



January 20, 2023

Mr. Berel Karniol, CEO Trodale Developers, Inc. One Executive Blvd., Suite 101 Suffern, NY 10901

RE:

Wetland letter report for Chester Industrial Park parcel

Parcel: S/B/L 116-1-1.2 Town of Chester Orange County, NY

Dear Mr. Karinol,

On April 7, 2023, a wetland delineation was conducted as requested on the above referenced parcel, a property of approximately 37 acres. The site was walked and a field investigation completed to determine if there were any areas in question that met any of the definitions of regulated wetland areas by either the Army Corps of Engineers (ACOE) or the New York State Department of Environmental Conservation (NYSDEC).

Before conducting the field investigation, we reviewed online Federal and State aerial, soils, and remote wetland mappings of the referenced parcel. These sources assist in identifying if there are any remotely mapped wetlands on the property as well as any other areas where we should verify whether or not the field conditions match the mapped resources that we reviewed.

The online NYSDEC remote wetlands mapper resource shows a state regulated wetland is remotely mapped across the eastern portion of the property. This wetland (NYSDEC Freshwater Wetland WR-8) is shown on the attached NYSDEC Environmental Resource Mapper figure as being present on either side of Route 17, connected by culverts. As also depicted on the attached figure, all NYSDEC wetlands are bordered by a NYSDEC regulated 500-foot state checkzone¹. An excavated portion of a stream that aligns with the boundary lines of several properties within the industrial park forms a border along the southeastern portion of this property. It is an un-protected (Class C) stream (NYSDEC Regulation No. 862-195) which, beyond Chester, drains into the Otter Kill, a tributary to Moodna Creek and ultimately to the Hudson River.

¹ The "checkzone" is an area around a mapped NYSDEC wetland within which the actual wetland may occur. A project that may encroach into this area should have the actual wetland boundary determined on site. A validated field delineation aids in avoiding impacts in NYSDEC wetlands or their regulated 100-foot buffer zones.

The field investigation was conducted in accordance to the 2012 Northcentral and Northeast Regional Supplement to the ACOE 1987 manual². The upland and wetland areas on the property were determined by observing three parameters: plant species, soil types, and site hydrology, in accordance with that agency's guidelines. Any areas appearing to meet the conditions set forth by the guidelines were flagged and then marked on a wetland field map which shows approximately those areas of the property within which we observed wetland conditions. A copy of this topological map of the flagged wetland lines on the property has been previously emailed to your surveyor contractor. That map was used to aid in the surveying of the actual location of the flagged wetland line. The surveyed wetland boundary line was field-verified and validated by the NYSDEC on 22 December, 2022.

During our field investigation, we noted that the wetland area that we flagged is characterized by fields of several forms of persistent emergent vegetation. The majority of the wetland area was dominated by a continuous, dense stand of common reed (phragmites). Around the edges of this stand of phragmites are fields of reed canarygrass and various forbs. This wetland area is assigned a USFWS Cowardin classification³ of PEM1Ed. These wetland classification code indicates areas of palustrine emergent vegetation (PEM), that is persistently evident in all seasons (1), and have seasonally flooded or saturated soils (E) which have been partly drained or ditched (d). This descriptor is applicable to all areas within the surveyed NYSDEC wetland area on this property.

A set of ACOE-compliant data forms (WetForms) were created to characterize both an upland and a wetland plot within the property. These two sets of forms are attached to this letter. The WetForm generated for the wetland plot is representative of a portion of Wetland "A," dominated by common reed and reed canarygrass. The WetForm generated for the upland plot is representative of the elevated, western portion of the site where shale has been spread.

Vegetation

Wetland "A" is the single wetland area located on site and is present largely as a graminoid field, dominated by several species of reedy grasses. It comprises 16.5 acres of the property, approximately 45% of the total property acreage. Several long-established and overgrown linear drainage ditches crisscross this portion of the property. The ground layer vegetation of grasses and forbs that were observed in the wetland area consisted primarily of common reed (*Phragmites australis*), reed canary grass (*Phalaris arundinacea*), slender mountain mint (*Pycnanthemum tenuifolium*), flat-top goldenrod (*Euthamia graminifolia*), and woolgrass (*Scirpus cyperinus*). This vegetation is consistent with plants that are recognized as facultative to obligate wetland grasses and forbs.

The only treed upland areas of the property consist of sparse "hedgerows" of trees that are present around the property boundaries - largely restricted to the hillside abutting Route 94 to the northwest and to the elevated banks of the excavated stream that forms the southeast borders of the property. Along Route 94, eastern red cedar, eastern white pine, tree-of-heaven, and red maple are present within a narrow band along the roadway corridor. Along the stream, hawthorns and eastern red cedar are the primary trees found in the narrow band of trees present along the streambanks. Small areas of brushy thickets that are located sporadically across the site are formed of multiflora rose, Allegheny blackberry, or bush honeysuckles. The greatest expanse of upland terrain has been formed of a layer of crushed shale spread across the elevated, western portion of the site. Vegetation in this field is typically sparse, patchily present within larger areas of exposed shale rubble. A variety of grasses, sedges, and forbs are present, including orchard grass (*Dactylis glomerata*), green foxtail (*Setaria viridis*), soft rush (*Juncus effusus*), many-flowered aster (*Symphyotrichum ericoides*), and lateflowering thoroughwort (*Eupatorium serotinum*).

² ACOE, 1987, Corps of Engineers Wetlands Delineation Manual, 11 Technical Report Y-87-1.

³ Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Soils

Both the Orange County Soil Survey and the United States Department of Agriculture (USDA) online web soil survey from the Natural Resources Conservation Service (NRCS)⁴ were reviewed to verify if there were any potential hydric (wetland) soils on property. A copy of the USDA/NRCS Soil Survey map for the property is included for your use. The mapped soil units for these parcels included several non-hydric (upland) and one potentially hydric soil rating as shown on the attached soil survey map for this property. There are five upland soils mapped on the site. These are in locations that are mapped as either Bath-Nassau channery silt loams (BnB and BnC), Otisviolle gravelly silt loam (OtC), or Riverhead sandy loams (RhB and RhC). These soils were present in the western portion of the site. Across the eastern portion of the site, one potentially hydric soil (Madalin silt loam, Ma) is shown on the Soil Survey map.

Madalin soils were formed within sediments deposited in glacial ponds and lakes. They formed as deep and poorly to very poorly drained soils on level plains and ancient flooded basins. The several soil samples taken by hand auguring within the wetland area showed poorly drained, saturated soils. The soil cores taken in the wetland area during the field investigation were consistent with several field indicators of hydric soils as shown by example on the attached set of Wetland "A" WetForm datasheets, and therefore the areas flagged are considered to have wetland soils.

Upland (dryland) soils on the property that are mapped by the USDA/NRCS Soil Survey as the parent soils, are presently overlain by channery, gravelly deposits that have been spread and leveled across this portion of the site.

Hydrology

As required by the 2012 Northcentral and Northeast Regional Supplement to the ACOE 1987 manual, the hydrology of the property was considered when defining the approximate limits of any potential wetland areas. The areas identified as wetland were observed with surface soils that were either seasonally saturated or flooded throughout their areal extent during our several site visits. Surface water was often present within the several drainage ditches included through the wetland area of the site, and was perennially present in the mapped stream that runs along the site's southeastern boundary. For all other portions of the wetland, which are perched at elevations slightly above the ditches and the stream, direct input of rainfall would be a significant contributor to the hydrology on a seasonal basis. Other input of water to the site wetland would come from groundwater seepage from adjacent higher terrains to the west and north.

Conclusions

Based on the several sources of online federal and state agency materials that were reviewed, and the direct observations made by EA during the site visits, this site contains jurisdictional waters of the United States as determined by the presence of wetlands identified by the occurrence of hydrophytic vegetation, hydric soils and wetland hydrology according to the three-parameter criterion established in the 1987 "Corps of Engineers Wetlands Delineation Manual." The site wetland (Wetland "A") is adjacent to, and connected to, a defined water body (the onsite stream) that is part of an extensive WOTUS riverine system (the Hudson River).

Wetlands and streams such as these that are hydrologically connected to navigable waterways (an element of WOTUS) are subject to the regulatory jurisdiction of the ACOE per the provisions of Section 404 of the Clean Water Act. Prior to any disturbance of any portion of these wetland or stream areas therefore, a disturbance permit, or permits, would be required from the New York City office of the ACOE.

⁴ Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: http://websoilsurvey.sc.egov.usda.gov/. Accessed [April 19, 2022].

The wetland area of this property is also within the jurisdiction of the NYSDEC. The boundary of Wetland "A" has been validated during an on-site visit by the NYSDEC to accurately delineate the western boundary of Freshwater Wetland WR-8. Prior to any disturbance of any portion of this wetland area, or within its 100' buffer zone, a disturbance permit, or permits, would be required from the Region 3 Office of the NYSDEC in New Paltz.

Ecological Analysis is grateful to have had this opportunity to be of service to you in evaluating this property. Feel free to call if you have any questions or if we can be of further assistance.

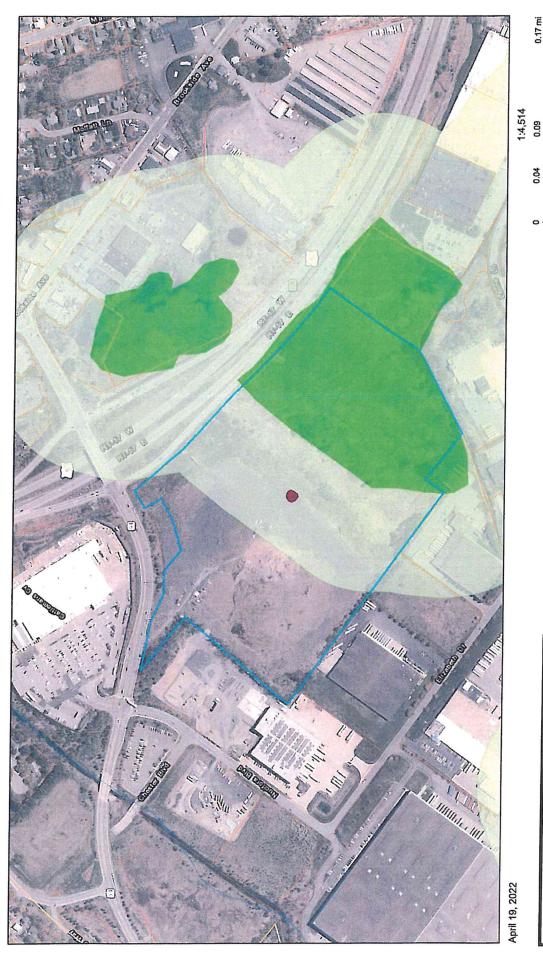
Sincerely yours,

Isl Bruce R. Friedmann

Bruce R. Friedmann Senior Environmental Scientist Ecological Analysis, LLC

Attachments:

NYSDEC Environmental Resource wetlands map for property locale USDA/NRCS Web Soil Survey map for property locale ACOE WetForm for Wetland "A" plot ACOE WetForm for UPLAND plot



Source: Esti, Maxar, Geodye, Earthsar Geographics, CNES/Alrbus DS, USDA, Josef AndrollD, IGM, and the GiS Liser Community, NYS ITS GIS Program Office, Westchester County GiS., Esti, HERE, Garnin, (c) OpenShreeling contributors

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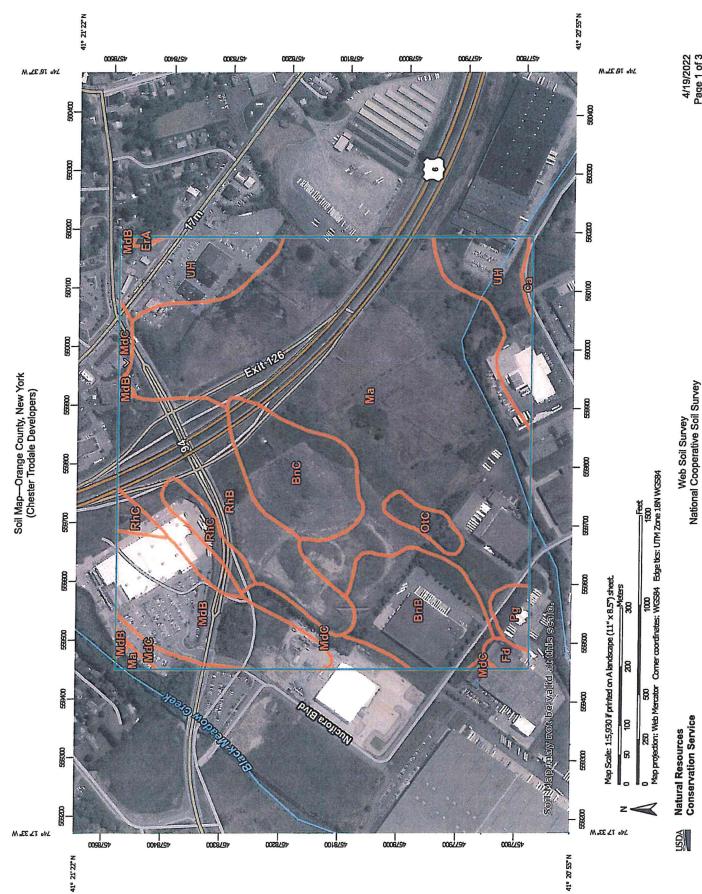
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(e) OpenStraetMap contributors
Author: NYSDEC Environmental Resource Mapper
Not a legal document

State Regulated 500' Wetland Checkzone

State Regulated Freshwater Wetlands

Project Site

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Natural Resources Conservation Service

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
ВлВ	Bath-Nassau channery silt loams, 3 to 8 percent slopes	9.6	7.5%
BnC	Bath-Nassau channery silt loams, 8 to 15 percent slopes	8.8	6.9%
Ca	Canandaigua silt loam	0.4	0.3%
ErA	Erie gravelly silt loam, 0 to 3 percent slopes	0.1	0.1%
Fd	Fredon loam	0.8	0.6%
Ma	Madalin silt loam	58.1	45.4%
MdB	Mardin gravelly silt loam, 3 to 8 percent slopes	11.7	9.1%
MdC	Mardin gravelly silt loam, 8 to 15 percent slopes	4.3	3.4%
OIC	Otisville gravelly sandy loam, 8 to 15 percent slopes	1.5	1.2%
Pg	Pits, gravel	1.4	1.1%
RhB	Riverhead sandy loam, 3 to 8 percent slopes	15.8	12.3%
RhC	Riverhead sandy loam, 8 to 15 percent slopes	2.9	2.3%
JH	Udorthents, smoothed	12.6	9.8%
Fotals for Area of Interest		127.9	100.0%

MAP LEGEND

Very Stony Spot Stony Spot Spoil Area Wet Spot Other 8 O E. Soil Map Unit Polygons Area of Interest (AOI) Soll Map Unit Points Soil Map Unit Lines Special Point Features Area of Interest (AOI) Soils

Special Line Features

Streams and Canals Water Features

Transportation

Borrow Pit

Blowout

9

Clay Spot

溪 0



Closed Depression



Gravelly Spot

Gravel Pit



Local Roads



Aerial Photography

Marsh or swamp

Lava Flow

Landfill

0 COL. -餱 0 0

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot Sandy Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800

confrasting soils that could have been shown at a more detailed misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of Enlargement of maps beyond the scale of mapping can cause Warning: Soil Map may not be valld at this scale.

Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Coordinate System: Web Mercator (EPSG:3857) Web Soil Survey URL:

distance and area. A projection that preserves area, such as the Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Orange County, New York Survey Area Data: Version 22, Aug 29, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Date(s) aerial images were photographed: Oct 7, 2013—Feb 26,

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Severely Eroded Spot

1

Slide or Slip Sodic Spot

42

Sinkhole

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

k City/C	ounty: Chester, Orange County	/ Sampling Date:	12-Oct-22
	State: NY	Sampling Point:	Wetland A
Sec	tion, Township, Range: S. 1	16 T. 1 F	L 1.2
Local r	elief (concave, convex, none)	: flat Slope	s:
lat · 41 350	70 long: -3		atum: WGS 84
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Thin Muck Surface (C7)	□ s	hallow Aquitard (D3)	
Other (Explain in Remarks)	□ M	licrotopographic Relief (D4)	
	✓ F	AC-neutral Test (D5)	:
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Depth (inches): 2	wettand hydrology	Present? Tes 🗢 110	
onitoring well, aerial photos, previo	us inspections), if available:		***************************************
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.8% FACU	
.070	Problematic Hydrophytic Vegetation 1 (Explain)
	- 1 Vinding Annual Street and Street and Street and Street and Street
.8% OBL	Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
.8% FACU	Definitions of Vegetation Strata:
.0%	-
	Tree - Woody plants, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
	at breast height (DDH), regardless or height.
	Sapling/shrub - Woody plants less than 3 in. DBH and
Cover	greater than 3.28 ft (1m) tall
0%	Herb - All herbaceous (non-woody) plants, regardless of
0%	size, and woody plants less than 3.28 ft tall.
0%	Woody vine - All woody vines greater than 3.28 ft in
0%	height.
Cover	
	Hydrophytic Vegetation Procent? Yes No
	Present? Yes No
	0% 0% Cover 0% 0% 0%

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8-10	5Y	4/1	90	7.5YR	5/8	10	RM	М	Silt Loam	
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Thick Dark	Surface (A1	2)		_		face (F6)				esses (F12) (LRR K, L, R)
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Sandy Gley	ed Matrix (S	i 4)		Redox	Depressi	ons (F8)				(MLRA 144A, 145, 149B)
Sandy Red	ox (S5)								Red Parent Material	
Stripped M	atrix (S6)								Very Shallow Dark S	
Dark Surfa	ce (S7) (LRR	R, MLRA	149B)						Other (Explain in Re	• •
ndicators of I	hydrophytic	vegetation	n and wetlar	ıd hydrology	must be j	oresent, un	less distur	ped or probl	• •	
strictive La	yer (if obse	rved):								
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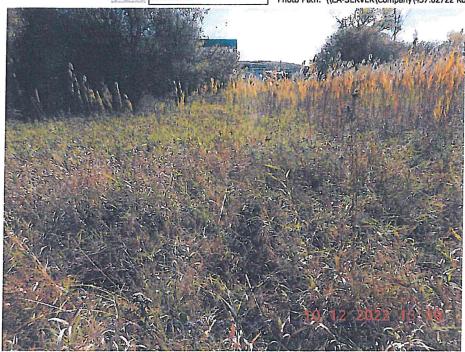


Photo File: DSCN9298.JP

Orientation:

South -facing

Lat/Long or UTM: Long/Easting: -74.28334

Lat/Northing: 41.35079

Description: Reed canarygrass field along phragmites stand.



Photo File: DSCN9299.JPG

Orientation:

North -facing

Lat/Long or UTM: Long/Easting: -74.28334

Lat/Northing: 41.35079

Description: Reed canarygrass field along phragmites stand.

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

VEGETATION - OSE SCIENTIFIC names of pla	HLS		ominant		Sampling Point: <u>Upland</u>
(Diatriza: 30)	Absolute	e R	pecies? el.Strat.	Indicator	Dominance Test worksheet:
Tree Stratum (Plot size: 30	% Cover	r c	over	Status	Number of Dominant Species
1			0.0%	**	That are OBL, FACW, or FAC: 0 (A)
2			0.0%		Total Number of Dominant
3			0.0%		Species Across All Strata: (B)
4		Н.	0.0%		Percent of dominant Species
5		<u>П</u> .	0.0%		That Are OBL, FACW, or FAC: 0.0% (A/B)
6	<u>0</u> 0	П.	0.0%		
7		L.J.	0.0%	***	Prevalence Index worksheet:
Sapling/Shrub Stratum (Plot size: 10)		= To	tal Cove	r	Total % Cover of: Multiply by:
1	0		0.0%		OBL species <u>5</u> x 1 = <u>5</u>
2	0		0.0%		FACW species $0 \times 2 = 0$
3	0		0.0%	_	FAC species
4			0.0%	-	FACU species $36 \times 4 = 144$
5			0.0%	_	UPL species $\frac{11}{}$ x 5 = $\frac{55}{}$
6			0.0%	-	Column Totals: 57 (A) 219 (B)
7	0		0.0%		Prevalence Index = B/A =3,842
	0 =	 To:	tal Cove		Hydrophytic Vegetation Indicators:
Herb Stratum (Plot size: 5			w, core	'	Rapid Test for Hydrophytic Vegetation
1 . Dactylis glomerata	30	V	52.6%	FACU	Dominance Test is > 50%
2. Setaria viridis	10		17.5%	UPL	Prevalence Index is ≤3.0 ¹
3. Juncus effusus	5		8.8%	OBL	Morphological Adaptations ¹ (Provide supporting
4. Symphyotrichum ericoides	5		8.8%	FACU	data in Remarks or on a separate sheet)
5. Eupatorium serotinum	5		8.8%	FAC	Problematic Hydrophytic Vegetation 1 (Explain)
6. Asclepias syrtaca	_1_		1.8%	UPL	
7. Nepeta cataria	_1_		1.8%	FACU	¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
8	_0_		0.0%		
9	_0_		0.0%	***************	Definitions of Vegetation Strata:
0	0		0.0%		Tree - Woody plants, 3 in. (7.6 cm) or more in diameter
	_0		0.0%		at breast height (DBH), regardless of height.
2	_0	LJ_	0.0%		Sapling/shrub - Woody plants less than 3 in. DBH and
Noody Vine Stratum (Plot size: 5)	57	= Tot	al Cover		greater than 3.28 ft (1m) tall.
	0 1	1 1		į	Hade All banks and a few consults when the consults and
1,	0 [<u></u> —	0.0%		Herb - All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
2	0 [H-	0.0%		· · · · · · · · · · · · · · · · · · ·
3	0 [<u> </u>	0.0%		Woody vine - All woody vines greater than 3.28 ft in height.
4,			0.0%		neight.
	=	Tota	al Cover		
				1	Madanaha Ata
					Hydrophytic Vegetation
					Present? Yes No (a)
emarks: (Include photo numbers here or on a separate shee	t.)				
	-				

		the depth needed to	document the indicator or	confirm the	absence of indicators.)
Depth	Matrix (maint)	Of Color (Redox Features moist) % Type	1 1-2	
(inches)	Color (moist)		moist) % Type	· Loc2	Texture Remarks

			And the second s		
	-				
Type: C=Conce Hydric Soil In		. RM=Reduced Matrix, C	S=Covered or Coated Sand (Grains ² Loca	ation: PL=Pore Lining. M=Matrix Indicators for Problematic Hydric Soils: 3
Thick Dark Sandy Muck Sandy Gleye Sandy Redo Stripped Ma Dark Surface	edon (A2) 1: (A3) Sulfide (A4) ayers (A5) elow Dark Surface (A11 Surface (A12) 1: Mineral (S1) ed Matrix (S4) 1: X (S5) etrix (S6) eter (S7) (LRR R, MLRA 1-1)	MLRA Thin D Loamy Deplet Redox Redox	alue Below Surface (S8) (LRR 1498) Dark Surface (S9) (LRR R, ML Mucky Mineral (F1) LRR K, L Gleyed Matrix (F2) ted Matrix (F3) Dark Surface (F6) ted Dark Surface (F7) Depressions (F8)	RA 149B)	□ 2 cm Muck (A10) (LRR K, L, MLRA 149B) □ Coast Prairie Redox (A16) (LRR K, L, R) □ 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) □ Dark Surface (S7) (LRR K, L, R) □ Polyvalue Below Surface (S8) (LRR K, L) □ Thin Dark Surface (S9) (LRR K, L) □ Iron-Manganese Masses (F12) (LRR K, L, R) □ Piedmont Floodplain Soils (F19) (MLRA 149B) □ Mesic Spodic (TA6) (MLRA 144A, 145, 149B) □ Red Parent Material (F21) □ Very Shallow Dark Surface (TF12) □ Other (Explain in Remarks)
	ydrophytic vegetation a er (if observed):	and wetland hydrology n	must be present, unless distu	rbed or proble	ematic
	s):	The state of the s			Hydric Soil Present? Yes O No @
emarks:	vas observable as the	e upland areas of the	site are present primarily ugur.	as areas of	spread and leveled shale fragments of indetermi

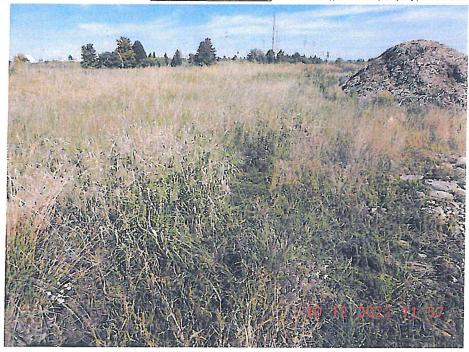


Photo File: DSCN9281.JP

Orientation:

North -facing

Lat/Long or UTM: Long/Easting: -74.28658

Lat/Northing: 41.35209

Description:



Photo File: DSCN9282.JPG

Orientation:

West -facing

Lat/Long or UTM: Long/Easting: -74.28658

Lat/Northing: 41.35209

Description: