Environmental Design & Research,
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February 10, 2017

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

RE: Wetland Delineation Letter Report
MP 240.48, Judd Road, Whitestown, Oneida County, New York (BIN 5512980)
EDR Project No. 16134

Dear Mr. Bradley:

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

Review of Background Data

A review of existing wetland and stream databases (National Wetland Inventory [NWI], New York State Department of Environmental Conservation [NYSDEC] mapped wetlands, and NYSDEC mapped streams) indicates the presence of one NWI mapped wetland within the Study Area. In addition, there are three NWI mapped wetland adjacent to the southern, eastern, and western boundaries of the Study Area, along Judd Road. A NYSDEC Class B(T) protected stream is also present adjacent to the northwestern boundary of the Study Area. No NYSDEC mapped wetlands are present within or adjacent to the Study Area (See Figure 3).

Field Visit and Methodology

On November 10, 2016, EDR biologists conducted a site visit to determine if wetlands exist within the Study Area, and to delineate the extent of existing wetlands. The identification of wetland boundaries was made based on the methodology described in the *U.S. Army Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987). The determination of wetland boundaries was also guided by the methodologies presented in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)* (USACE, 2012). According to the U.S Army Corps of Engineers (Corps) methodologies, wetland hydrology, when combined with a hydrophytic plant community and hydric soils, indicate the presence of a wetland. Attention was also given to the identification of potential hydrologic connections between wetlands and areas that could influence their jurisdictional status.

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

Findings

Based on our field investigations, wetlands are present within the Study Area. This includes five palustrine emergent (PEM) wetlands and two palustrine scrub-shrub (PSS) wetlands. Additionally, one PEM wetland was immediately observed adjacent to the Study Area. These wetlands were characterized by hydrologic wetland indicators of soil saturation and surface water. Hydrophytic vegetation observed within the PEM wetlands includes narrowleaf cattail (*Typha angustifolia*), common reed (*Phragmites australis*), canary reed grass (*Phalaris arundinacea*). Hydrophytic vegetation observed within the PSS wetlands includes speckled alder (*Alnus incana*), and purple loosestrife (*Lythrum salicaria*). Vegetation observations will need to be confirmed in the growing season if the wetlands may be disturbed. These wetlands are listed below in Table 1 and the locations are indicated in Figure 4.

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

Table 1. Delineated Wetlands

Wetland ID	Community Type	Area[1]	Federal Jurisdiction[2]	State Jurisdiction[2]
A	PSS	0.01	Yes	No
B[3]	PEM	0.00	Yes	No
C	PEM	0.10	Yes	No
D	PEM	0.02	Yes	No
E	PEM	>0.01	Yes	No
F	PEM	0.12	Yes	No
G	PEM	0.03	Yes	No
H	PSS	0.09	Yes	No

[1] Area is expressed in acres, and includes portions of wetlands within the Study Area only.
[2] Based on agency mapping and field observations of hydrologic connections. Final jurisdiction will be determined by the USACE and NYSDEC.
[3] Wetland located adjacent to the Study Area, outside of the Study Area boundary.

Conclusion

EDR delineated five PEM wetlands and two PSS wetlands within the Study Area, and one PEM wetland adjacent to the northwestern boundary of the Study Area. These wetlands were identified based on the presence of hydrophytic vegetation, hydric soils, and wetland hydrology and total approximately 0.37 acre within the Study Area. These wetlands appear to have a direct or indirect surface water connection to Oriskany Creek, and therefore are likely to be considered jurisdictional by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. However, final determination of the jurisdictional status must be made by the USACE. Due to the distance from the nearest NYSDEC regulated wetland (approximately 0.3-mile) and lack of obvious hydrologic or significant habitat connectivity, in EDR's opinion these wetlands should not be regulated under Article 24 of the Environmental Conservation Law.

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

Sincerely,

Carin LeFevre
Environmental Analyst

Michael Kopansky, PWS, CAE
Project Manager

Caitlin Graff
Project Manager

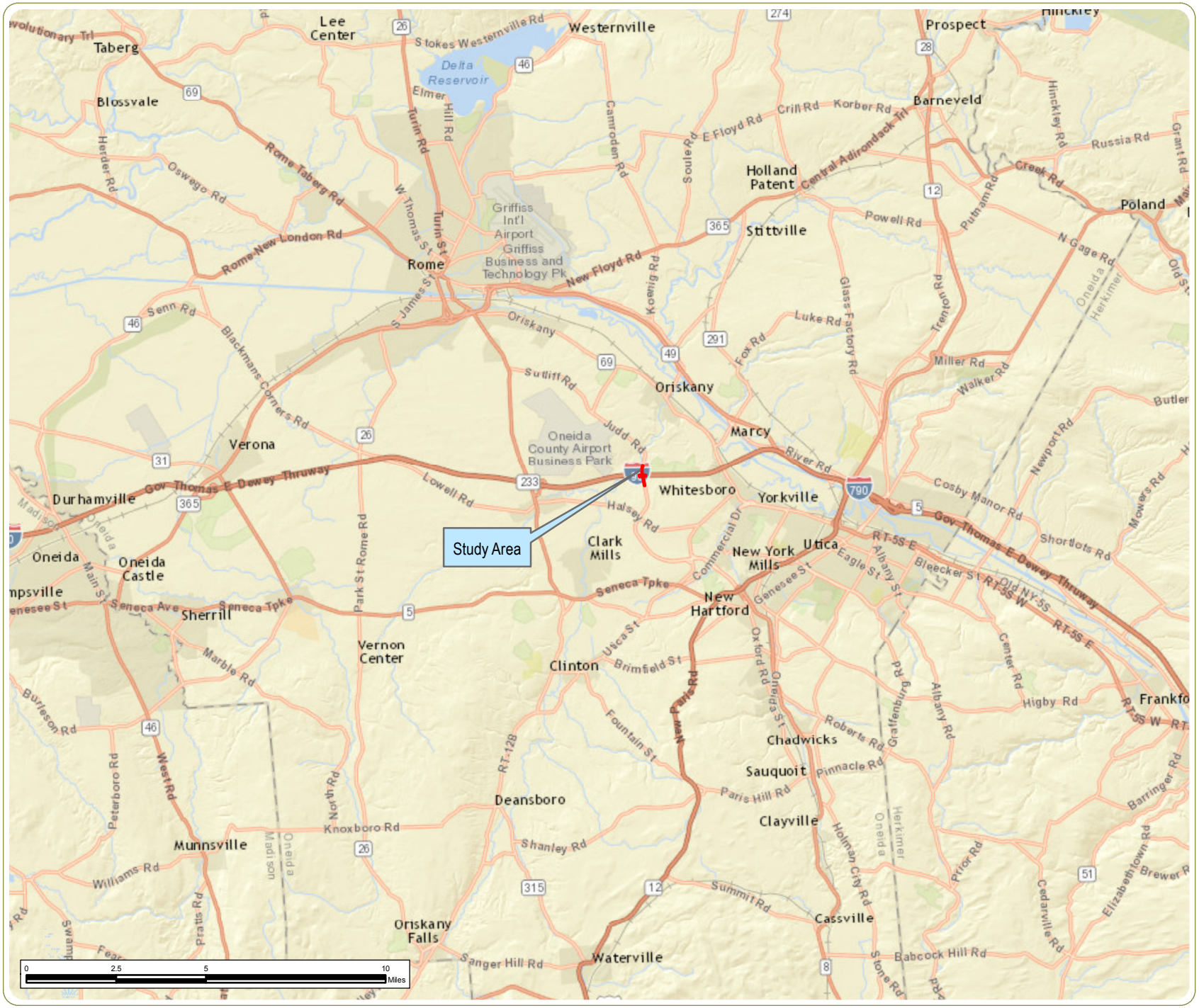
List of Attachments:

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

References

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

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



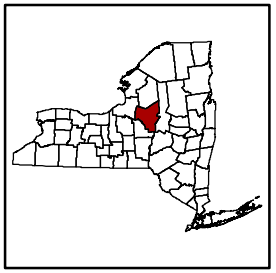
Replacement of Syracuse Division Bridges

Town of Whitestown,
Oneida County, New York

Figure 1. Regional Project Location - Judd Road, Whitestown, NY, MP 240.48 (BIN 5512980)

February 2017

Study Area



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

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Town of Whitestown, Oneida County, New York

Figure 2. Study Area - Judd Road, Whitestown, NY, MP 240.48 (BIN 5512980)

Study Area

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Town of Whitestown, Oneida County, NY

Figure 3. Mapped Wetlands and Streams - Judd Road, Whitestown, NY, MP 240.48 (BIN 5512980)

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Study Area

NWI Wetland

NYSDEC Stream Classification

NYS Protected Stream

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Town of Whitestown, Oneida County, NY

Figure 4. Delineated Wetlands and Streams - Judd Road, Whitestown, NY, MP 240.48 (BIN 5512980)

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- Study Area
- Delineated Wetland
- Wetland Continue
- Culvert Connection

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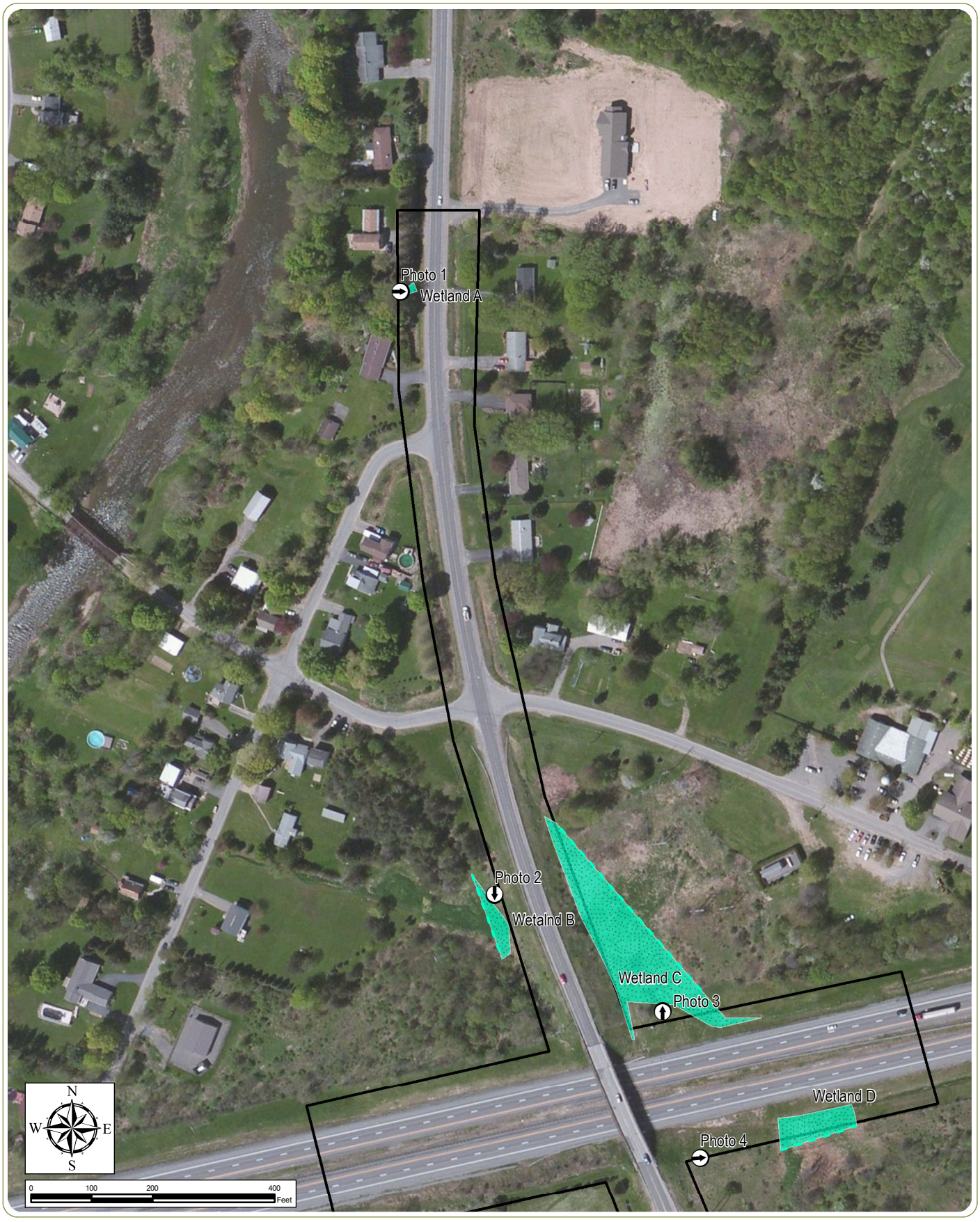

Replacement of Syracuse Division Bridges

Town of Whitestown, Oneida County, NY

Site Photograph Locations -

Judd Road, Whitestown, NY, MP 240.48 (BIN 5512980)

February 2017

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Photo Locations
Study Area
Delineated Wetland
Wetland Continue

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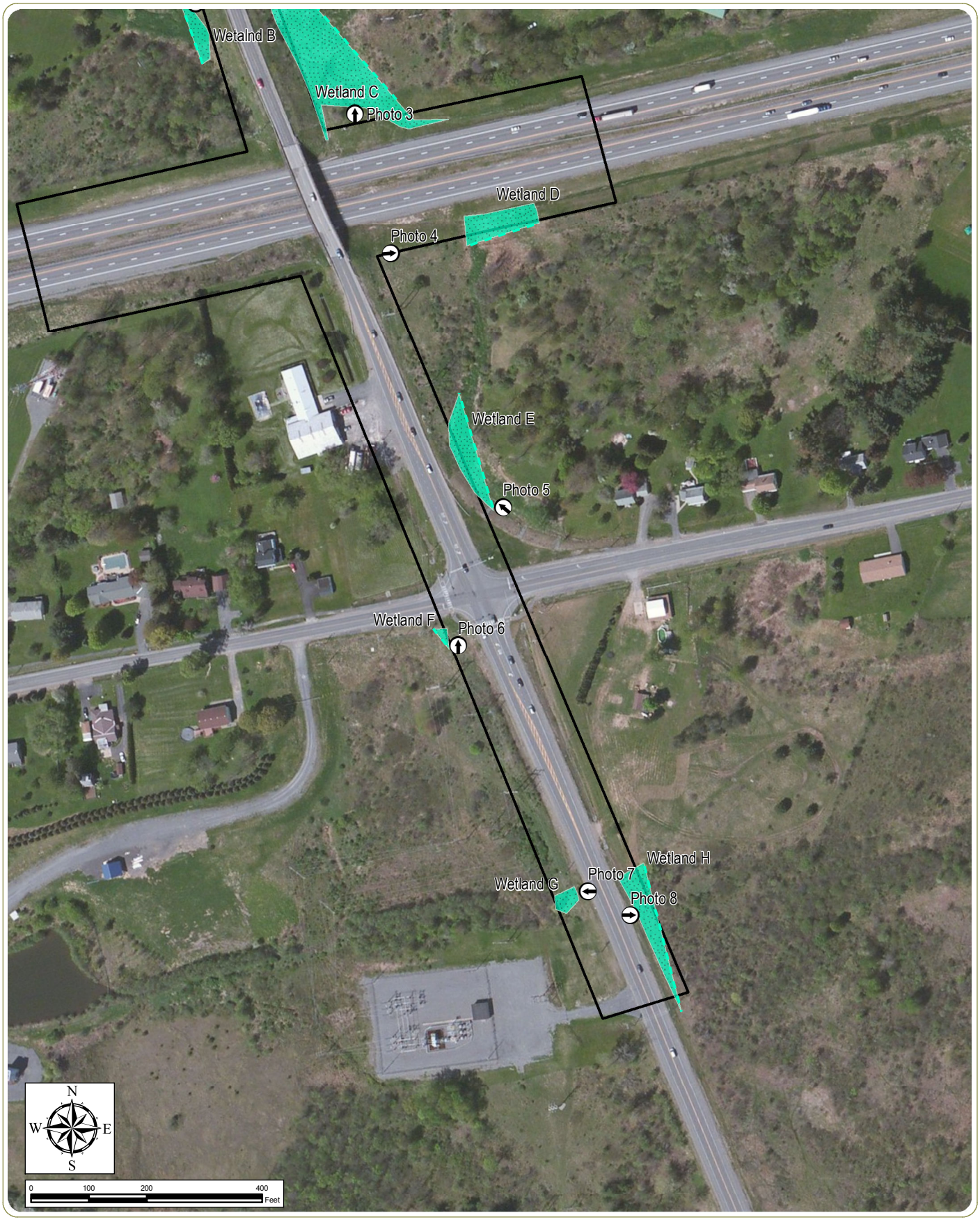

Replacement of Syracuse Division Bridges

Town of Whitestown, Oneida County, NY

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Photo Locations
Study Area
Delineated Wetland
Wetland Continue

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Photo 1

Wetland A, view to the east.

Photo 2

Wetland B, view to the south.

Replacement of Syracuse Division Bridges
Town of Whitestown, Oneida County, New York

Site Photographs - Judd Road, Whitestown, NY, MP 240.48 (BIN 5512980)

Photo 3

Wetland C, view to the north.

Photo 4

Wetland D, view to the east.

Photo 5

Wetland E, view to the northwest.

Photo 6

Wetland F, view to the north.

Photo 7

Wetland G, view to the west.

Photo 8

Wetland H, view to the east.