APPENDIX K: WETLANDS, WATERBODIES, AND WATERCOURSES

From: Sylwia E. Ner-Karas
To: Sam Justiniano
Cc: Valerie Monastra
Subject: FW: "Chair Factory" project at Haverstraw, NY
Date: Tuesday, November 21, 2023 9:40:18 AM
Attachments: image003.png
image004.png
image005.png
image006.png
image001.png

FYI:
See e-mail from Rebecca Crist. At this time the applicable regulation under "Use and Protection of Waters" is 608.5. Excavation or placement of fill in navigable waters.

It's not mapped as Freshwater Wetland (this might change in the future) Article 24. And the site is not under Article 25 jurisdiction for Tidal Wetlands because the regulatory maps do not extend north of the Tappan Zee bridge.

NPV

Sylwia Ner-Karas
Senior Environmental Scientist
o: 631.427.5665 x241

From: Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>
Sent: Friday, June 30, 2023 11:02 AM
To: Sylwia E. Ner-Karas <sner-karas@nelsonpope.com>
Subject: RE: "Chair Factory" project at Haverstraw, NY

The applicable regulation under "Use and Protection of Waters" is 608.5, Excavation or placement of fill in navigable waters.

The area is not currently mapped as Freshwater Wetland pursuant to Environmental Conservation Law Article 24. But the law was changed and new standards and as-yet undrafted regulations will become effective in 2025. We cannot at this time say portions of the site will not be under Article 24 jurisdiction in the future.

The site is not under Article 25 jurisdiction for Tidal Wetlands because the regulatory maps do not extend north of the Tappan Zee bridge.

Rebecca Crist
Deputy Permit Administrator, Division of Environmental Permits
Pronouns: she/her/hers

New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, NY 12561
P: (845) 256-3014 | F: (845) 255-4659 | rebecca.crist@dec.ny.gov

www.dec.ny.gov | |



NELSON POPE VOORHIS
environmental • land use • planning

Wetland Delineation and Habitat Assessment
Empire State Chair Factory
Liberty Street, Village of Haverstraw,
Rockland County, NY
RCTM# 27.09-1-3

NPV# 23115

Prepared by: Nelson Pope Voorhis
70 Maxess Road
Melville, NY 11747

156 Route 59, Suite C6
Suffern, NY 10901

Date: September 29, 2023

1.0 Overview and Project Site Location

On May 23, 2023, the qualified ecology staff of Nelson, Pope & Voorhis, LLC (NPV) inspected the former Empire State Chair Factory site ("Project Site") in the Village of Haverstraw, New York to verify a previous wetland delineation (conducted by Ecological Analysis on April 7, 2023) and assess habitat conditions through an inventory of existing vegetative species. The ±9-acre currently vacant project site is located at the east end of Liberty Street and is flanked by the Hudson River to the north and east – see **Figure 1**. Bowline Point Park and Emeline Park are north and south, respectively, of the project site. The project sponsor is proposing a redevelopment of the project site into a mixed-use complex with residential, commercial, and recreational facilities.

2.0 Background

Prior to visiting the project site, NPV reviewed the Wetlands Report letter by Ecological Analysis (EA) dated April 13, 2023 (**Appendix 1**), which discusses vegetative, soil and hydrologic conditions of the subject property. The EA report states that the upland areas of the property include "patches and borders of early successional woodland areas," with observed species such as Black Walnut, Big Tooth Aspen, Red Oak, and Sycamore. The understory includes Honeysuckles, Mutliflora Rose, Eastern Red Cedar and Autumn Olive. Phragmites and Mugwort are described as being present throughout the subject property. According to the USDA Web Soil Survey mapper, the predominant soil type on the project site is Urban Land. The EA report further indicates that no additional areas on the subject property, except for the Hudson River delineated by EA staff, contain freshwater or tidal wetlands.

The New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM) (**Appendix 2A**), Environmental Assessment Form (EAF) Mapper (**Appendix 2B**), and New York Natural Heritage Program (NYNHP) (**Appendix 2C**) were used to assess the potential presence of important and protected natural resources and/or endangered or threatened species on or within the vicinity of the project site. See **Appendix 2** for copies of these maps and the NYNHP report. Shortnose Sturgeon (*Acipenser brevirostrum*), which is an Endangered species within the state of New York, Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*), which is a federally listed endangered species, and Bald Eagle, a threatened species within the state of New Yok and a protected bird species under the Migratory Bird Act, were noted as potential occurrences proximate to (perhaps within one mile of) the project site. None of these species were observed during NPV's site visit.

3.0 Findings

During the May 23, 2023 site inspection, NPV staff walked the project site and divided the site into six (6) separate areas (labeled A through F – discussed below) to categorize existing ecological conditions of the project site and confirm the boundary of the previously delineated wetlands (**Figure 3)**. The majority of the project site is heavily disturbed with significant amounts of fill and debris, and is overgrown with non-native vegetative species. The low-lying southeastern portion of the site is the least disturbed and resembles a floodplain. Observations of Red Maples, Elms and other vegetation and wildlife were unique to this area of the project site - other areas of the site did not produce these occurrences. Additionally, many trees growing in this portion developed buttress root systems, which is indicative of shallow, moist soils.

Area A

This ±1.2-acre area along the western edge of the project site is littered with debris (i.e. ripped up pavement, tires, trash, etc.) and fallen trees. Invasive and undesirable vegetative species such as Black Locust, Honey Locust, Norway Maple, Oriental Bittersweet, Virginia Creeper, Japanese Honeysuckle, Poison Ivy and Virginia Creeper dominate the roadway edges and the banks of the Hudson River in this area **(Photos 1 & 2)**. The steeped banks of Liberty Street are overgrown with Japanese Knotweed and Poison Ivy, limiting access to the water's edge in this area. **Table 1** provides a list of plant species observed by NPV staff in this area during the site inspection.

Table 1: AREA A

Common Name	Scientific Name
Norway Maple	*Acer plantanoides*
Garlic Mustard	*Alliaria petiolata*
Desert False Indigo	*Amorpha fruticosa*
Common Milkweed	*Aqsclepias syriaca*
Mugwort	*Artemisia vulgaris*
Burdock	*Articum spp.*
Narrow-leaved Milkweed	*Asclepias fascicularis*
Oriental Bittersweet	*Celastrus orbiculatus*
Clematis	*Cleamtis viticella*
Orchard Grass	*Dactylis glomerata*
American Beech	*Fagus grandifolia*
Japanese Knotweed	*Fallopia japonica*
Cut-leaved Geranium	*Geranium dissectum*
Ground Ivy	*Glechoma hederacea*
Honey Locust	*Gleditsia triacanthos*
Japanese Honeysuckle	*Lonicera japonica*
Phragmites	*Phragmites australis*
Ribwort Plantain	*Plantago lanceolata*
Black Cherry	*Prunus serotina*
Staghorn Sumac	*Rhus typhina*
Black Locust	*Robinia psedoacacia*
Multiflora Rose	*Rosa multiflora*
Wineberry	*Rubus phoenicolasius*
Willow	*Salix spp.*
Poison Ivy	*Toxicodendron radicans*
Fox Grape	*Vitis labrusca*

Area B

This ±0.5-acre area is located in the northernmost extent of the project site. Remnants of the former Empire State Chair Factory are visible along the shoreline (**Photos 3-5**). Foundational structures were mostly covered with low-growing vegetation (**Photo 4**). The Bowline Point Park is visible to the north (across the waterway) and the Bowline Power Plant Station is visible to the northwest (**Photos 3 & 4**). Phragmites and Mugwort were present in this area (**Photo 3**). **Table 2** provides a list of plant species observed by NPV staff in this area during the site inspection.

Table 2: AREA B

Common Name	Scientific Name
Desert False Indigo	*Amorpha fruticosa*
Mugwort	*Artemisia vulgaris*
Narrow-leaved Milkweed	*Asclepias fascicularis*
Common Milkweed	*Asclepias syriaca*
Thistle	*Cirsium spp.*
Field Horsetail	*Equisetum arvense*
Japanese Honeysuckle	*Lonicera japonica*
White Sweet Clover	*Melilotus alabus*
Virginia Creeper	*Parthenocissus quinquefolia*
Phragmites	*Phragmites australis*
Narrow-leaved Blue-eyed Grass	*Sisyrinchium angustifolium*
Lesser Hop Trefoil	*Trifolium dubium*
White Clover	*Trifolium repens*

Area C

This ±1.9-acre upland area of the project site contains disturbed soils, broken pavement, sediment, and fill material **(Photos 6-8)**. Plants observed in this area have stunted growth and are growing in pockets of available soils - between debris/trash and on piles of cracked asphalt mixed with sediment. This area is believed to be the location of the primary chair factory facilities, which is indicative of the extreme high levels of disturbance stemming from the removal of the large industrial structures. **Table 3** provides a list of plant species observed by NPV staff in the area during the site visit.

Table 3: AREA C

Common Name	Scientific Name
Thyme-leaved Sandwort	*Acer saccharinum*
Narrow-leaved Milkweed	*Amorpha fruticosa*
Shepherd's Purse	*Artemisia vulgaris*
Sticky Chickweed	*Asclepias fascicularis*
Late Boneset	*Cirsium spp.*
Pineapple Weed	*Fraxinus pennsylvanicus*
White Sweet Clover	*Gleditsia triacanthos*
Yellow Sweet Clover	*Hesperis matronalis*
Phragmites	*Lonicera japonica*
Ribwort Plantain	*Morus alba*
Seaside Goldenrod	*Oxalis dillenii*
Lesser Hop Trefoil	*Parthenocissus quinquefolia*

Area D

This ±1.1-acre area follows the eastern portion of the peninsula on the project site. The shoreline in this area consists of sand, gravel, stones and old bricks from the former brick factory (**Photos 10 & 12**). The observed Green Ash, Cottonwood and Quaking Aspen as well as Mugwort and Japanese Honeysuckle are indicative of a successional field reverting in an areas of highly disturbed soils and artificial supplements that are unsuitable for native vegetation growth. This area contains a maintained footpath between the shoreline and the upland areas of the site, demonstrating a historic high pedestrian traffic area - noted as primarily homeless people observed living in the densely vegetated/forested area (**Photo 11**). **Table 4** provides a list of plant species observed by NPV staff in the area during the site visit.

Table 4: AREA D

Common Name	Scientific Name
Silver Maple	*Acer saccharinum*
Desert False Indigo	*Amorpha fruticosa*
Mugwort	*Artemisia vulgaris*
Narrow Leaved Milkweed	*Asclepias fascicularis*
Thistle	*Cirsium spp.*
Green Ash	*Fraxinus pennsylvanicus*
Honey Locust	*Gleditsia triacanthos*
Dame's Rocket	*Hesperis matronalis*
Japanese Honeysuckle	*Lonicera japonica*
Chinese White Mulberry	*Morus alba*
Slender Yellow Wood Sorrel	*Oxalis dillenii*
Virginia Creeper	*Parthenocissus quinquefolia*
Phragmites	*Phragmites australis*
Cottonwood	*Populus dentoides*
Quaking Aspen	*Populus tremuloides*
Black Locust	*Robinia psedoacacia*
Willow-leaved Dock	*Rumex salicifolius*
Lamb's Ear	*Stachys byzantina*
Dandelion	*Taraxacum spp.*
Great Mullein	*Verbascum thapsus*

Area E

This ±0.4-acre area is heavily disturbed, containing a large portion of debris and temporary shelters that are presumably used by homeless people that are known to habitat the area. Quaking Aspens were observed indicating recent colonization after site disturbance. This area is densely overgrown with invasive species. Emeline Park is within the southerly viewshed of the

project site (**Photo 13**). **Table 5** provides a list of plant species observed by NPV staff in the area during the site visit.

Table 5: AREA E

Common Name	Scientific Name
Box Elder	*Acer negundo*
Sycamore Maple	*Acer pseudoplatanus*
Silver Maple	*Acer saccharinum*
Tree of Heaven	*Ailanthus altissima*
Mugwort	*Artemisia vulgaris*
Narrow-leaved Milkweed	*Asclepias fascicularis*
Oriental Bittersweet	*Celastrus orbiculatus*
Japanese Knotweed	*Fallopia japonica*
Honey Locust	*Gleditsia triacanthos*
Dame's Rocket	*Hesperis matronalis*
Butter-and-Eggs	*Linaria vulgaris*
Chinese White Mulberry	*Morus alba*
American Sycamore	*Platanus occidentalis*
Quaking Aspen	*Populus tremuloides*
Sumac	*Rhus spp.*
Black Locust	*Robinia psedoacacia*
Multiflora Rose	*Rosa multiflora*
Wineberry	*Rubus phoenicolasius*
Raspberry Brambles	*Rubus spp.*
Elm	*Ulmus spp.*

Area E

This ±2.4-acre area exhibits characteristics of a floodplain. Trees within this portion of the site have buttressed root systems, which allow for increased stabilization for trees growing in shallow, saturated soils (**Photos 14 & 15**). Dominant tree species include Red Maple (a potential indicator of a floodplain or wet soil conditions), Silver Maple and Sycamore Maple. An array of different-aged trees is present in this vicinity. While this area seems to be the least impacted by disturbance, it appears that most of the hydrologic influence in this area has been cut off by the construction of berms along Liberty Street and residential developments in the vicinity of this area. **Table 6** provides a list of plant species observed by NPV staff during the site visit.

Table 6: AREA F

Common Name	Scientific Name
Box Elder	*Acer negundo*
Sycamore Maple	*Acer pseudoplatanus*
Red Maple	*Acer rubrum*
Silver Maple	*Acer saccharinum*
Garlic Mustard	*Alliaria petiolata*
Japanese Barberry	*berberis thunbergii*
Oriental Bittersweet	*Celastrus orbiculatus*
Japanese Knotweed	*Fallopia japonica*
Japanese Knotweed	*Fallopia japonica*
Common Ivy	*Hedera helix*
Japanese Privet	*Ligustrum japonicum*
Japanese Honeysuckle	*Lonicera japonica*
Virginia Creeper	*Parthenocissus quinquefolia*
Snakeroot	*Rauvolfia sepentina*
Willow	*Salix spp.*
Poison Ivy	*Toxicodendron radicans*
Elm	*Ulmus spp.*

5.0 Wildlife Species Observed During Field Visit

NPV staff recorded wildlife species observation during the site visit. Visual and/or auditory observations are as follows:

Birds

- Mallard (*Anas platyrhynchos*)
- Northern Cardinal (*Cardinalis cardinalis*)
- Turkey Vulture (*Cathartes aura*)
- Chimney Swift (*Chaetura pelagica*) *****
- Fish Crow (*Corvus ossifragus*)
- Gray Catbird (*Dumetella carolinensis*)
- Sea Robin (carcass) (Family Trigilidae)
- Baltimore Oriole (*Icterus galbula*)
- Red-bellied Woodpecker (*Melanerpes carolinus*)
- Turkey (*Meleagris gallopavo*)
- Song Sparrow (*Melospiza melodia*)
- House Sparrow (*Passer domesticus*)
- Yellow Warbler (*Setophaga petechia*)
- American Redstart (*Setophaga ruticilla*)

- European Starling (*Sturnus vulgaris*)
- Carolina Wren (*Thyothoryus ludovicianus*)
- American Robin (*Turdus migratorius*)
- Warbling Vireo (*Vireo gilvus*)

Gastropods

- Snail (*Cepaea spp.*)

Insects

- Eastern Tiger Swallowtail (*Papilio glaucus*)

***** It is noted that the Chimney Swift is recognized as a Vulnerable species by the International Union for Conservation of Nature (IUCN) and are listed on the United States Fish and Wildlife (USFWS) Birds of Conservation Concern priority list. While the Chimney Swift does not have a status within New York State, it is important to consider potential impacts to species, while considering the proposed development on the subject property.

6.0 Conclusion

- The subject property is heavily disturbed and vegetated with introduced and invasive species. Remnants of the previously existing structures and bricks from the former Brick Factory and Empire State Chair Factory were found within the project site and along the shoreline. Debris and evidence of temporary structures (created most likely by homeless members of the community) were observed in the wooded portion of the site.

- The previous wetland delineation within the project site as completed by EA on April 7, 2023, was inspected by NPV staff during the site visit. NPV agrees with the wetland boundary delineation along the shoreline of the Hudson River. Hudson River is not considered as tidal wetland, because the regulatory maps do not extend north of the Tappan Zee Bridge, officially named as the Governor Mario M. Cuomo Bridge. No wetlands were observed within the upland portions of the project site.

- Pioneer species and plant species that can quickly colonize highly disturbed areas were found throughout the site. All areas of the subject property appear to have been disturbed by the previous development of the site, the removal of structures, deposition of fill on the site, and the development of the surrounding area.

- **Area E** appears to be the healthiest and least disturbed portion of the project site. This is evident when looking at the species composition within this area, the array of differently aged trees, buttress root systems and potential evidence of previous hydrology within this area. Vegetation and wildlife species observed in this area were not abundantly present in other portions of the site. While invasive species are present in this area, the area is utilized by a variety of healthy and site-appropriate vegetation and wildlife.

FIGURES



NPV

FIGURE 1
LOCATION MAP

Sources: ESRI WMS; NYS GIS Clearinghouse accessed May 18, 2023
Scale: 1 inch equals 500 feet

N

Haverstraw Chair Factory
Rockland County, NY

Site Reconnaissance Report



NPV

FIGURE 2
AERIAL MAP

Sources: ESRI WMS; NYS GIS Clearinghouse accessed May 18, 2023
Scale: 1 inch equals 150 feet

N

Haverstraw Chair Factory
Rockland County, NY

Site Reconnaissance Report



NPV

FIGURE 3
SITE OBSERVATIONS MAP

Sources: ESRI WMS; https://www.fisheries.noaa.gov/inport/item/49888;
NYS GIS Clearinghouse accessed May 18, 2023
Scale: 1 inch equals 150 feet

N

Haverstraw Chair Factory
Rockland County, NY

Site Reconnaissance Report



Photo 1 – Facing northwest in Area A of subject property looking towards invasive vegetation and steep shoreline.



Photo 2 – Facing south in Area A looking at overgrown non-native and invasive vegetation, asphalt, debris, fallen trees and landscaping remnants



Photo 3 – Facing northwest in Area B at the northern edge of the peninsula. Invasive species are present in this area and Bowline Park is visible across the waterway.



Photo 4 – Taken at the edge of Area B facing east, with view of the project site shoreline (right) and view of Bowline Park (left).

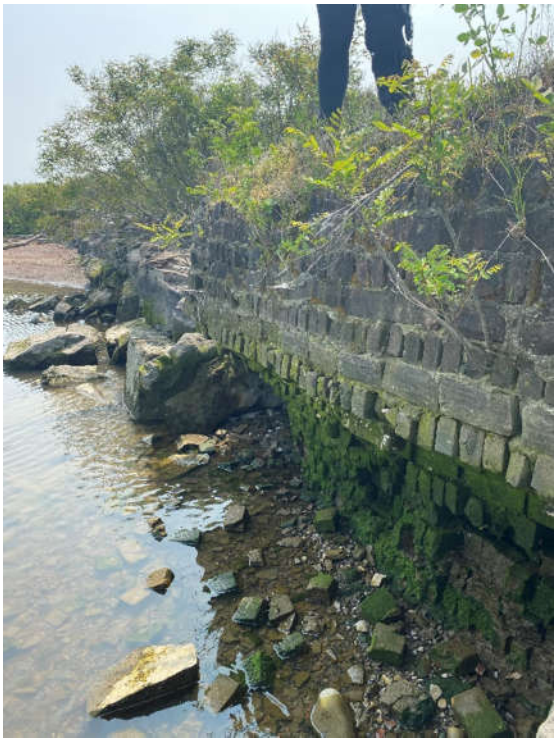


Photo 5 – Taken along the northern shoreline of Area B facing south, demonstrating foundational structure of the previously existing factory on the project site.



Photo 6 – Taken within Area C facing south towards the center of the peninsula, demonstrating large piles of fill and asphalt debris, with small plants growing in very limited areas



Photo 7 – Taken facing south along western side of Area C, showing heavy disturbance and a limited number of plants growing in available spaces.



Photo 8 – Taken facing north along the eastern portion of Area C, showing heavy disturbance with asphalt and remnants of previous development of the property.



Photo 9 – Taken facing southwest along the eastern shoreline of the subject property in Area C, with view of *Phragmites* debris and bricks along the shoreline.



Photo 10 – Taken facing south along west side of the subject property in Area D, showing remnant bricks and invasive vegetation.

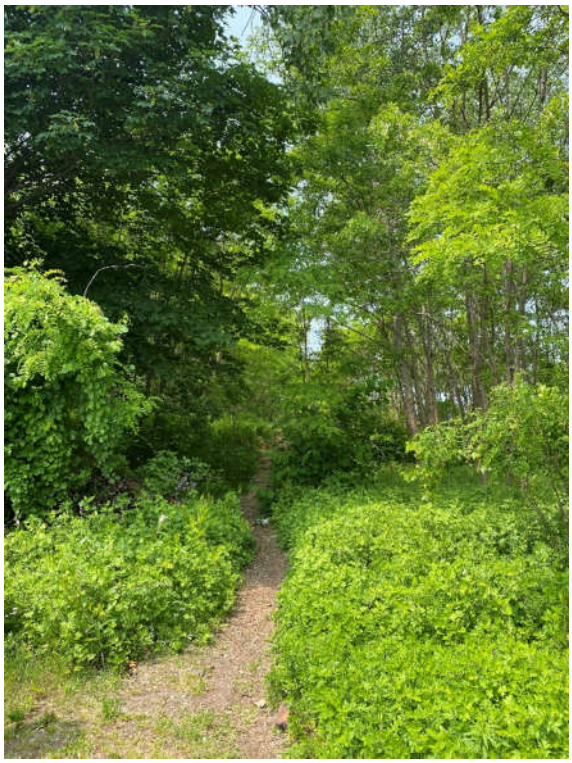


Photo 11 – Taken facing south on footpath present in an upland location within Area D with view of invasive Mugwort and upland successional vegetation.



Photo 12 – Taken facing north within Area D with view of previously existing structures, potentially remnants of a docking area for the former development on the site.



Photo 13 – Taken facing south within Area E demonstrating view of Emeline Park from the site, along with pockets of vegetation growing along the shoreline



Photo 14 – Taken within Area F of subject property, demonstrating different age classes of multiple trees and understory growth.



Photo 15 – Taken facing east within Area F, demonstrating buttress root systems, areas of understory growth and areas that are sparce with vegetation, and evidence of historical floodplain.

APPENDIX 1

633 Rt. 211 East, Suite 4, Box 4
Middletown, NY 10941
Office: (845) 495-0123 • Fax: (866) 688-0836

April 13, 2023

John R. Atzl, PLS
ATZL, NASHER & ZIGLER
234 North Main St.
New City, NY 10956

RE: Wetlands Report
SBL: 27.09-1-3
Town of Haverstraw, Rockland County

Dear Mr. Atzl,

On April 07, 2023, a wetland site reconnaissance was conducted by Ecological Analysis (EA) staff as requested on the above referenced site.

Before conducting the field investigation, EA reviewed related online remote mapping information for the parcel, including aerials, soils, and wetland regulatory resources. These independent mapping resources were used to identify the probable presence and approximate location of any possible wetland features on the property. This information was used to indicate any areas of the parcels where we should verify whether or not the field conditions match, or are dissimilar from, any remotely mapped features across the entire designated site.

The attached United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) map for the area shows no federal wetlands on the property. The attached NYSDEC Environmental Resources Mapper output for the area locates no state wetlands on the property, as well.

The property was walked and a field investigation was completed to determine whether there were any areas that would be within the jurisdiction of either the United States Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYSDEC) for federally- or state-regulated wetlands. EA's field investigations for onsite wetlands are conducted in accordance with the 2012 Northcentral and Northeast Regional Supplement to the USACE 1987 Wetlands Delineation Manual and, if appropriate, in accordance with the NYSDEC 1995 Freshwater Wetlands Delineation Manual. The upland and wetland designated areas on a property are determined by observing the vegetation types, soil types, and hydrological conditions in accordance with the USACE field investigation guidelines.

Vegetation

Upland

The upland areas that constitute this property include patches and borders of early successional woodland areas. These woodlands include a mixed species forest that includes trees of black walnut, quaking aspen, big tooth aspen, red oaks, and sycamore. Understory bushes include multiflora rose bushes, while woodland edge vegetation includes eastern red cedar, autumn olive, and honeysuckles. Across the remainder of the site, the property is vegetated by monospecific stands of either common reed (phragmites) or common wormwood (mugwort).

Soils

Upland

The USDA/NRCS soil map for this property that is available online (and also in the print edition USDA Soil Survey[1]) present soil maps for this property show that the property is mostly Urban Land. Meaning that it has been filled and the soil altered. This is what our site visit found as well. Parts of the property area active being used to store soil and C&D materials and the other area appear to have used for similar in the past. Parts of the Hudson River shoreline are covered by old bricks and parts of bricks. Other area have other non-native materials as well.

Hydrology

Upland

Due to the filling and past work done on the property no area outside of the Hudson River tidal area had any signs of hydrology. Or was saturated in the top 12 inch of the soil.

Conclusion

Our field visit confirmed the absence of any jurisdictional wetlands or surface waters the property other than the Hudson River.

Ecological Analysis is grateful for this opportunity to be of service on this project and looks forward to the opportunity to work with you in the future. Feel free to call if you have any questions or if we can be of further assistance.

Sincerely yours,

James A. Bates

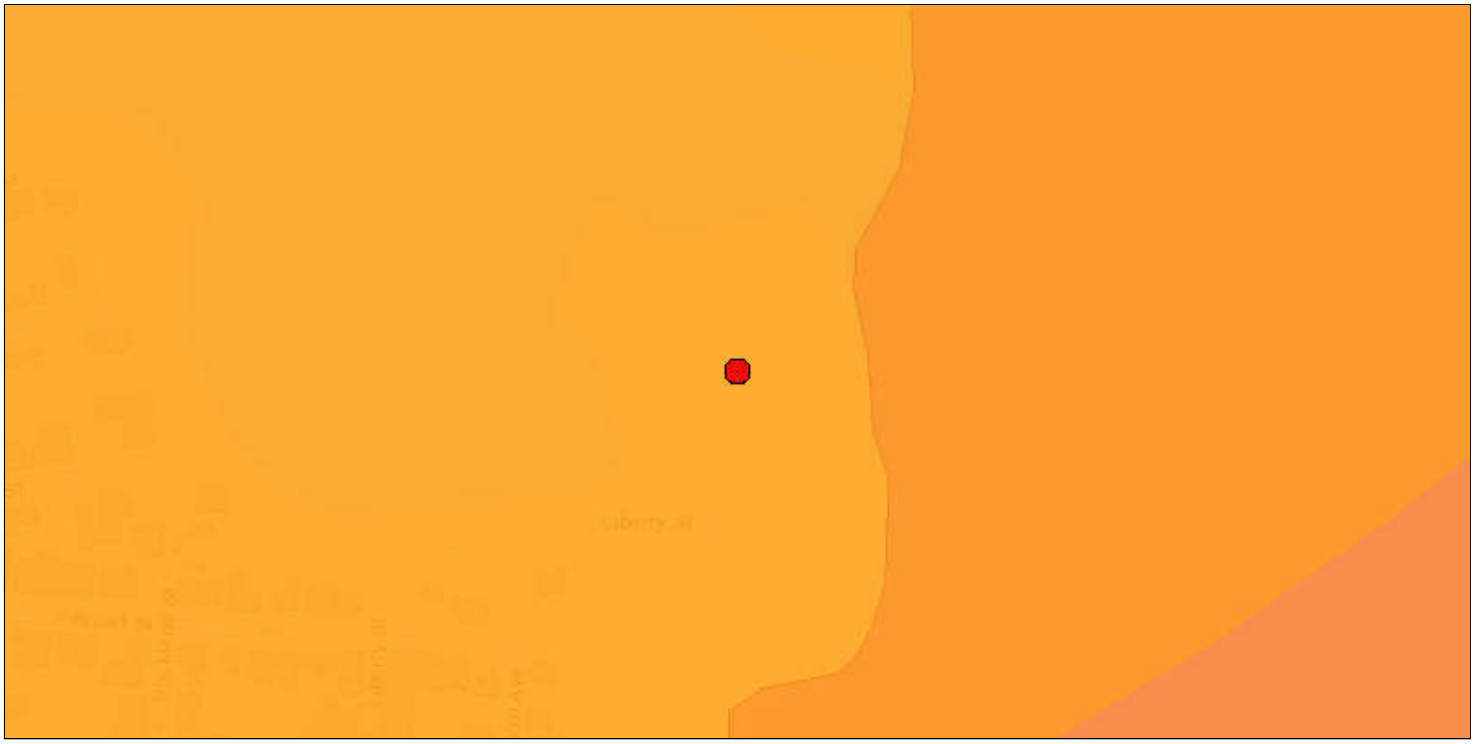
James A Bates CPESC, CPSWQ
Managing Member

Attachments: USFWS National Wetlands Inventory Map
NYSDEC Freshwater Wetlands Environmental Resource Map
USDA Soil Map

[1] USDA Soil Conservation Service. 1990. Soil Survey of Rockland County, New York.

APPENDIX 2A

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	**Easting:**	587289.1615105234	**Northing:**	4561312.26414331
Longitude/Latitude	**Longitude:**	-73.95897792939164	**Latitude:**	41.198482128477536

The approximate address of the point you clicked on is:
27-99 Liberty St, Haverstraw, New York, 10927

County: Rockland
Town: Haverstraw
Village: Haverstraw
USGS Quad: HAVERSTRAW

Natural Communities in the Vicinity

Natural Community Name: Tidal river
Location: Hudson River Estuary
Significance: High Quality Occurrence of Uncommon Community Type

Rare Plants and Rare Animals

This location is in the vicinity of Shortnose Sturgeon – Listed as Endangered – Contact NYSDEC Regional Office

This location is in the vicinity of Animals Listed as Endangered or Threatened - Contact NYSDEC Regional Office

This location is in the vicinity of Atlantic Sturgeon -- Federally Listed, Contact NYSDEC

Base Flood Elevation Plus 72/75 Inches Sea-level Rise

This area is projected to be inundated during a 100-year flood with 72/75 inches of sea-level rise.

Limit to Moderate Wave Action

This area is projected to have potential for breaking wave heights over 1.5 feet during a 100-year flood with 72/75 inches of sea-level rise.

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

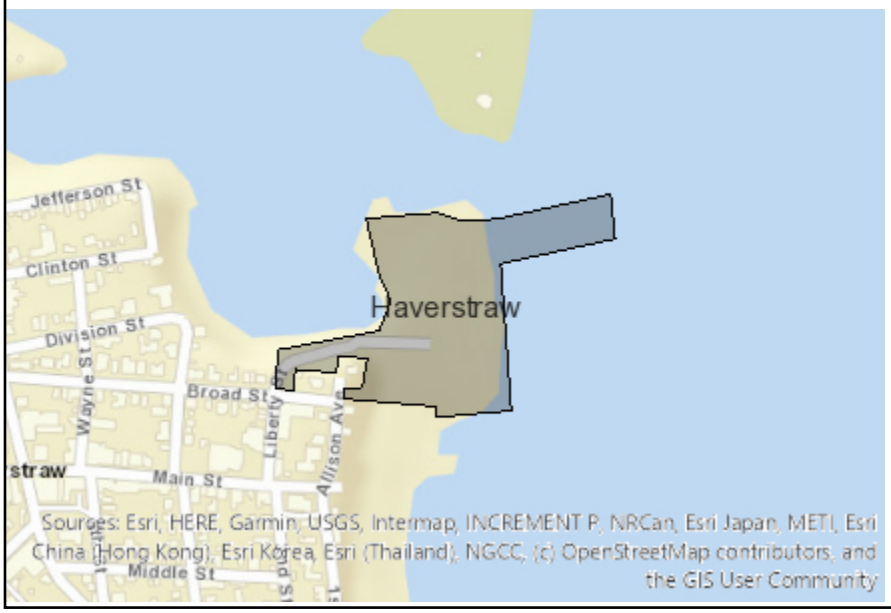
Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

Print Preview

APPENDIX 2B

EAF Mapper Summary Report

Thursday, June 1, 2023 3:13 PM



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]	Yes
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]	Shortnose Sturgeon, Bald Eagle, Atlantic Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

APPENDIX 2C

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

July 19, 2023

Hope Mahon
Nelson Pope Voorhis
70 Maxess Road
Melville, NY 11747

Re: Haverstraw Chair Factory, at the end of Liberty St
County: Rockland Town/City: Haverstraw

Dear Hope Mahon:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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 sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 3 Office, Division of Environmental Permits, at dep.r3@dec.ny.gov.

Sincerely,

Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

The following state-listed animals have been documented in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

For more information, including any permit considerations for the project, please contact the NYSDEC Region 3 Office, Division of Environmental Permits, at dep.r3@dec.ny.gov, (845) 256-3054.

The following species have been documented in the lower Hudson River and so could occur in the vicinity of the project site.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Fish				
Shortnose Sturgeon	*Acipenser brevirostrum*	Endangered	Endangered	11619 1091
Atlantic Sturgeon	*Acipenser oxyrinchus*	No Open Season	Endangered	11464

The following species has been documented nesting within one mile of the project site.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Birds				
Bald Eagle *Breeding*	*Haliaeetus leucocephalus*	Threatened		14573

This report only includes records from the NY Natural Heritage database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.

633 Rt. 211 East, Suite 4, Box 4
Middletown, NY 10941
Office: (845) 495-0123 • Fax: (866) 688-0836

April 13, 2023

John R. Atzl, PLS
ATZL, NASHER & ZIGLER
234 North Main St.
New City, NY 10956

RE: Wetlands Report
SBL: 27.09-1-3
Town of Haverstraw, Rockland County

Dear Mr. Atzl,

On April 07, 2023, a wetland site reconnaissance was conducted by Ecological Analysis (EA) staff as requested on the above referenced site.

Before conducting the field investigation, EA reviewed related online remote mapping information for the parcel, including aerials, soils, and wetland regulatory resources. These independent mapping resources were used to identify the probable presence and approximate location of any possible wetland features on the property. This information was used to indicate any areas of the parcels where we should verify whether or not the field conditions match, or are dissimilar from, any remotely mapped features across the entire designated site.

The attached United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) map for the area shows no federal wetlands on the property. The attached NYSDEC Environmental Resources Mapper output for the area locates no state wetlands on the property, as well.

The property was walked and a field investigation was completed to determine whether there were any areas that would be within the jurisdiction of either the United States Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYSDEC) for federally- or state-regulated wetlands. EA's field investigations for onsite wetlands are conducted in accordance with the 2012 Northcentral and Northeast Regional Supplement to the USACE 1987 Wetlands Delineation Manual and, if appropriate, in accordance with the NYSDEC 1995 Freshwater Wetlands Delineation Manual. The upland and wetland designated areas on a property are determined by observing the vegetation types, soil types, and hydrological conditions in accordance with the USACE field investigation guidelines.

Vegetation

Upland

The upland areas that constitute this property include patches and borders of early successional woodland areas. These woodlands include a mixed species forest that includes trees of black walnut, quaking aspen, big tooth aspen, red oaks, and sycamore. Understory bushes include multiflora rose bushes, while woodland edge vegetation includes eastern red cedar, autumn olive, and honeysuckles. Across the remainder of the site, the property is vegetated by monospecific stands of either common reed (phragmites) or common wormwood (mugwort).

Soils

Upland

The USDA/NRCS soil map for this property that is available online (and also in the print edition USDA Soil Survey[1]) present soil maps for this property show that the property is mostly Urban Land. Meaning that it has been filled and the soil altered. This is what our site visit found as well. Parts of the property area active being used to store soil and C&D materials and the other area appear to have used for similar in the past. Parts of the Hudson River shoreline are covered by old bricks and parts of bricks. Other area have other non-native materials as well.

Hydrology

Upland

Due to the filling and past work done on the property no area outside of the Hudson River tidal area had any signs of hydrology. Or was saturated in the top 12 inch of the soil.

Conclusion

Our field visit confirmed the absence of any jurisdictional wetlands or surface waters the property other than the Hudson River.

Ecological Analysis is grateful for this opportunity to be of service on this project and looks forward to the opportunity to work with you in the future. Feel free to call if you have any questions or if we can be of further assistance.

Sincerely yours,

James A. Bates

James A Bates CPESC, CPSWQ
Managing Member

Attachments: USFWS National Wetlands Inventory Map
NYSDEC Freshwater Wetlands Environmental Resource Map
USDA Soil Map

[1] USDA Soil Conservation Service. 1990. Soil Survey of Rockland County, New York.

U.S. Fish and Wildlife Service
National Wetlands Inventory

USFWS Wetland Map



April 14, 2023

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.