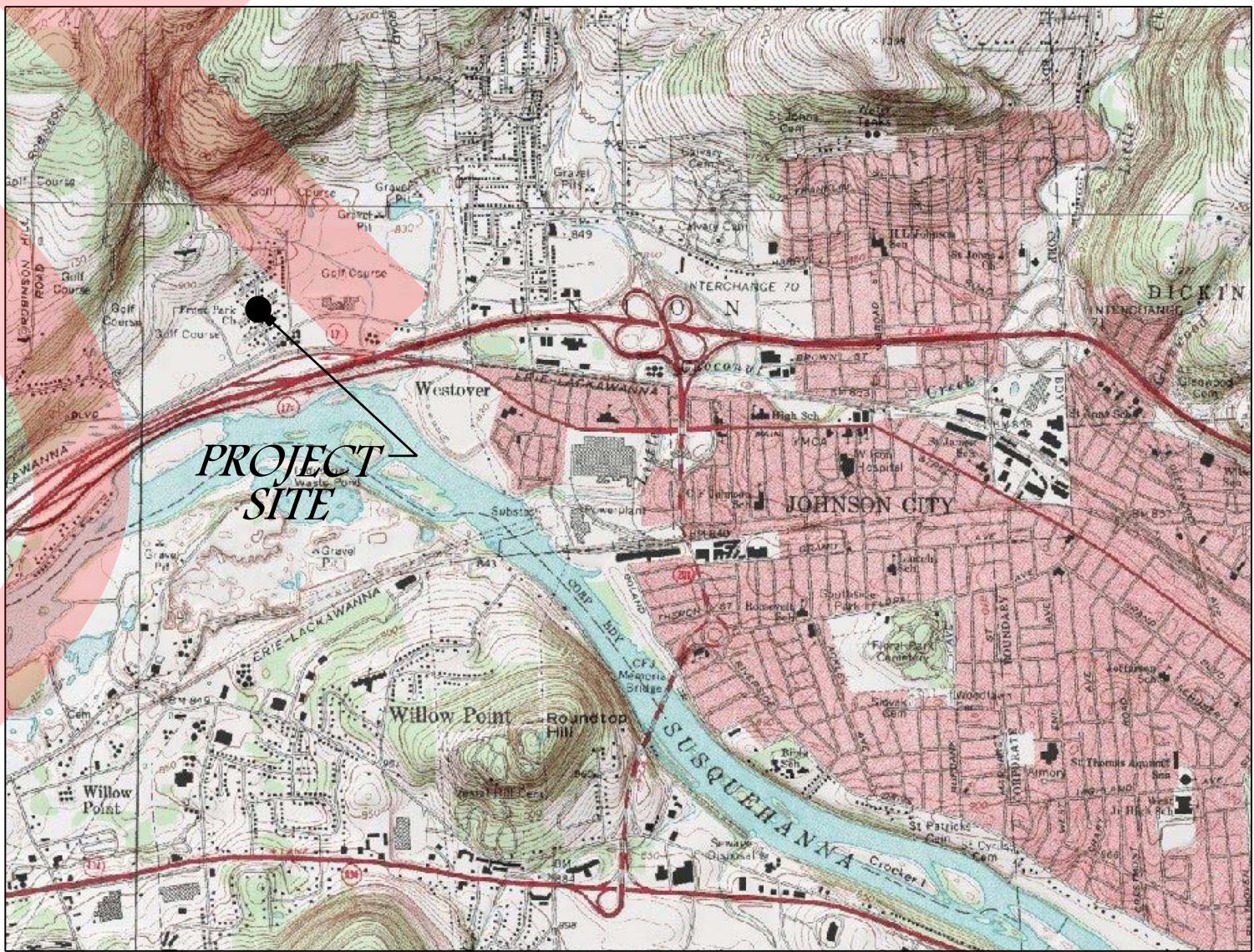
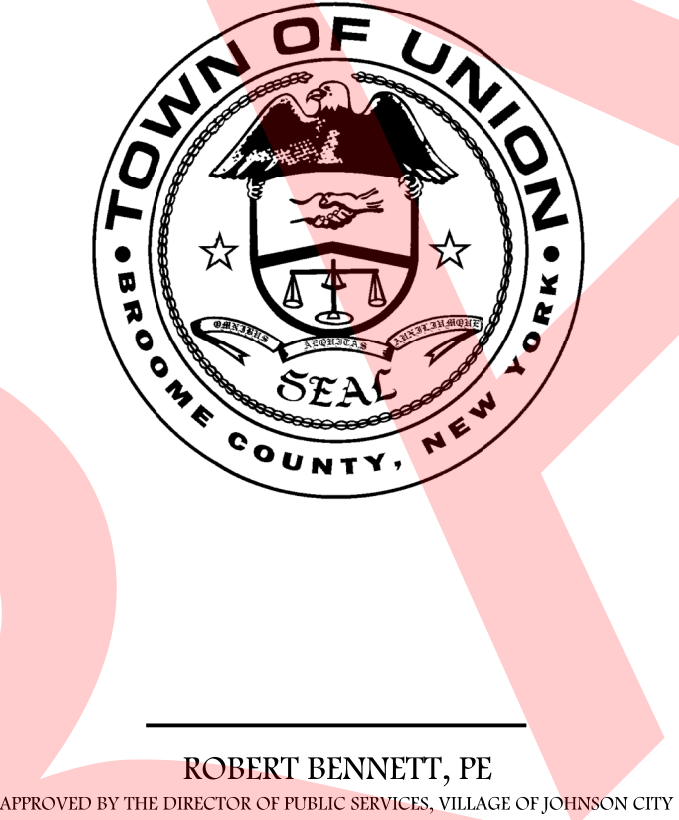
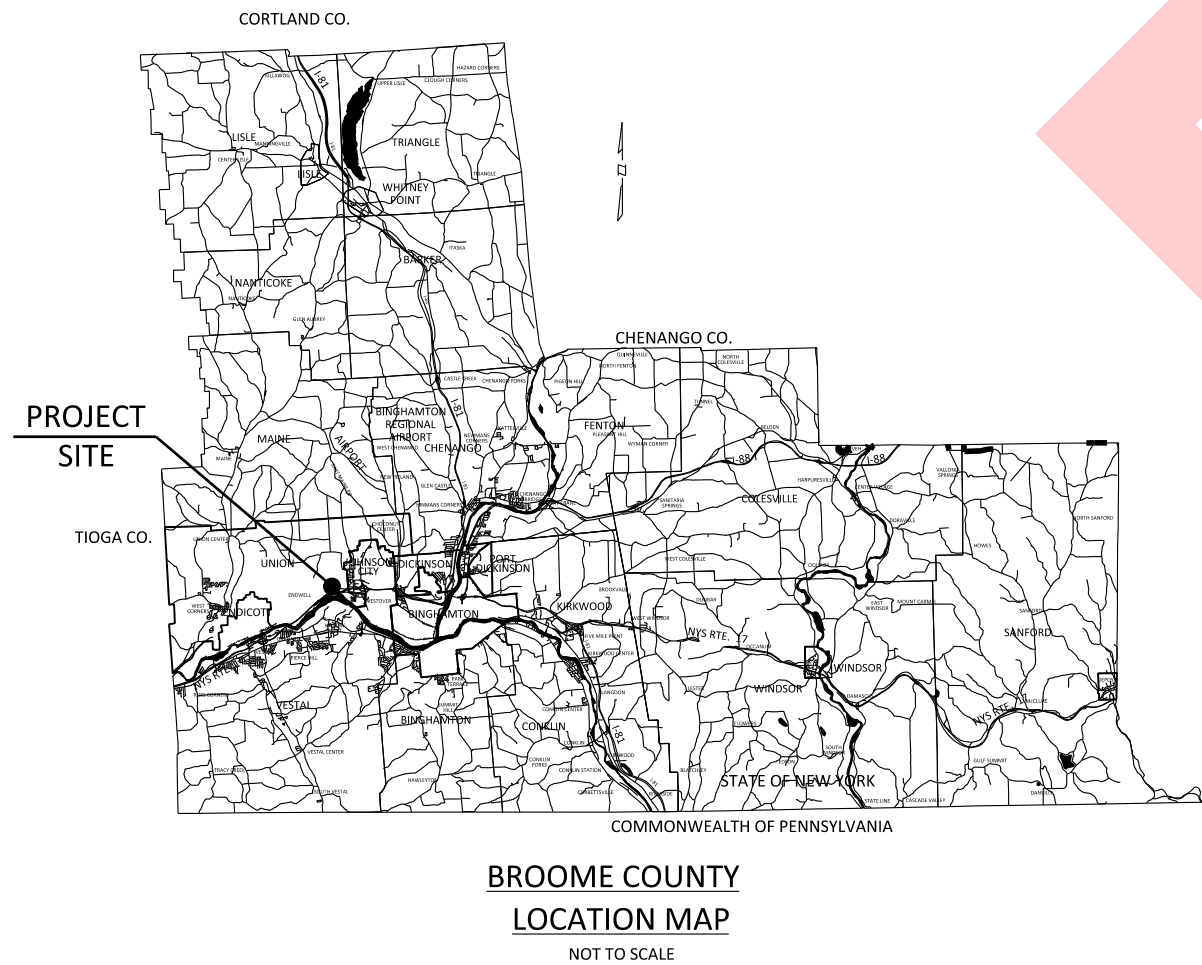
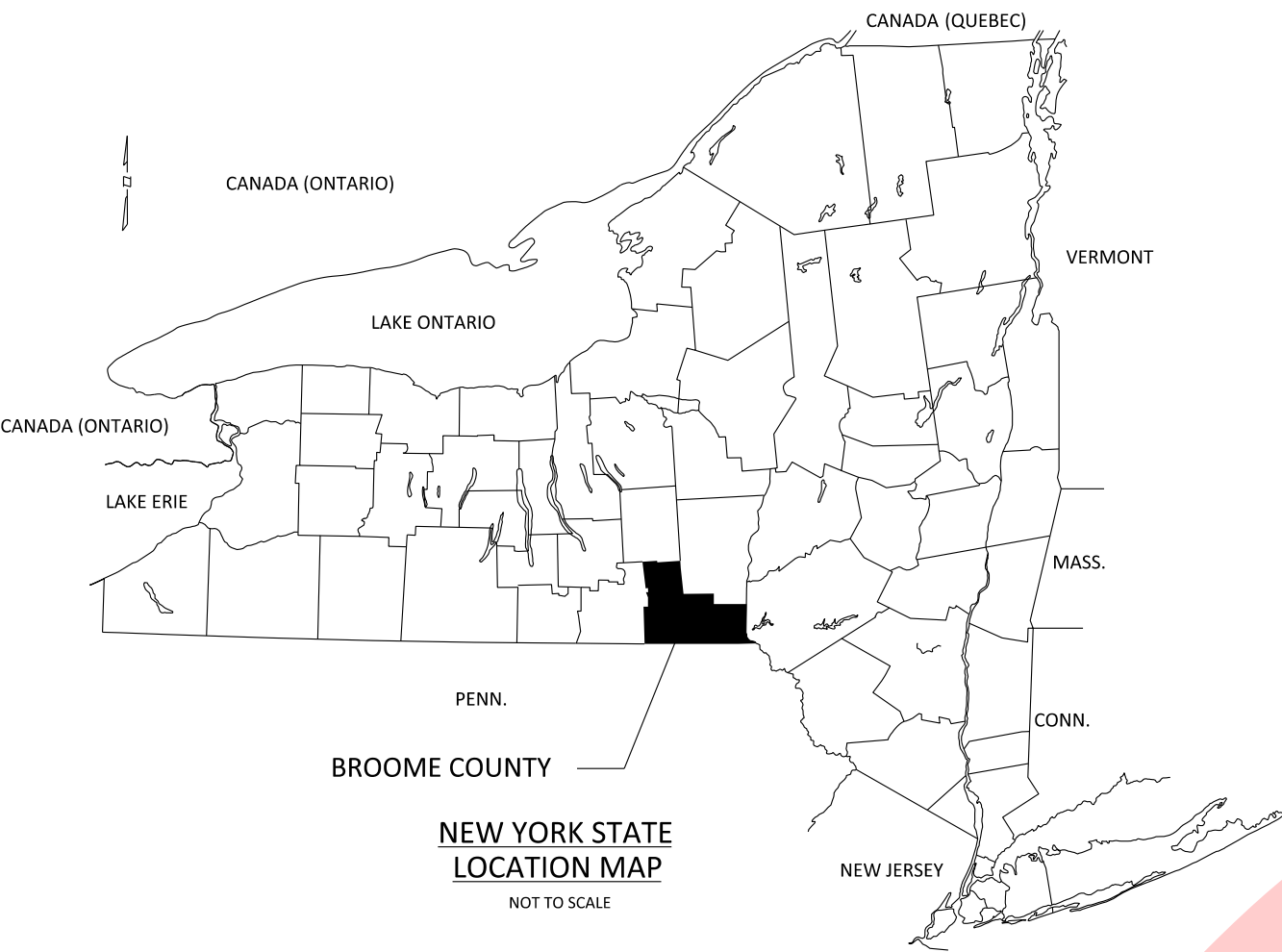
DESIGN PLANS FOR

FAIRMONT PARK SUBDIVISION

WATER SYSTEM IMPROVEMENT PROJECT

VILLAGE OF JOHNSON CITY TOWN OF UNION

BROOME COUNTY NEW YORK STATE



PROJECT LOCATION MAP

NOT TO SCALE

INDEX OF DRAWINGS

DRAWING	TITLE
-	COVER SHEET
C000	LEGEND SHEET
C001	SITE PLAN AND PROFILE
C002	SITE PLAN AND PROFILE
C003	SITE PLAN AND PROFILE
C004	SITE PLAN AND PROFILE
C005	SITE PLAN AND PROFILE
C006	SITE PLAN AND PROFILE
C007	SITE PLAN AND PROFILE
C008	SITWORK DETAILS
C009	SITWORK DETAILS

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ENVIRONMENTAL ENGINEERING

CONSTRUCTION COORDINATION

Centre Plaza

55 Chenango Street, 8th Floor

Binghamton, New York 13901-2805

Phone: 607.725.0799

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PROJECT TITLE

FAIRMONT PARK SUBDIVISION

WATER SYSTEM IMPROVEMENT PROJECT

TOWN OF UNION

BROOME COUNTY NEW YORK STATE

SHEET TITLE

COVER SHEET

PROJECT NUMBER

19080.02

CAD FILE

CVS.DGN

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TMD

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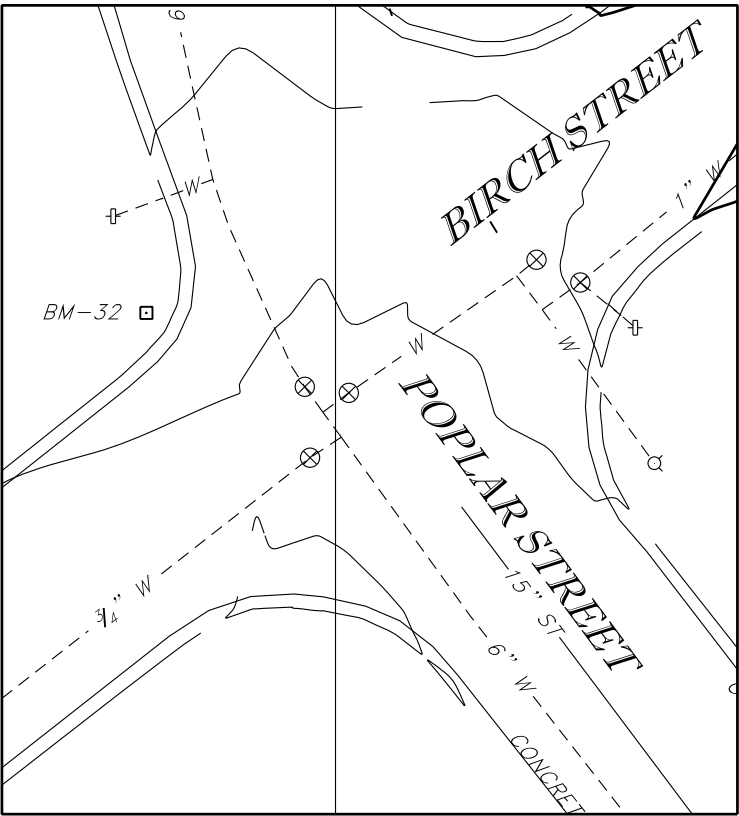
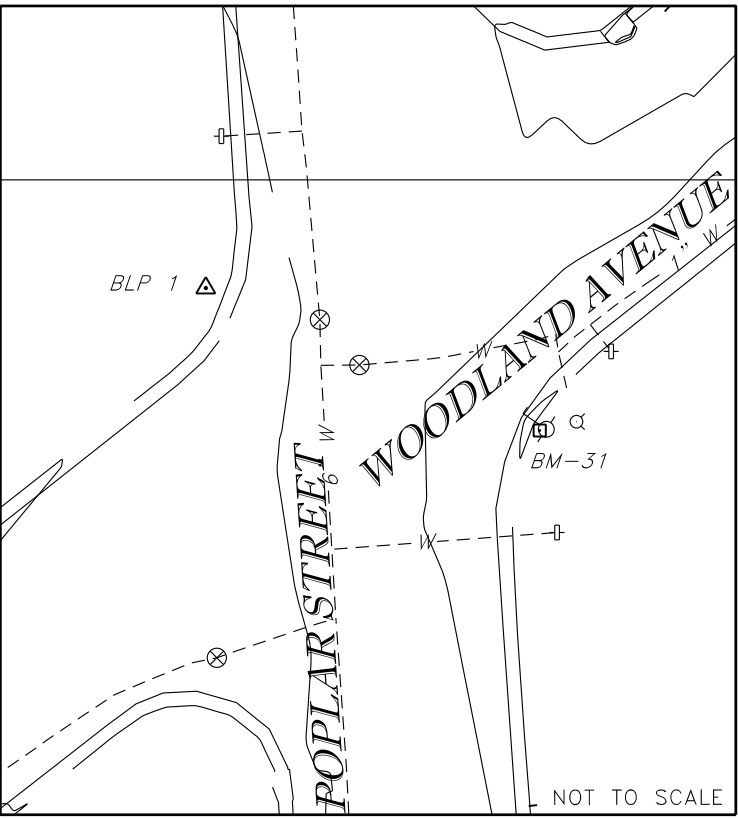
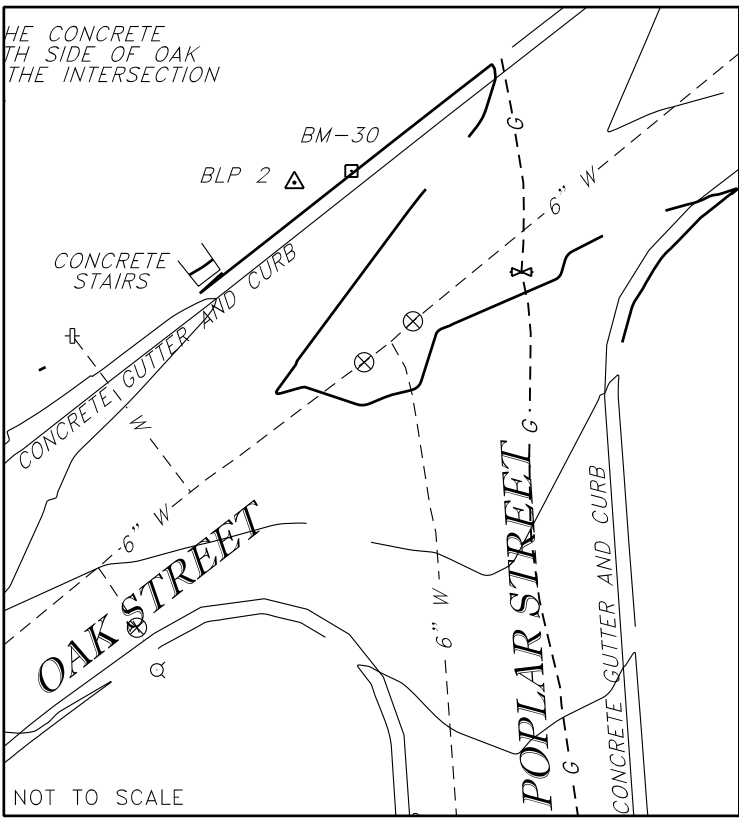
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SHEET NO.

FEBRUARY 19, 2020

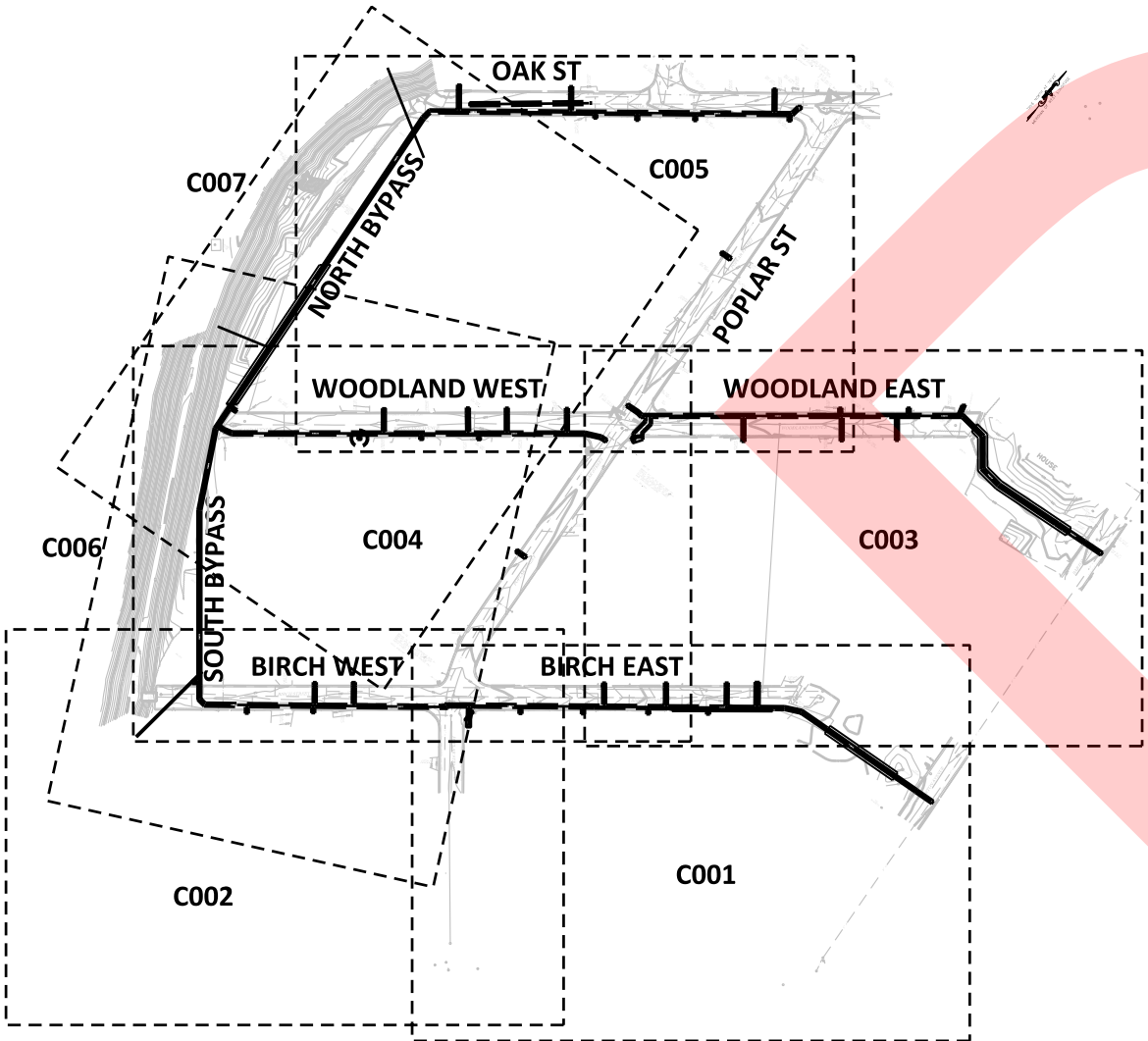
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BM-30
CHISELED "X" ON THE CONCRETE CURB ON THE NORTH SIDE OF OAK STREET NORTH OF THE INTERSECTION OF POPLAR STREET.
ELEV. 832.645'

BM-32
BENCH TIE ON THE NORTHWEST SIDE OF UTILITY POLE NO. NYSEG 8/5/NY172 ON THE NORTHWEST SIDE OF THE INTERSECTION OF POPLAR STREET AND BIRCH STREET.
ELEV. 832.238'

BM-31
BENCH TIE ON THE WEST SIDE OF UTILITY POLE NO. NYSEG 8/5/NY172 ON THE SOUTHEAST SIDE OF THE INTERSECTION OF POPLAR STREET AND WOODLAND AVENUE.
ELEV. 827.904



PLAN SHEET INDEX

GENERAL NOTES:

- 1) EXISTING SITE FEATURES AND UTILITIES SHOWN HAVE BEEN BASED UPON SURVEYS AND OTHER SOURCES BELIEVED TO BE RELIABLE. THE CORRECTNESS OR COMPLETENESS OF THE INFORMATION SHOWN IS NOT GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL INFORMATION BEFORE COMMENCING WORK.
- 2) THE CONTRACTOR SHALL MAINTAIN, REPAIR, AND/OR REPLACE ANY EXISTING SEDIMENT CONTROL DEVICES ENCOUNTERED AND DISTURBED DURING THE COURSE OF CONSTRUCTION. AT THE END OF EACH DAY, ALL MEASURES AND DEVICES SHALL BE REPAIRED OR REPLACED BEFORE LEAVING THE WORK SITE.
- 3) CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND INSPECTIONS.
- 4) CONTRACTOR SHALL MAINTAIN TRAFFIC AT ALL TIMES.
- 5) NUMERICALLY WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- 6) UNLESS OTHERWISE NOTED, DIMENSIONS FROM CURB ARE MEASURED AT FACE OF CURB.
- 7) FINISHED GRADES SHALL FALL AWAY FROM EXISTING AND PROPOSED BUILDINGS AT A MINIMUM OF 2.0 % FOR VEGETATED AREAS AND FOR PAVED AREAS UNLESS OTHERWISE INDICATED.
- 8) CONSTRUCTION OF SUBGRADE, UNDERDRAINS, AND PAVING SHALL BE INSPECTED AND APPROVED BY THE OWNER OR TOWN ENGINEER.
- 9) UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED, NOR IS THERE ANY GUARANTEE THAT ALL EXISTING UTILITIES, WHETHER FUNCTIONAL OR ABANDONED, WITHIN THE PROJECT AREA ARE SHOWN ON THESE DRAWINGS. CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES BEFORE COMMENCING WORK AND SHALL BE RESPONSIBLE FOR ALL DAMAGE RESULTING FROM THEIR WORK. CONTRACTOR SHALL NOTIFY DIG SAFELY NEW YORK AT 811 OR 800.962.7962 IN ACCORDANCE WITH 16 NYCRR PART 753.
- 10) CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES, AS REQUIRED. REPORT ANY DISCREPANCIES FROM THE PLANS TO ENGINEER. ALL UTILITIES SHALL BE RETAINED UNLESS LABELED OTHERWISE. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS AND WORK REQUIRED TO ADJUST EXISTING AND PROPOSED UTILITIES AND APPURTENANCES TO FINISH GRADES WITHIN THE LIMITS OF WORK. DAMAGE TO EXISTING CONDITIONS AND UTILITIES SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.
- 11) CONTRACTOR SHALL HAVE ALL PRIVATE UTILITIES LOCATED PRIOR TO ANY CONSTRUCTION.
- 12) EXISTING UTILITIES WHICH ARE NOT TO BE REMOVED OR ABANDONED SHALL REMAIN OPERATIONAL AT ALL TIMES. APPROPRIATE EXISTING UTILITIES SHALL REMAIN IN SERVICE UNTIL REPLACEMENT/RELOCATED UTILITIES ARE OPERATIONAL.
- 13) ONLY UTILITY OWNER PERSONNEL SHALL OPERATE PUBLIC WATER VALVES. THE CONTRACTOR SHALL NOTIFY THE OWNER OR VILLAGE WATER DEPARTMENT TO ARRANGE A SHUTDOWN.
- 14) UNLESS OTHERWISE NOTED, ALL PROPOSED WATER LINES SHALL HAVE FIVE FEET MINIMUM COVER, 0.5 FEET MINIMUM VERTICAL CLEARANCE FROM ALL STORM DRAIN LINES, AND 1.5 FEET MINIMUM VERTICAL CLEARANCE ABOVE SANITARY SEWER LINES. IF THE VERTICAL SEPARATION CANNOT BE MAINTAINED, THE SEWER SHALL BE DUCTILE IRON PIPE, WITH THE SEWER JOINTS EQUIDISTANT AND AS FAR AS POSSIBLE FROM THE WATER MAINS.
- 15) RESTRAINED JOINTS SHALL BE IN ACCORDANCE WITH VILLAGE OF JOHNSON CITY WATER DEPARTMENT STANDARD SPECIFICATIONS OR APPROVED EQUAL.
- 16) ALL FIRE MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST N.F.P.A. 24.
- 17) HYDRANT FLANGES SHALL BE PLACED 4 INCHES ABOVE FINISHED GRADE OR AS REQUIRED BY LOCAL FIRE DEPARTMENT REGULATIONS.
- 18) THE CONTRACTOR SHALL DISCHARGE CHLORINATED FLUSH WATER INTO AN OPERATIONAL SANITARY SEWER MANHOLE.
- 19) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY WORK NOT SPECIFICALLY MENTIONED ON THE PLANS WHICH NORMALLY WOULD BE REQUIRED TO COMPLETE THE PROJECT. ALL AREAS WITHIN OR OUTSIDE OF THE CONTRACT LIMITS DISTURBED BY CONTRACTOR'S OPERATIONS SHALL BE RESTORED, AT THE EXPENSE OF THE CONTRACTOR, TO THE SATISFACTION OF OWNER.
- 20) UNLESS OTHERWISE NOTED, ALL WATER CONSTRUCTION SHALL BE IN ACCORDANCE WITH AWWA C600, THE LATEST PLUMBING CODE AND VILLAGE OF JOHNSON CITY WATER DEPARTMENT STANDARD SPECIFICATIONS AND DETAILS. IN CASE OF CONFLICT OR DISCREPANCY, THE PLUMBING CODE SHALL APPLY.
- 21) CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION STAKE OUT.
- 22) CONTRACTOR SHALL REMOVE, STORE, AND REPLACE ALL SIGNS, POSTS, ETC.; COORDINATED WITH OWNER FOR LOCATION AND TYPES.
- 23) ALL UTILITY FRAME, GRATES, AND COVERS WITHIN THE PROJECT LIMIT OF DISTURBANCE SHALL BE ADJUSTED TO FINISHED GRADE.
- 24) CONTRACTOR SHALL GUARANTEE ALL MATERIALS, EQUIPMENT, AND WORKMANSHIP FOR A PERIOD OF ONE YEAR.
- 25) ALL UNDERGROUND FACILITIES SHALL BE VERIFIED WITH FACILITY PERSONNEL PRIOR TO EXCAVATING.
- 26) EXCESS EXCAVATED MATERIAL SHALL BECOME THE PROPERTY OF CONTRACTOR AND SHALL BE DISPOSED OF OFF SITE IN A LAWFUL MANNER.
- 27) CONTRACTOR SHALL COORDINATE ALL UTILITY SHUTDOWNS WITH THE OWNER AND FACILITY OPERATOR THREE (3) DAYS PRIOR TO SHUTDOWN AND ONLY THE FACILITY OWNER SHALL SHUT OFF ANY WATER LINE.
- 28) ALL PUBLIC ROADS SHALL BE KEPT CLEAN OF MUD AND DEBRIS AT ALL TIMES.
- 29) ALL DRAINAGE SYSTEMS SHALL BE MAINTAINED AT ALL TIMES.
- 30) CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING FEATURES WITHIN THE LIMIT OF DISTURBANCE THAT WILL CONFLICT WITH THE INSTALLATION OF THE PROPOSED WORK.
- 31) CONTRACTOR SHALL COORDINATE AND SCHEDULE ALL MATERIAL TESTING WITH OWNER'S SELECTED MATERIAL TESTING FIRM.

LEGEND

- HORIZONTAL CONTROL POINT
- VERTICAL CONTROL POINT
- BENCHMARK
- PERMANENT SURVEY MARKER
- HORIZONTAL SURVEY CONTROL
- MONUMENT FOUND (AS NOTED)
- STAKE FOUND (AS NOTED)
- PIPE OR PIN FOUND (AS NOTED)
- IRON PIN SET (5/8" REBAR W/ HAWK CAP)
- NAIL FOUND (AS NOTED)
- DRILL HOLE
- FENCE LOCATION POINT
- WALL LOCATION POINT
- GUIDE RAIL ANCHOR BLOCK
- BARRICADES
- MAILBOX
- PAPER BOX
- TRAFFIC SIGNAL HEADS
- PHONE BOOTH
- WATER WELL
- POST (TYPE AS NOTED)
- ANTENNA
- FILLER CAP
- GAS PUMP
- DECIDUOUS SHRUB
- CONIFEROUS TREE
- CONIFEROUS SHRUB
- STUMP
- BOULDER
- CATCH BASIN
- STORM MANHOLE
- ELECTRIC MANHOLE
- GAS MANHOLE
- WATER MANHOLE
- SANITARY MANHOLE
- TELEPHONE MANHOLE
- MISC. MANHOLE (AS NOTED)
- SIGN SINGLE POST
- SIGN DOUBLE POST
- SIGN TRIPLE POST
- TRAFFIC PULLBOX
- TELEPHONE PULLBOX
- CABLE TV PULLBOX
- ELECTRIC PULLBOX
- SIGNAL POLE W/ TRAFFIC UTILITY
- MISC. POLES (AS NOTED)
- LIGHT POLE
- UTILITY POLE
- UTILITY POLE W/LIGHT
- GUY WIRE
- ELECTRIC METER
- UTILITY TOWER
- GAS VALVE
- GAS METER
- MISC. PIPE LINE MARKER (AS NOTED)
- VENT PIPES (AS NOTED)
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- MISC. UTILITY VALVE (AS NOTED)
- SPOT ELEVATION (TYP)
- SOIL BORING OR TEST PIT (AS NOTED)
- MONITORING WELL
- SWAMP
- FLOW ARROW
- RIP RAP
- ROCK OUTCROP

LEGEND

- BASELINE
- CABLE GUIDE RAIL
- W-BEAM GUIDE RAIL
- BOX BEAM GUIDE RAIL
- BOX BEAM MEDIAN
- RAILROAD
- ABANDONED RAILROAD
- FENCE (AS NOTED)
- STONE WALL
- DECIDUOUS TREE ROW
- CONIFEROUS TREE ROW
- BRUSH LINE
- TREE LINE
- STREAM / RIVER / DITCH
- SILT FENCE
- PROPERTY LINE
- MUNICIPAL LINE
- HIGHWAY ROW
- EASEMENT LINE
- OVERHEAD UTILITY
- UNDERGROUND ELECTRIC
- OVERHEAD TELEPHONE
- UNDERGROUND TELEPHONE
- OVERHEAD CABLE TV
- UNDERGROUND CABLE TV
- OVERHEAD FIBER OPTIC
- UNDERGROUND FIBER OPTIC
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING GAS LINE
- EXISTING RETIRED GAS LINE
- EXISTING WATER LINE
- EXISTING INDEX CONTOUR
- EXISTING INTERMEDIATE CONTOUR
- CENTERLINE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED WATER LINE
- PROPOSED INDEX CONTOUR
- PROPOSED INTERMEDIATE CONTOUR

NOTE: ALL PROPOSED WORK SHOWN FULL IMAGE IN THIS FONT TYPE.
ALL EXISTING FEATURES SHOWN SCREENED IMAGE IN THIS FONT TYPE.

COMMON ABBREVIATIONS

- | | |
|-------|--------------------------|
| BIT | BITUMINOUS PAVEMENT |
| CB | CATCH BASIN |
| CMP | CORRUGATED METAL PIPE |
| CO | CLEAN OUT |
| CONC | CONCRETE |
| DIP | DUCTILE IRON PIPE |
| ELEV | ELEVATION |
| FF | FINISHED FLOOR ELEVATION |
| INV | INVERT |
| MH | MANHOLE |
| PVC | POLYVINYLCHLORIDE PIPE |
| RCP | REINFORCED CONCRETE PIPE |
| TC | TOP OF CURB |
| BC | BOTTOM OF CURB |
| TW | TOP OF WALL |
| BW | BOTTOM OF WALL |
| BOT | BOTTOM |
| EXIST | EXISTING |
| ROW | RIGHT OF WAY |



HULBERT Engineering
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- CIVIL ENGINEERING
- LAND SURVEYING
- ENVIRONMENTAL ENGINEERING
- CONSTRUCTION COORDINATION

Centre Plaza
55 Chertango Street, 8th Floor
Binghamton, New York 13901-2805
Phone: 607.725.0799

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PROJECT NUMBER:	DATE	DESCRIPTION
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CAD FILE:		
COORDINATOR:		
DRAWN BY:		
CHECKED BY:		
SCALE:		
AS SHOWN		

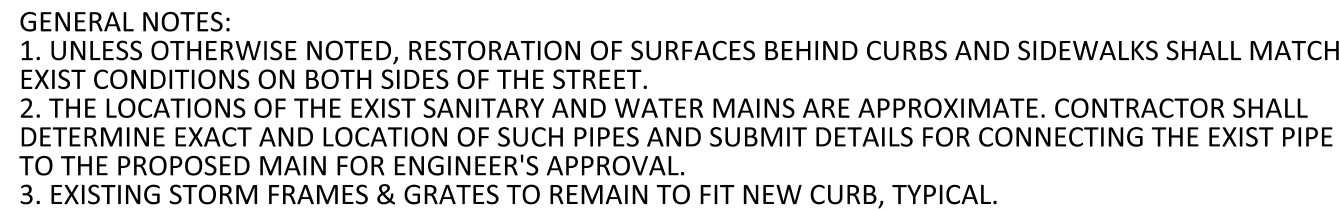
FAIRMONT PARK SUBDIVISION
WATER SYSTEM IMPROVEMENT PROJECT

TOWN OF UNION
BROOME COUNTY NEW YORK STATE

LEGEND SHEET

SHEET NO. C000

FEBRUARY 19, 2020



PROJECT TITLE		PROJECT NUMBER		REV. NO.		DATE		DESCRIPTION	
FAIRMONT PARK SUBDIVISION WATER SYSTEM IMPROVEMENT PROJECT		19080.02							
		CADD FILE:							
		C002.DGN							
DRAWN BY:		TMD							
CHECKED BY:		GHH							
SCALE:		AS SHOWN							
SHEET TITLE		TOWN OF UNION BROOME COUNTY NEW YORK STATE							
SHEET NO.		C002							
FEBRUARY 19, 2020									



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[illegible]

PROJECT TITLE
**FAIRMONT PARK SUBDIVISION
WATER SYSTEM IMPROVEMENT PROJECT**

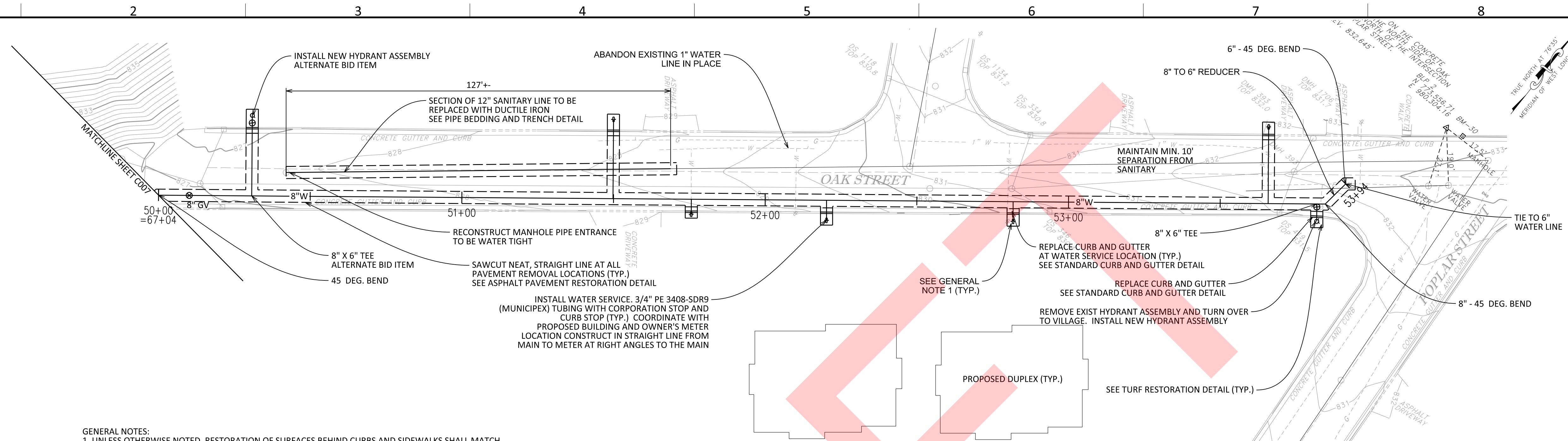
TOWN OF UNION
BROOME COUNTY NEW YORK STATE

SITE PLAN AND PROFILE

TITLE

C004

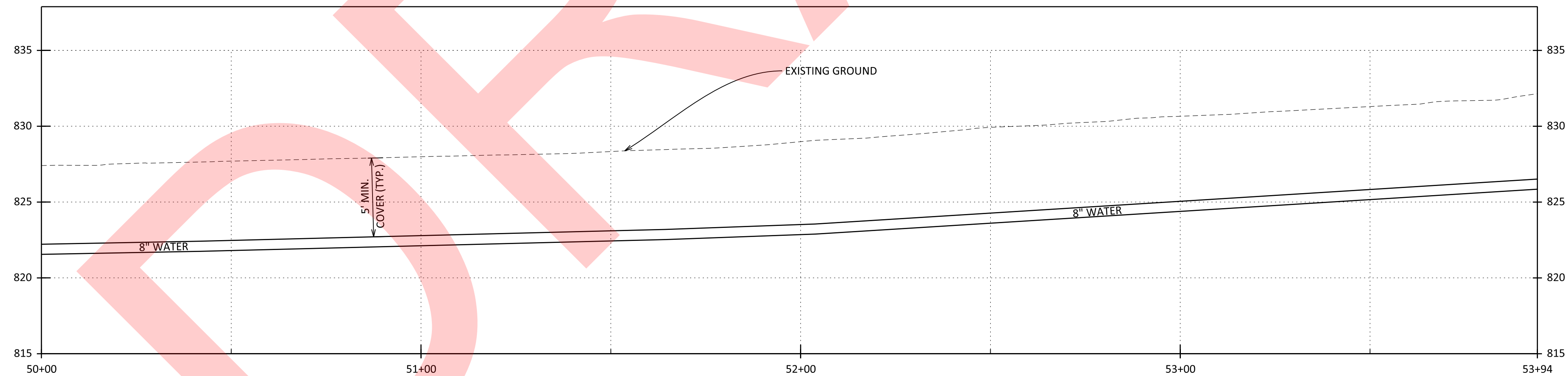
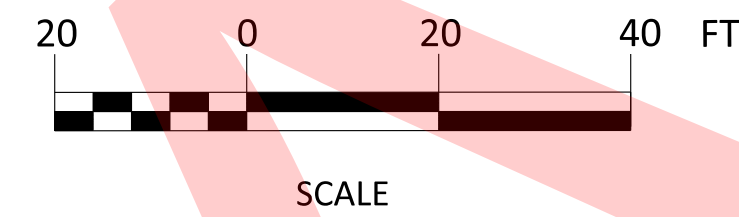
FEBRUARY 19, 2020



GENERAL NOTES:

1. UNLESS OTHERWISE NOTED, RESTORATION OF SURFACES BEHIND CURBS AND SIDEWALKS SHALL MATCH EXISTING CONDITIONS ON BOTH SIDES OF THE STREET.
2. THE LOCATIONS OF THE EXIST SANITARY AND WATER MAINS ARE APPROXIMATE. CONTRACTOR SHALL DETERMINE EXACT LOCATION OF SUCH PIPES AND SUBMIT DETAILS FOR CONNECTING THE EXIST PIPE TO THE PROPOSED MAIN FOR ENGINEER'S APPROVAL.
3. EXISTING STORM FRAMES & GRATES TO REMAIN TO FIT NEW CURB, TYPICAL.

OAK STREET PLAN



PROFILE

SCALE: HORIZONTAL 1" = 20'
VERTICAL 1" = 5'

PROJECT TITLE						PROJECT NUMBER 19080.02						
FAIRMONT PARK SUBDIVISION WATER SYSTEM IMPROVEMENT PROJECT TOWN OF UNION BROOME COUNTY NEW YORK STATE						CAD FILE:						
						DRAWN BY: TMD						
						CHECKED BY: GHH						
SHEET NO. C005						SCALE: AS SHOWN						
FEBRUARY 19, 2020												

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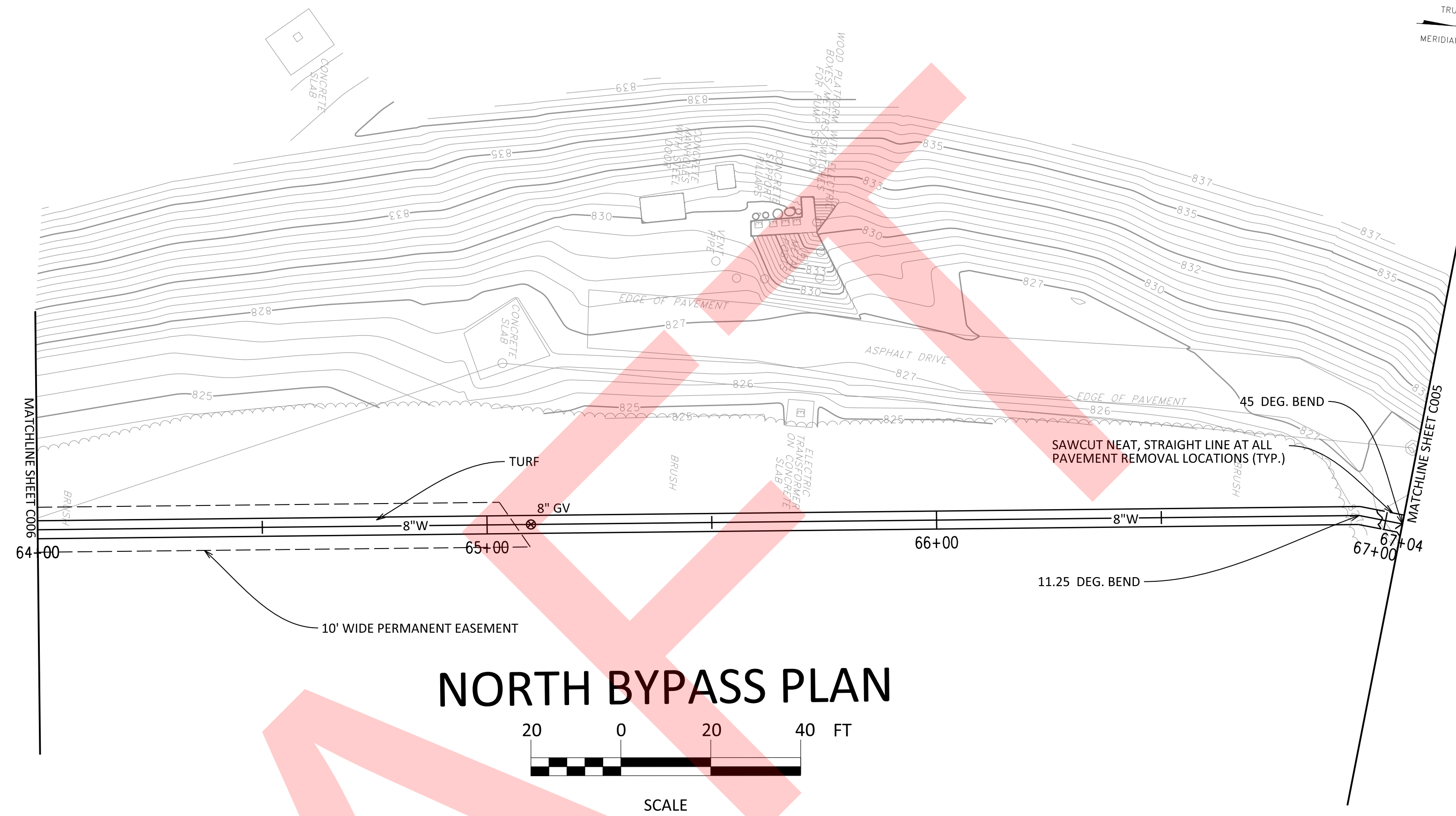
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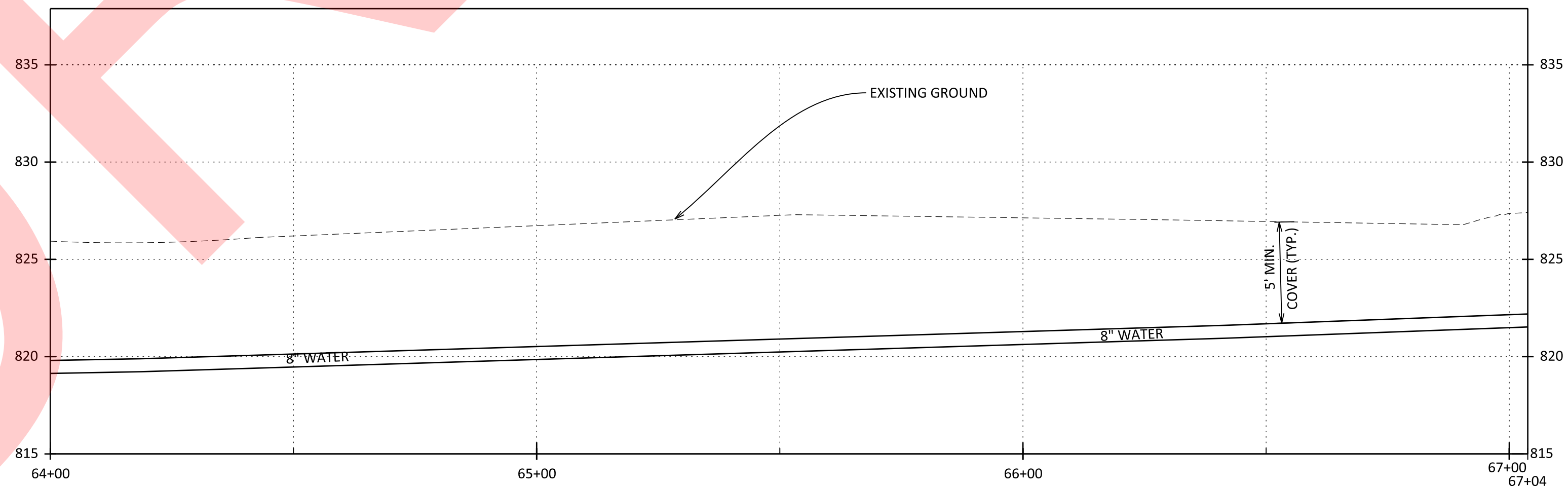
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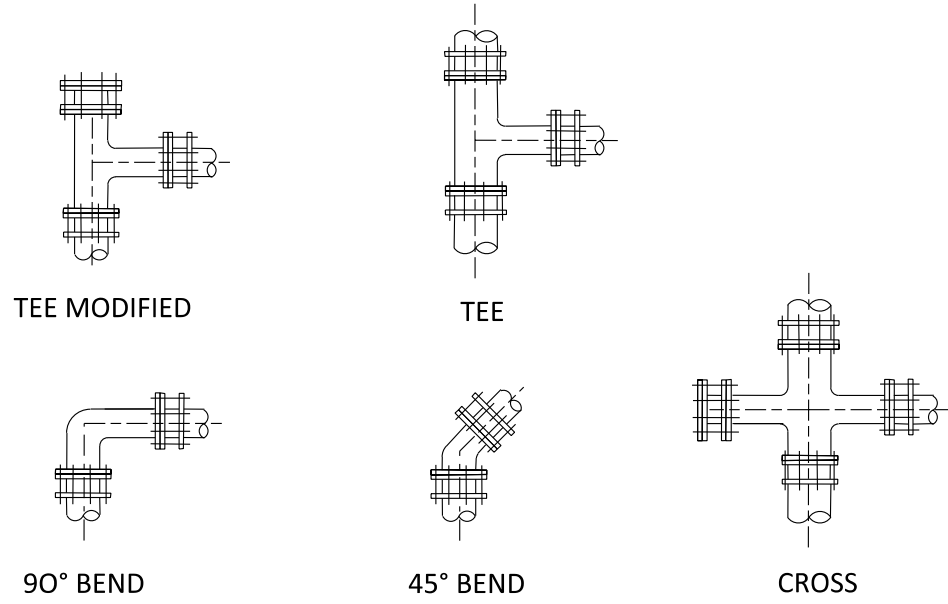
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3. EXISTING STORM FRAMES & GRATES TO REMAIN TO FIT NEW CURB, TYPICAL.



PROJECT TITLE					
FAIRMONT PARK SUBDIVISION WATER SYSTEM IMPROVEMENT PROJECT TOWN OF UNION BROOME COUNTY NEW YORK STATE					
SHEET NO.					
C007					
FEBRUARY 19, 2020					
PROJECT NUMBER					
19080.02					
CAD FILE					
DRAWN BY:					
TMD					
CHECKED BY:					
GHH					
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DESCRIPTION					
WARNING					
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F
E
D
C
B
A



MINIMUM RESTRAINED LENGTHS							
PIP I.D. INCHES	90° BEND	45° BEND	22-1/2° BEND	11-1/4° BEND	* SIZE X SIZE TEE	10 X 6 REDUCING TEE	VALVE HYDRANT DEAD END
6"	13'	6'	3'	2'	13'	13'	19'
8"	19'	8'	4'	2'-6"	19'	19'	24'
12"	27'	11'-6"	5'-6"	3'-6"	27'	27'	35'

MINIMUM VERTICAL OFFSETS		
PIPE I.D. INCHES	**45° VERTICAL OFFSET	** 22 1/4° VERTICAL OFFSET
6"	8'-4"	4'-2"
8"	11'-5'-6"	5'-6"/3'
12"	15'-6"/8'	7'-6"/4'

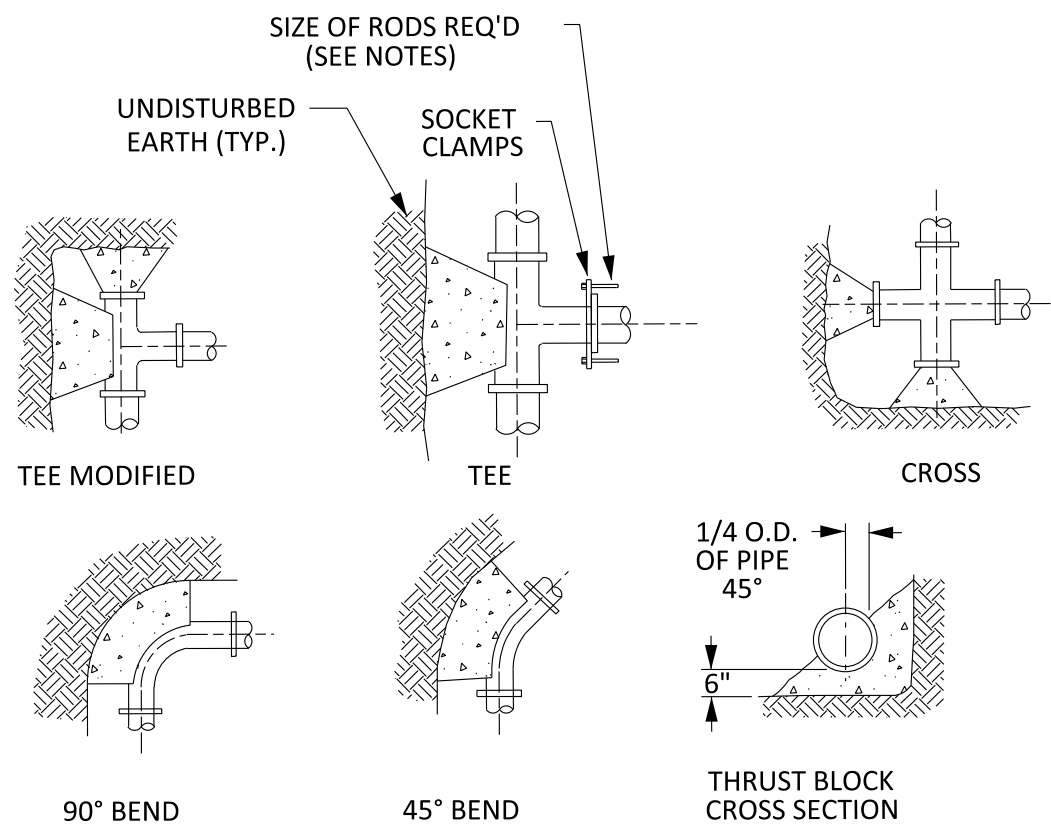
* RESTRAINED LENGTHS FOR TEES ARE FOR THE BRANCH OUTLET AND ASSUME A MINIMUM ATTACHED LENGTH OF PIPE OF 10' ON EACH SIDE OF THE RUN. RESTRAINT DEVICES SHALL ALSO BE INSTALLED ON BOTH RUN JOINTS OF THE TEE ITSELF.

** FIRST NUMBER IS THE LENGTH HIGH SIDE (LHS) OR MINIMUM RESTRAINED LENGTH ON EACH SIDE OF THE DOWN BENDS. SECOND NUMBER IS LENGTH LOW SIDE (LLS) OR MINIMUM RESTRAINED LENGTH ON EACH SIDE OF THE UP BENDS.

NOTE:
ANY JOINTS THAT FALL WITHIN THE ABOVE MINIMUM LENGTHS SHALL BE RESTRAINED ON BOTH SIDES OF BENDS, ON THE BRANCH OUTLETS OF TEES, AND BEFORE REDUCERS OR DEAD ENDS.

WATER MAIN THRUST RESTRAINT AND CONNECTION DETAILS

NOT TO SCALE



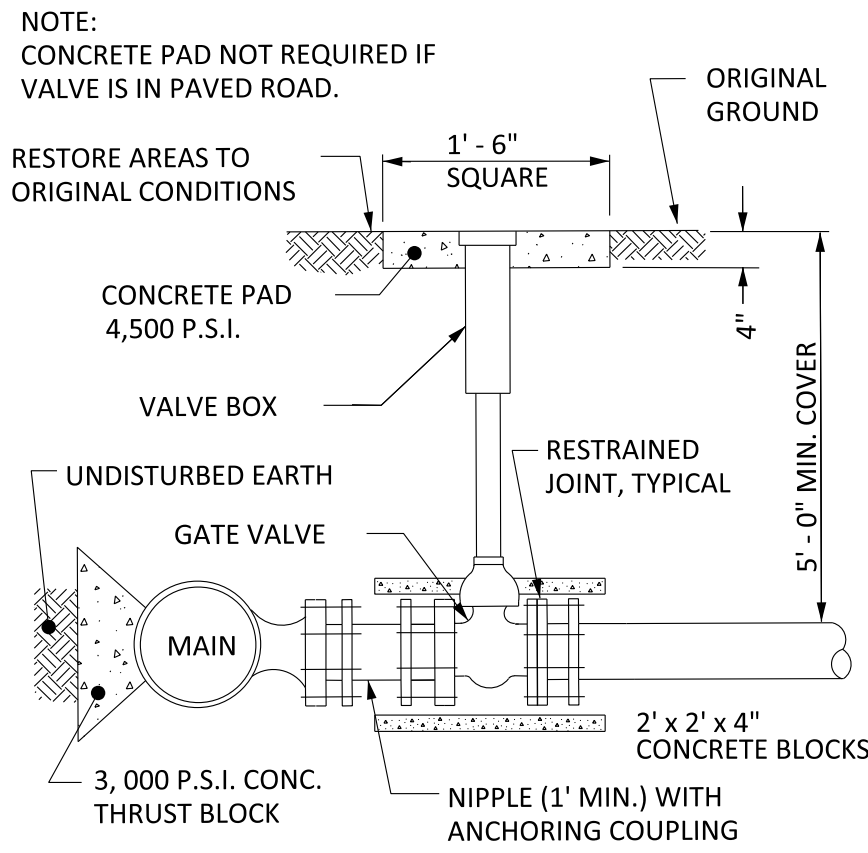
MINIMUM REACTION BLOCK AREA - SQ. FT.						
PIPE I.D. IN	PLUG & TEE	TAPPING SLEEVE	90° BEND	45° BEND	22-1/2° BEND	11-1/4° BEND
6	5	5	6	3	3	3
8	8	8	6	3	3	3
10	8	8	8	4	3	3
12	16	16	22	12	6	3

TEES ARE TO BE CONSIDERED AS 90° BENDS. THE AREAS REFERRED TO ABOVE ARE THE CROSS SECTIONAL AREAS OF THE CONCRETE REACTION BLOCKS WHERE THE CONCRETE COMES IN CONTACT WITH THE SOLID AND UNDISTURBED TRENCH WALL.

- NOTES:
1. ALL CONCRETE SHALL BE TRANSIT MIX CAST-IN-PLACE UNLESS OTHERWISE APPROVED.
 2. ALL THRUST BLOCKS SHALL BE 3,000 PSI CONCRETE UNIFORMLY MIXED BEFORE PLACING ON UNDISTURBED EARTH AS SHOWN ON DETAILS.
 3. THE THRUST BLOCKS SHOWN FOR TEES SHALL ALSO BE USED FOR PLUGGED ENDS.
 4. AT REMOVABLE PLUGS ON WATER SERVICE BRANCHES, A SHEET POLYETHYLENE BOND BREAK SHALL BE UTILIZED BETWEEN THE REMOVABLE PLUG AND ANY CONCRETE THRUST BLOCK REQUIRED.
 5. WHERE THRUST BLOCKS ARE LOCATED IN FILL EARTH, IN ADDITION TO THE BLOCKING, THE CONTRACTOR SHALL USE RODDING AS A TEMPORARY MEANS OF RESTRAINING WATER LINE. THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR APPROVAL, WITH DETAILS OF THE RODDING SYSTEM TO BE USED FOR EACH PARTICULAR CASE.
 6. ABOVE THRUST BLOCK AREAS ARE MINIMUM REQUIREMENTS. LARGER AREAS MAY BE REQUIRED IN LESS SUITABLE SOILS.

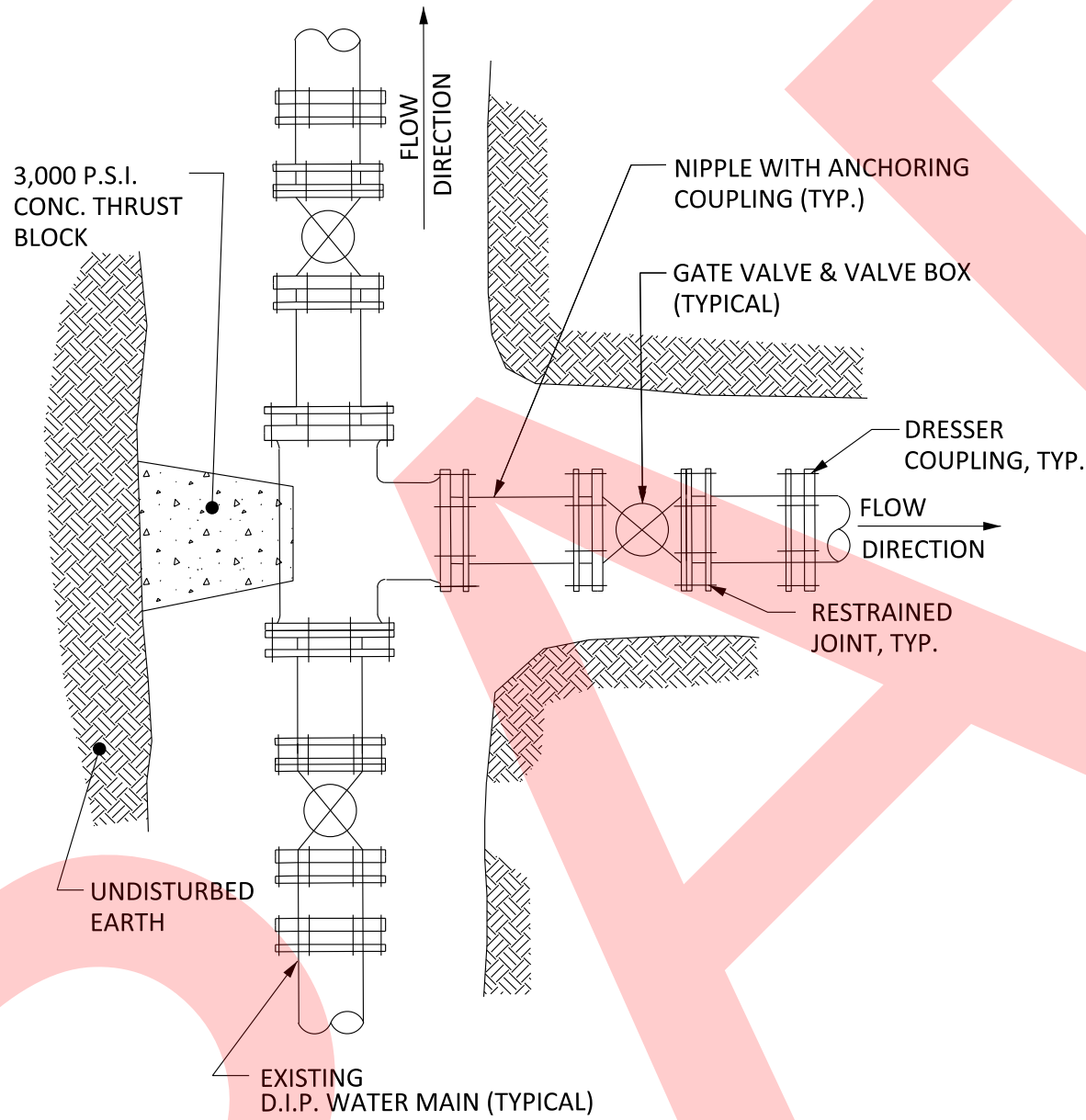
WATER MAIN THRUST BLOCK AND CONNECTION DETAILS

NOT TO SCALE



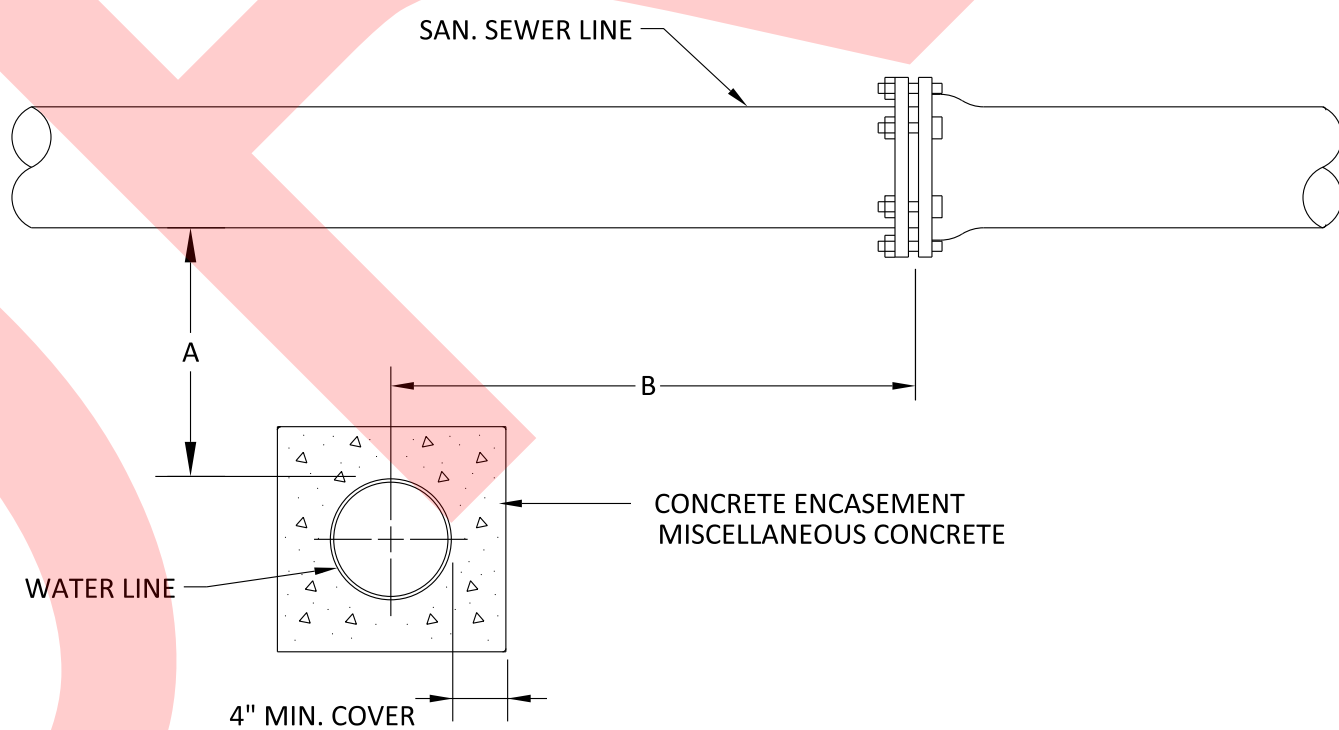
TYPICAL VALVE TIE DETAIL

NOT TO SCALE



TYPICAL VALVE CLUSTER DETAIL

NOT TO SCALE



*NO SEPARATE PAY ITEM SHALL BE USED FOR THIS DETAIL

NOTE:

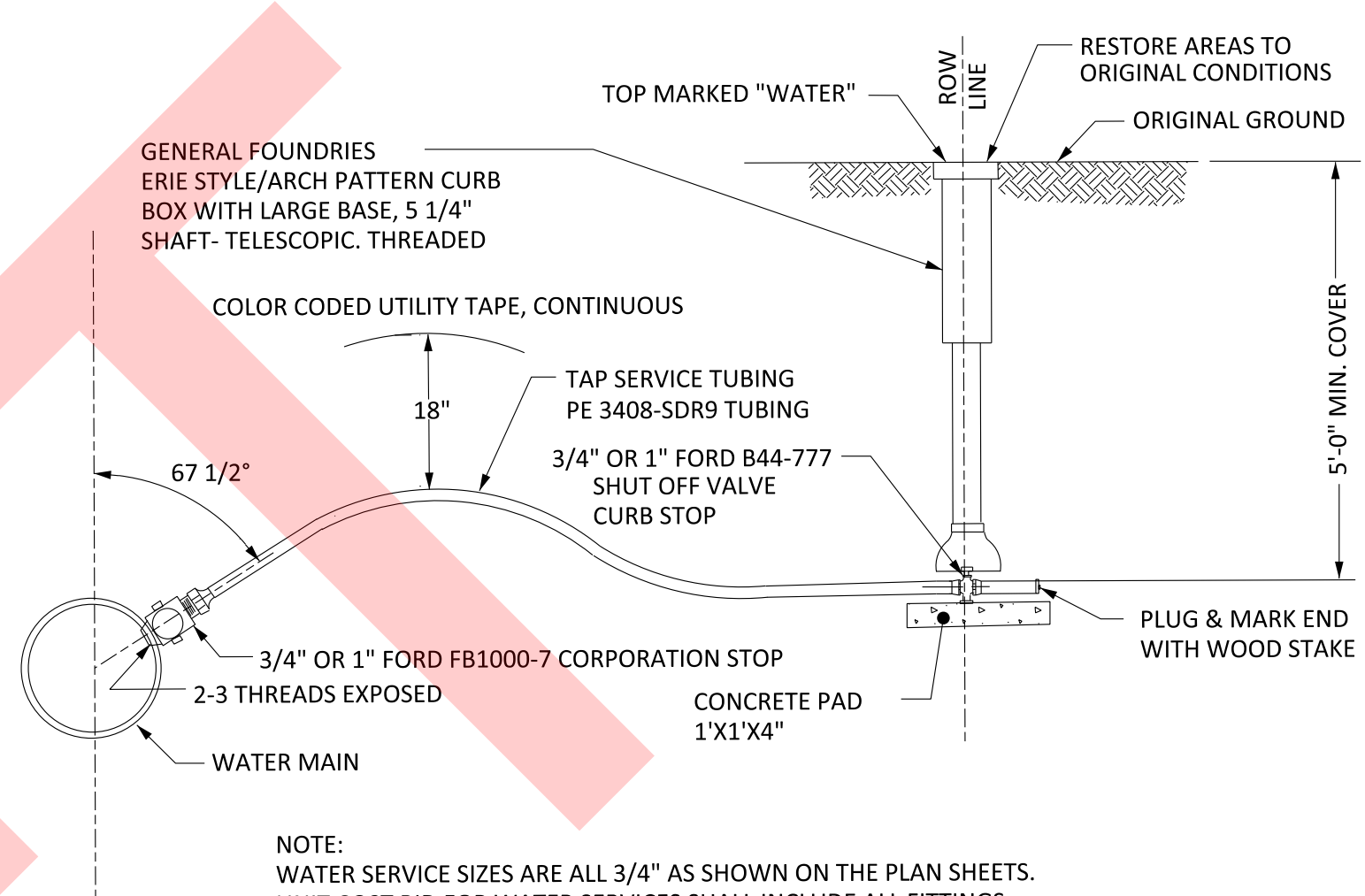
CONCRETE ENCASEMENT SHALL BE USED WHEN DIMENSION "A" IS LESS THAN 1'-6" FOR A DISTANCE OF 3'-0" EACH SIDE OF THE WATER LINE.

IF DIMENSION "B" IS LESS THAN 7'-0" THE WATER LINE SHALL BE RELOCATED IF ORDERED BY THE ENGINEER TO PROVIDE "A"= 1'-6" MINIMUM.

IF SUCH VERTICAL SEPARATION CAN NOT BE ACCOMPLISHED THE WATER LINE SHALL BE RECONSTRUCTED IF SO ORDERED USING MECHANICAL JOINT PIPE TO PROVIDE "B"= 7'-0" MIN.

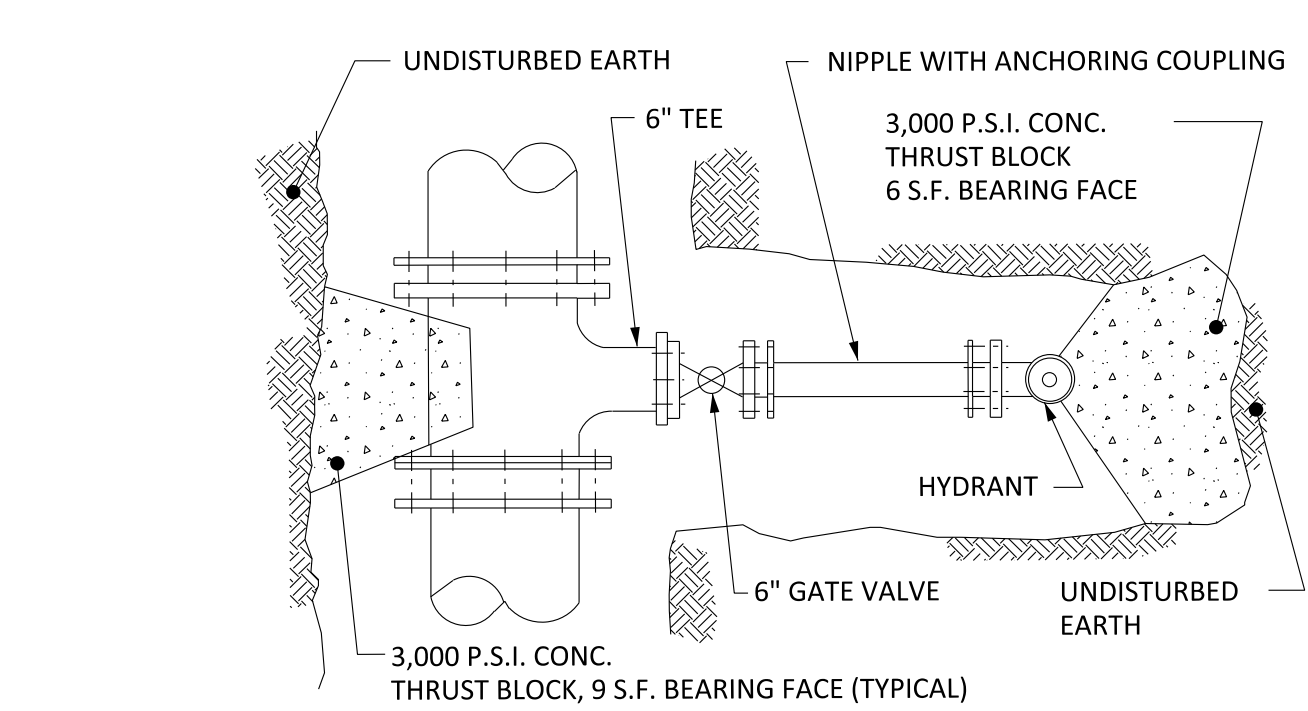
WATER LINE CROSSING

NOT TO SCALE



WATER SERVICE CONNECTION DETAIL

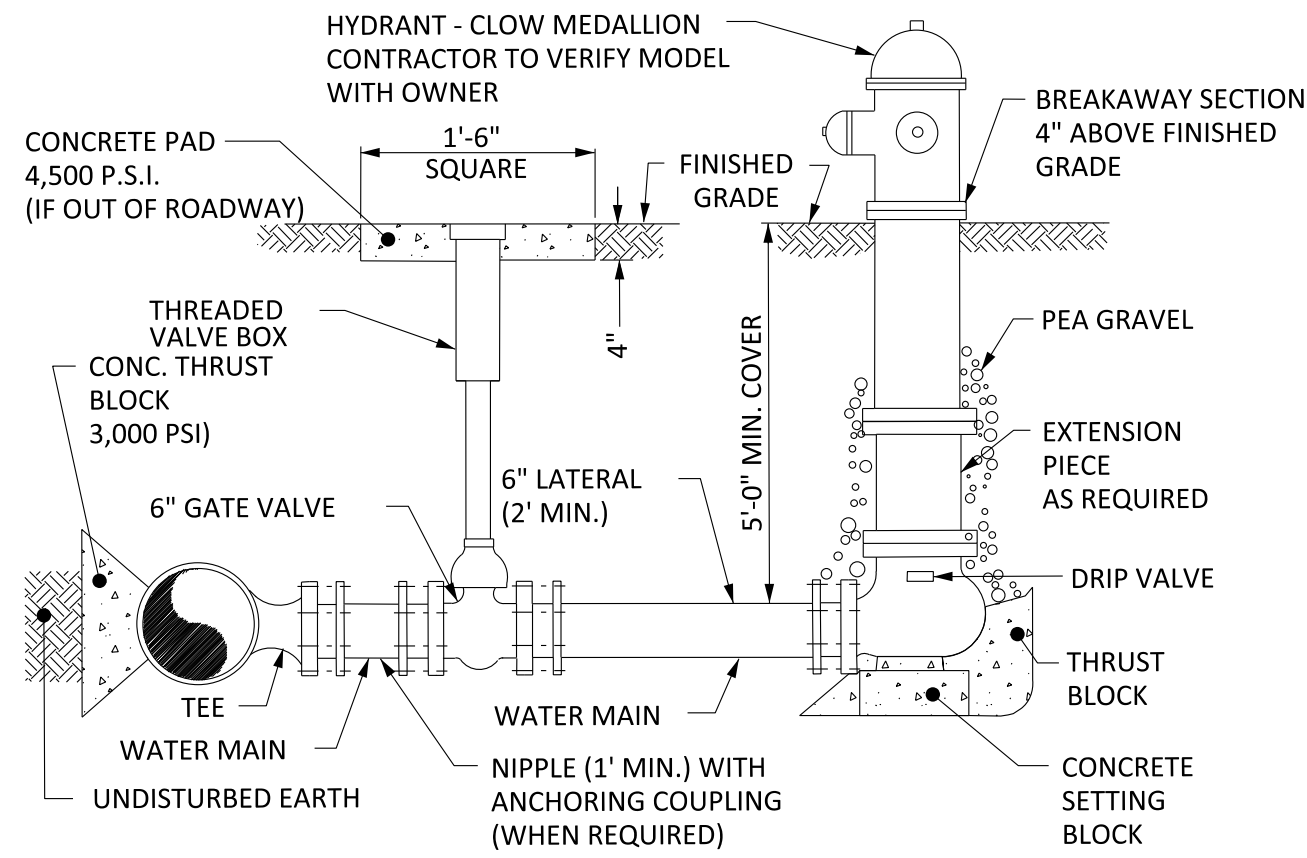
NOT TO SCALE



HYDRANT SETTING DETAIL

NOT TO SCALE

- NOTE:
HYDRANT ASSEMBLY COMPLETE INCLUDES:
1. REMOVAL OF EXISTING HYDRANT
 2. 6" GATE VALVE AND VALVE BOX
 3. TEE (SIZE TO SUIT MAIN DIAMETER)
 4. ANCHOR COUPLINGS & TIE RODS
 5. HYDRANT (FURNISH HYDRANT INCLUDES THIS ITEM ONLY)
 6. GRAVEL DRAIN MATERIAL
 7. CONCRETE PAD (NOT REQUIRED IF VALVE IS IN PAVED ROAD)
 8. NO LEAD BRASS.
 9. 6" WATER MAIN.



HYDRANT ASSEMBLY DETAIL

NOT TO SCALE

HULBERT Engineering
and Land Surveying, DPC

CIVIL ENGINEERING

LAND SURVEYING

ENVIRONMENTAL ENGINEERING

CONSTRUCTION COORDINATION

Centre Plaza
53 Cushing Street, 8th Floor
Binghamton, New York 13901-2805
Phone: 607.723.0735

NOT FOR CONSTRUCTION

REV NO.	DATE	DESCRIPTION

WARNING
IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A PROFESSIONAL ENGINEER OR SURVEYOR, TO SEAL OR SIGN ANY PLAN, SPECIFICATION, REPORT OR MAP TO WHICH THE SEAL OF A PROFESSIONAL ENGINEER OR SURVEYOR HAS BEEN APPLIED.

PROJECT NUMBER:
19080.02

CAD FILE:
C004.DGN

DRAWN BY:
TMD

CHECKED BY:
GHH

SCALE:
AS SHOWN

FAIRMONT PARK SUBDIVISION
WATER SYSTEM IMPROVEMENT PROJECT

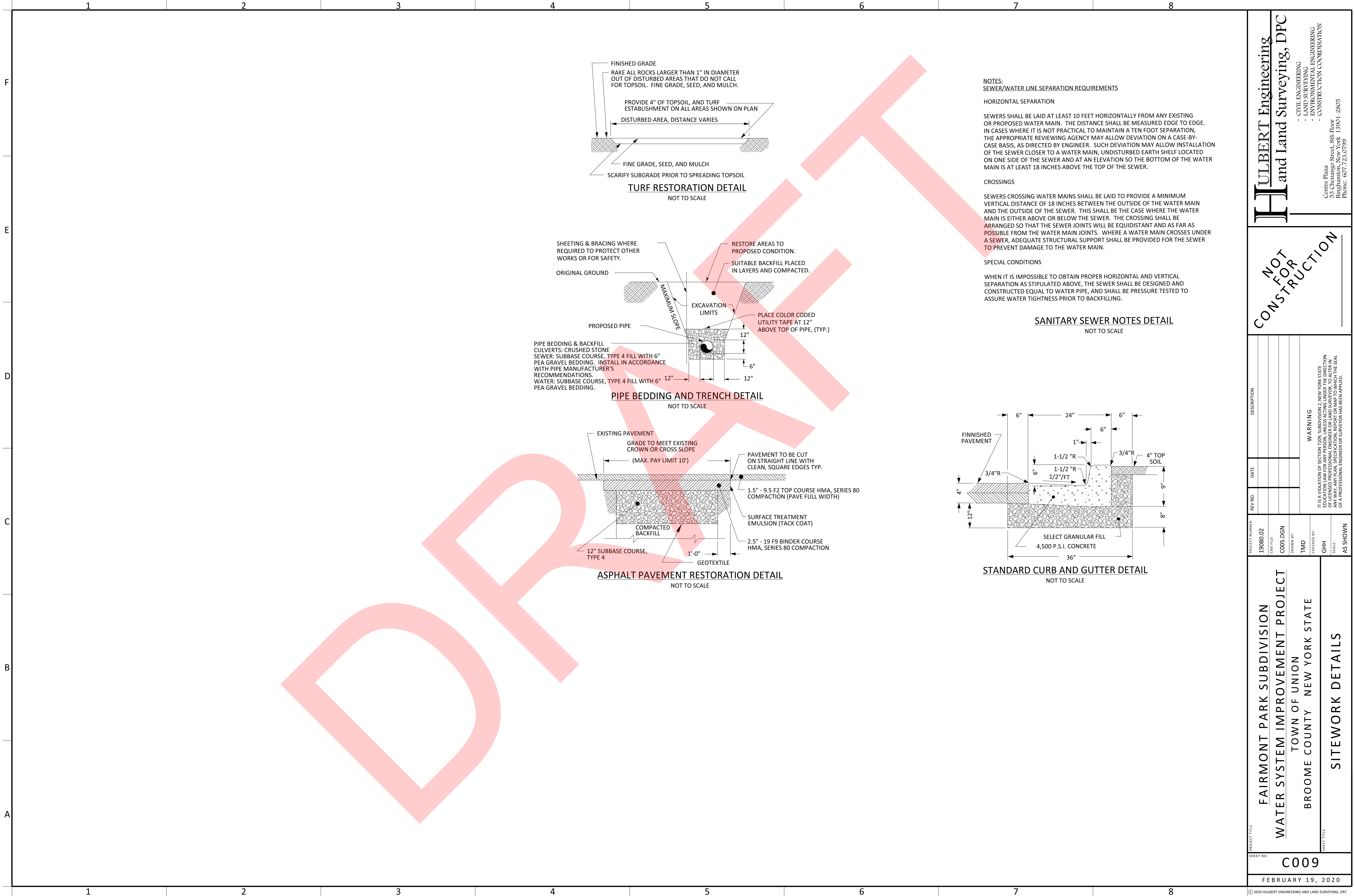
TOWN OF UNION
BROOME COUNTY NEW YORK STATE

SITEWORK DETAILS

PROJECT TITLE
SHEET NO.
C008

FEBRUARY 19, 2020

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HULBERT Engineering

and Land Surveying, DPC

• CIVIL ENGINEERING

• LAND SURVEYING

• ENVIRONMENTAL ENGINEERING

• CONSTRUCTION COORDINATION

Conite Plaza
55 Chetango Street, 8th Floor
Binghamton, New York 13901-2805
Phone: 607.725.0799

NOT FOR CONSTRUCTION

PROJECT NUMBER:	DESCRIPTION
19080.02	
CAD FILE:	DATE
C005.DGN	
DRAWN BY:	REV. NO.
TMD	
CHECKED BY:	
GHH	
SCALE:	
AS SHOWN	
WARNING IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER IN ANY MANNER THE SEAL OF A PROFESSIONAL ENGINEER OR SURVEYOR HAS BEEN APPLIED.	

FAIRMONT PARK SUBDIVISION

WATER SYSTEM IMPROVEMENT PROJECT

TOWN OF UNION

BROOME COUNTY NEW YORK STATE

SITEWORK DETAILS

C009

FEBRUARY 19, 2020

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APPENDIX E
RARE ANIMALS/PLANTS AND SIGNIFICANT NATURAL COMMUNITIES REVIEW



[Home](#) > [Project Screening Request Form](#)

Project Screening Request Form

New York Natural Heritage has received your request. Please expect a response within 3 to 4 weeks.

[Go back to the form](#)

© 2004-2018 New York Natural Heritage Program. [Questions, Comments, Queries.](#)

DRAFT

Sara Zubalsky

From: naturalheritage@nynhp.org
Sent: Tuesday, February 18, 2020 2:47 PM
To: Sara Zubalsky
Subject: Confirmation of your submitted request to New York Natural Heritage

Submission ID: 4159

Submitted on Tuesday, February 18, 2020 - 14:46 Submitted values are:

Company, Organization, or Agency: Town of Union, NY Requestor Name: Sara Zubalsky-Peer Requestor
Address (Street/PO Box): 3111 E. Main Street Requestor City: Endwell Requestor State: New York Requestor
Zip Code: 13760 Requestor Telephone #: 607-786-2977 Requestor Email: szubalsky@townofunion.com Project
Type: water supply utility/infrastructure Project Name: Fairmont Park Water Main Improvements Project
Applicant:

Project County: Broome

Town (Broome): Union

Project Summary: The Town of Union is working with a developer who will create flood resilient, affordable housing in the Fairmont Park neighborhood which was devastated from the 2011 flood of record. The town is undertaking a project to improve the public water distribution system in the Fairmont Park subdivision. The existing water distribution system is not adequately sized for the supply demand of the neighborhood and is unable to allow for new construction as currently configured due to new Health Department regulations. The water mains will be up-sized from one inch lines to eight inch lines and will be looped to avoid future hydrant flushing. The project is taking place in an existing subdivision in roadways that have been previously disturbed.

Current Land Use: Existing urban single family neighborhood Tax parcel number:

Latitude: 42 07 12.73 N

Longitude: 75 59 34.88 W

Street Address of Project:

Project Notes: The project location is within a rare plants and animals layer on the Environmental Resource Mapper

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

March 2, 2020

Sara Zubalsky-Peer
Town of Union
3111 E. Main Street
Endwell, NY 13760

Re: Fairmont Park Water Main Improvements
County: Broome Town/City: Union

Dear Ms. Zubalsky-Peer:

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

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site.

Within 0.5 mile of the project site is a documented breeding location of **Bald eagle** (*Haliaeetus leucocephalus*, state listed as **Threatened**). For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 7 Office, Division of Environmental Permits, at dep.r7@dec.ny.gov.

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

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the Permits staff at the NYSDEC Region 7 Office as described above.

Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program