Appendix E
Wetland Data

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
ALBANY FIELD OFFICE
1 BOND ST.
TROY, N.Y. 12180

MAR 12 2007

REPLY TO ATTENTION OF
Western Permits Section

SUBJECT: Permit Application No. NAN-2006-3092-WDA by J.P.J Partnership
Town of Brunswick, Rensselaer County, New York

J.P.J Partnership
John Mainello, Partner
4 Joseph Street
Troy, New York 12180

This office has reviewed your correspondence dated February 16, 2007, and the attached drawing entitled "Survey and Existing Topographic Conditions, Proposed Site Plan for Brunswick Meadows", prepared by Danskin Land Surveying, LLC, dated March 13, 2006 and last revised on March 7, 2007. The submitted information describes a proposal that would consist of the following:

The discharge of fill material into 0.09 acre of wetlands associates with an unnamed tributary to the Hudson River, to facilitate the construction of a proposed condominium complex to be known as "Brunswick Meadows".

Based upon the information provided, it appears that your proposed work may be authorized under Department of the Army nationwide general permit number: 39.

Please refer to the enclosed material for information pertaining to the nationwide general permit program. The work may be performed without further authorization from this office provided the activity complies with the terms and conditions of the Nationwide Permits (NWP) and the permit conditions listed in Section B, No. 39, Section C, any applicable New York District regional conditions, and any applicable regional conditions added by the State of New York. Please note that NWP General Condition No. 3 requires the installation and maintenance of proper soil erosion and sediment controls during construction.

Please note that this determination does not eliminate the need to obtain any other Federal, State or local authorizations required by law for the above described work, including any required permit from the NYSDEC.

Any inquiries can be directed to the undersigned at (518) 270-0589.

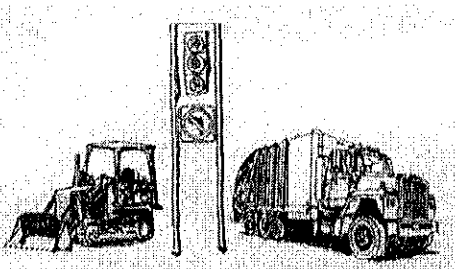
Sincerely,

Andrew Dangler, Project Manager
Western Permits Section

Enclosures

Cf: NYSDEC, Region 4 Schenectady
Town of Brunswick
Bagdon Environmental

THOMAS M. MURLEY, P.E.
32 HIALEAH DRIVE
TROY, NEW YORK 12182
(518) 235-8920



MUNICIPAL • CIVIL • TRAFFIC ENGINEERING

March 7, 2007

New York State Department of Environmental Conservation
Region IV
Ms. Nancy Adams, Deputy Regional Permit Administrator
1130 North Westcott Road
Schenectady, New York 12306-2014

United States Army Corps of Engineers
New York District, Albany Field Office
Mr. Andrew C. Dangler
1 Bond Street
Troy, New York 12180

Re: **Revised Plan (3/7/07)**
Brunswick Meadows Condo Project
Rensselaer County, State of New York

Dear Ms. Adams and Mr. Dangler:

Enclosed please find a revised (3/7/07) copy of the site plan and grading plan for the above referenced project. As per comments from Andrew Dangler, we have had the Brunswick Meadows project revised to show a 12-inch culvert, at the road crossing, connecting the two-wetland areas in the vicinity of building # 16 and building # 3.

Also, the riprap at the outlet discharge area of the stormwater management basin has been scaled back to avoid any impact on the adjacent wetland area.

Your time and assistance has been greatly appreciated and should you have any questions or comments please feel free to contact me at your convenience at (518) 469-8589 cell or (518) 235-8920 office.

Sincerely yours,

Thomas Murley

Thomas M. Murley, P.E.

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 4
1130 North Westcott Road, Schenectady, New York 12306-2014
Phone: (518) 357-2069 • **FAX:** (518) 357-2460
Website: www.dec.state.ny.us

February 27, 2007

Thomas Murley, PE
32 Hialeah Drive
Troy, NY 12182

Re: Brunswick Meadows Project
Plan Revisions
Town of Brunswick, Rensselaer County

Dear Mr. Murley:

We have reviewed the revised site plan, submitted for the Brunswick Meadows Condominium project in the Town of Brunswick. I appreciate the effort that went in to making revisions in an effort to avoid wetland impacts. The plan sheet dated February 16, 2007, shows a significant reduction in the wetland areas impacted by development.

The project now shows less than 0.10 acres of impacts, and appears to be below the threshold for requiring a water quality certification from our Department. That determination, however, is dependent upon concurrence by the US Army Corps of Engineers in their final determination. You should be receiving correspondence from Mr. Dangler of the ACOE in the near future.

Although a permit is not required, all construction plans should ensure that appropriate erosion controls are incorporated into the work plans to prevent contamination of the wetlands or waters by silt, sediment, or construction fluids and debris. All areas of soil disturbance should be graded, seeded and mulched as soon as practicable. The applicant must also obtain coverage under the Stormwater SPDES General Permit for Stormwater resulting from construction activities, prior to any construction taking place.

Sincerely,

Nancy Adams
Environmental Analyst 2
Region 4

cc: Norbert Quenzer, Bagdon Environmental, 3 Normanskill Blvd, Delmar, NY 12054
Andrew Gilchrist, Tuczinski, Cavalier, Burstein & Collura, 54 State Street, Suite 803, Albany, NY 12207
Andy Dangler, USACOE, 1 Bond Street, Troy, NY 12180
File

June 22, 2006

Ms. Christine Delorier, Project Manager
Western Permits Section
Department of the Army
New York District, Corps of Engineers
Albany Field Office
1 Bond Street
Troy, New York 12180

Re: Proposed Brunswick Meadows
Wetland Jurisdictional Determination

Dear Ms. Delorier;

Enclosed, for your review and consideration in making a wetland jurisdictional determination, please find the following information for the proposed Brunswick Meadows, a residential condominium community to be located south of NYS Route 142 (Grange Road) approximately 130 feet east of the Town of Brunswick and City of Troy municipal boundary line:

1. Current Property Owner: TOPATOMA LLC
   & Point of Contact: Thomas M. Murley, Member
   32 Hialeah Drive
   Troy, New York 12182
   (518) 235-8920 Office / Fax
   (518) 469-8589 Cell

2. Applicant: J.P.J. Partnership
   John Mainello, Partner
   4 Joseph Street
   Troy, New York 12180
   (518) 271-1424 Home
   (518) 209-1424 Cell

3. Wetland Delineator: Bagdon Environmental
   Norbert Quenzer Jr., Vice President, Sr. Ecologist
   3 Normanskill Boulevard
   Delmar, New York 12054-1308
   (518) 439-8588 Office
   (518) 439-8592 Fax

4. Project Maps: USGS Map Location Map
   Tax Map of property site
   Proposed Site Plan with Topo Survey

5. The proposed Brunswick Meadows project site consists of approximately16.6 acres of vacant land that is part of Tax Map Parcel No. 80.00 – 2 – 3, a 97.6 acre parcel owned by TOPATOMA LLC, 32 Hialeah Drive, Troy, New York 12182. Presently the 16.6 parcel of land is under contract to be purchased by J.P.J. Partnership, 4 Joseph Street, Troy, New York 12180.

6. Delineation Report and supporting information prepared by Bagdon Environmental.

7. GPS Delineation Plan prepared by Bagdon Environmental showing delineation flags / points identified on the drawing with the corresponding number and/or letter that is written on the flag in the field.

8. Boundary Survey Map of project site prepared by:
   Danskin Land Surveying, LLC
   Mark N. Danskin, PLS
   P.O. Box 72
   Troy, New York 12181
   (518) 279-8002 Office
   (518) 470-7113 Cell

9. The proposed Brunswick Meadows project site plan proposes 124 condominium units to be located in 31 buildings. Each building has four units, two units on the first floor (1,300 square feet) and two units on the second floor (1,600 square feet). Each unit has two parking spaces available, one is in an attached enclosed garage and the second space is in the paved driveway. In addition, a total of sixty unassigned parking spaces are distributed throughout the site for a total of 332 parking spaces.

10. The Brunswick Meadows project will include a homeowner association that will be formed, in accordance with the New York State Real Property Law, to operate and maintain the common areas of the project.

11. The Brunswick Meadows water, sanitary sewerage and storm water systems will all be connected into the City of Troy facilities. This will allow for municipal utilities to be extended into the Town of Brunswick.

12. The existing character of the surrounding neighborhood is mostly residential in nature with the existing Hialeah Estates and Miami Beach Estates located in the City of Troy along the western side of the Brunswick Meadows site. Three single-family homes are located adjacent to the site in the Town of Brunswick.

13. The proposed Brunswick Meadows project site plan proposes 57.9 % open green space which includes a running stream with a walking trails and picnic areas. New landscaping will be installed to supplement the existing buffer between the new construction and the existing residential homes.

14. The street network and parking areas within the Brunswick Meadows site will be owned and maintained by the homeowner association. Private contractors, at the expense of the homeowners association, will perform leaf collection, snow plowing and solid waste collection for this project.

We would like to thank you for your time and consideration in reviewing this matter and should you need any other additional information please feel free to contact me at your convenience at (518) 469-8589 or e-mail: tmurley@nycap.rr.com.

Very truly yours,

Thomas M. Murley, PE
Project Engineer

BAGDON
environmental
25 Delaware Avenue, Delmar, New York 12054-1308
Ph 518-439-8588 Fax 518-439-8592

November 17, 2006

Thomas M. Murley, P.E.
32 Hialeah Drive
Troy, New York 12182

Re: **Summary of Wetland Delineation**
Brunswick Meadow Project
City of Brunswick, Rensselaer County, NY

Dear Mr. Murley:

This letter summarizes the wetland delineation conducted on the Brunswick Meadows site. Bagdon Environmental was retained in November 2005 to conduct a delineation of wetlands on the site pursuant to state and federal regulatory requirements (Article 24 of the New York State Environmental Conservation Law and Section 404 of the Federal Clean Water Act).

Wetlands subject to federal jurisdiction under Section 404 of the Clean Water Act are referred to as Waters of the U.S. Waters of the U.S. include wetlands, intermittent streams, natural drainage courses, lakes and ponds. Wetlands subject to Article 24 of the New York State Environmental Conservation Law are shown on the state's Freshwater Wetland maps and are typically 12.4 acres or larger. There are no state mapped wetlands on or adjacent to the site.

Federally regulated wetlands were delineated using the routine level, on-site determination method. This method utilizes the three-parameter approach (hydrophytic vegetation, hydric soils, and wetland hydrology) outlined in the 1987 *Corps of Engineers Wetlands Delineation Manual.* Bagdon Environmental also assessed

the potential presence of isolated wetlands (not subject to Section 404 jurisdiction) pursuant to the recent supreme court ruling (*Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.*, No. 99-1178 (January 9, 2001).

The delineation included collection of wetland/upland data, photographs and a GPS-based sketch map for the surveyor's use. Once completed, the flagged wetland boundaries were surveyed and a copy of the survey map provided to Bagdon Environmental for review. The size and location of wetlands are shown on the wetland survey map.

Wetlands were delineated on the western portion of the site on November 10, 2005. Winter conditions occurred shortly thereafter preventing completion of the delineation until March 31, 2006. The U.S. Army Corps of Engineers reviewed the delineated wetlands on September 19, 2006 and confirmed jurisdiction over some of the site's wetlands. Two wetland areas totaling 0.74 acres were determined to be isolated (non-jurisdictional), as noted on the wetland survey map. Approximately 3.25 acres of jurisdictional wetlands occur on the site along with 890 linear feet of perennial stream, 320 linear feet of intermittent stream and 200 linear feet of ephemeral stream.

The revised wetland survey map has been submitted to the United States Army Corps of Engineers for a formal letter of Jurisdictional Determination. It is anticipated that this letter will be issued in December 2006.

If you have any questions or comments regarding this summary, please contact me. I look forward to providing further assistance if needed.

Sincerely,

Norbert Quenzer Jr.
Vice President
Senior Ecologist

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual

Project/Site:	Brunswick Meadows	Date:	31-3-06
Applicant/Owner:	Murley	County:	Rensselaer
Investigator:	BAGDON Environmental	State:	NY
Do Normal Circumstances exist on the site?	NO	Community ID:	T101
Is the site significantly disturbed (Atypical Situation)?	Yes	Transect ID:	Transect 1
Is the area a potential problem area?	NO	Plot ID:	Plot 10
(If needed, explain on reverse)	Tilled Ag Land		

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1.			9.		
2.			10.		
3. None			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-):

Remarks: Tilled field
Less than 50% of the dominant vegetation is OBL, FACW, or FAC. Hydrophytic vegetation criterion is not met.

HYDROLOGY

Recorded Data
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other
- ___ No Recorded Data Field

Observations:
- Depth of Surface Water: ___ (in.)
- Depth of Free Water in Pit: ___ (in.)
- Depth to Saturated Soil: ___ (in.)
- Field Observations: ___ (in.)

- ☐ Inundated
- ☐ Saturated in Upper 12
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage Patterns in Wetlands

- ☐ Oxidized Root Channels in Upper 12"
- ☐ Water Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks:

No field indicators of wetland hydrology observed. Wetland hydrology criterion is not met.

T101

SOILS

Map Unit Name: (Series and Phase): Elmridge very fine Sandy loam Taxonomy (Subgroup): 3-8% Slope Profile Classification				Drainage Class: Field Observations: Confirm Mapped Type? ☐ Yes ☑ No	
Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle (Abundance /Contrast)	Texture, Concretions, Structure, etc.
0-8		10YR 4/4	—	—	—
8-12		10YR 4/3	—	—	—

Hydric Soil Indicators: None

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Sulfidic Odor
- ☐ Gleyed or Low Chroma Soil
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☐ Listed on local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:
Soil does not meet hydric soil criterion.

WETLAND DETERMINATION

Hydrophytic Vegetation Present:	☐ Yes	☑ No	Is this Sampling Point Within a Wetland? ☐ Yes ☑ No
Wetland Hydrology Present:	☐ Yes	☑ No	
Hydric Soils Present:	☐ Yes	☑ No	

Remarks:

Sampling point does not have one positive wetland indicator from each parameter (hydrology, soil, and vegetation). Sampling point is not within a wetland.

Photos 8+9

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual

Project/Site:	Brunswick Meadows	Date:	31-3-06
Applicant/Owner:	Murley	County:	Rensselaer
Investigator:	BAGDON Environmental	State:	NY
Do Normal Circumstances exist on the site? NO		Community ID:	T/W1
Is the site significantly disturbed (Atypical Situation)? YES		Transect ID:	Transect 1
Is the area a potential problem area? NO		Plot ID:	Plot W1
(If needed, explain on reverse) Tilled Ag Field			

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1.			9.		
2.			10.		
3.			11.		
4. None			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-):

Remarks: Tilled Ag Field
~~At least 50% of the dominant vegetation is OBL, FACW, or FAC. Hydrophytic vegetation criterion is met.~~

HYDROLOGY

Recorded Data
- ☐ Stream, Lake, or Tide Gauge
- ☐ Aerial Photographs
- ☐ Other
- ☐ No Recorded Data Field

Observations:
- Depth of Surface Water: ____ (in.)
- Depth of Free Water in Pit: ____ (in.)
- Depth to Saturated Soil: ____ (in.)
- Field Observations: ____ (in.)

Primary Indicators
- ☑ Inundated
- ☑ Saturated in Upper 12
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☑ Drainage Patterns in Wetlands

Secondary Indicators
- ☐ Oxidized Root Channels in Upper 12"
- ☐ Water Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks:

Field indicators of wetland hydrology observed. Wetland hydrology criterion met.

T1W1

SOILS

Map Unit Name: (Series and Phase): Elmridge very fine Sandy loam Taxonomy (Subgroup): 3-8% Slope Profile Classification				Drainage Class: Field Observations: Confirm Mapped Type? ☑ Yes ☐ No	
Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle (Abundance /Contrast)	Texture, Concretions, Structure, etc.
0-10	A	10YR 4/2	10YR 4/6	Common Distinct	fine Sandy loam

Hydric Soil Indicators:

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Sulfidic Odor
- ☑ Gleyed or Low Chroma Soil
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☐ Listed on local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:
Matrix chroma of 2 or less in a mottled soil. Meets criterion for hydric mineral soil.

WETLAND DETERMINATION

Hydrophytic Vegetation Present:	☑ Yes	☐ No	Is this Sampling Point Within a Wetland? ☑ Yes ☐ No
Wetland Hydrology Present:	☑ Yes	☐ No	
Hydric Soils Present:	☑ Yes	☐ No	

Remarks:

One positive wetland indicator from each parameter (hydrology, soil, ~~and vegetation~~) verified in the field. Sampling point is within a wetland. - Recently filled - no vegetation

Photos 8+9

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual

Project/Site:	Brunswick Meadows	Date:	31-3-06
Applicant/Owner:	Murley	County:	Rensselaer
Investigator:	BAGDON Environmental	State:	NY
Do Normal Circumstances exist on the site? NO		Community ID:	T2U1
Is the site significantly disturbed (Atypical Situation)? YES		Transect ID:	Transect 2
Is the area a potential problem area? NO		Plot ID:	Plot U1
(If needed, explain on reverse) Recently Tilled Field			

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1.			9.		
2.			10.		
3. None			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-):

Remarks: Recently Tilled Field
Less than 50% of the dominant vegetation is OBL, FACW, or FAC. Hydrophytic vegetation criterion is not met.

HYDROLOGY

Recorded Data
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other
- ___ No Recorded Data Field

Observations:
- Depth of Surface Water: ___ (in.)
- Depth of Free Water in Pit: ___ (in.)
- Depth to Saturated Soil: ___ (in.)
- Field Observations: ___ (in.)

- ☐ Inundated
- ☐ Saturated in Upper 12
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage Patterns in Wetlands

- ☐ Oxidized Root Channels in Upper 12"
- ☐ Water Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks:

No field indicators of wetland hydrology observed. Wetland hydrology criterion is not met.

T201

SOILS

Map Unit Name: (Series and Phase): Shaker very fine sandy loam Taxonomy (Subgroup): 0-4% slopes Profile Classification				Drainage Class: Field Observations: Confirm Mapped Type? ☐ Yes ☑ No	
Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle (Abundance /Contrast)	Texture, Concretions, Structure, etc.
0-12	A	10YR 4/4	—	—	—

Hydric Soil Indicators:

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Sulfidic Odor
- ☐ Gleyed or Low Chroma Soil
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☐ Listed on local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:
Soil does not meet hydric soil criterion.

WETLAND DETERMINATION

Hydrophytic Vegetation Present:	☐ Yes	☑ No	Is this Sampling Point Within a Wetland? ☐ Yes ☑ No
Wetland Hydrology Present:	☐ Yes	☑ No	
Hydric Soils Present:	☐ Yes	☑ No	

Remarks:

Sampling point does not have one positive wetland indicator from each parameter (hydrology, soil, and vegetation). Sampling point is not within a wetland.

Photo 13 - Recently Tilled field - no vegetation

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual

Project/Site:	Brunswick Meadows	Date:	31-3-06
Applicant/Owner:	Murley	County:	Rensselaer
Investigator:	BAGDON Environmental	State:	NY
Do Normal Circumstances exist on the site? NO		Community ID:	T2 W1
Is the site significantly disturbed (Atypical Situation)? yes		Transect ID:	Transect 2
Is the area a potential problem area? NO		Plot ID:	Plot W1
(If needed, explain on reverse) Emergent wetland adjacent to tilled field			

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Typha latifolia	H	OBL	9.		
2. Juncus effusus	H	OBL	10.		
3. Carex sp	H	FACW-OBL	11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-): 100%

Remarks:
At least 50% of the dominant vegetation is OBL, FACW, or FAC. Hydrophytic vegetation criterion is met.

HYDROLOGY

Recorded Data
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other
- ___ No Recorded Data Field

Observations:
- Depth of Surface Water: 0-3 (in.)
- Depth of Free Water in Pit: ___ (in.)
- Depth to Saturated Soil: ___ (in.)
- Field Observations: ___ (in.)

Primary Indicators
- ☑ Inundated
- ☑ Saturated in Upper 12
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☑ Drainage Patterns in Wetlands

Secondary Indicators
- ☐ Oxidized Root Channels in Upper 12"
- ☐ Water Stained Leaves
- ☑ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks:

Field indicators of wetland hydrology observed. Wetland hydrology criterion met.

T2 W1

SOILS

Map Unit Name: (Series and Phase): Shaker very fine sandy loam Taxonomy (Subgroup): 0-4% Slope Profile Classification				Drainage Class: Field Observations: Confirm Mapped Type? ☐ Yes ☑ No	
Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle (Abundance /Contrast)	Texture, Concretions, Structure, etc.
0-4	A	10YR 4/2	—	—	—
4-10	A	10YR 4/1	10YR 4/6	common/ Prominent	fine Sandy loam

Hydric Soil Indicators:

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Sulfidic Odor
- ☑ Gleyed or Low Chroma Soil
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☑ Listed on local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:
Matrix chroma of 2 or less in a mottled soil. Meets criterion for hydric mineral soil.

WETLAND DETERMINATION

			Is this Sampling Point Within a Wetland?
Hydrophytic Vegetation Present:	☑ Yes	☐ No	☑ Yes ☐ No
Wetland Hydrology Present:	☑ Yes	☐ No	
Hydric Soils Present:	☑ Yes	☐ No	

Remarks:

One positive wetland indicator from each parameter (hydrology, soil, and vegetation) verified in the field. Sampling point is within a wetland.

Photo 13

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual

Project/Site:	Brunswick Meadows	Date:	31-3-06
Applicant/Owner:	Murley	County:	Rensselaer
Investigator:	BAGDON Environmental	State:	NY
Do Normal Circumstances exist on the site?	No	Community ID:	T3U1
Is the site significantly disturbed (Atypical Situation)?	yes	Transect ID:	Transect 3
Is the area a potential problem area?	NO	Plot ID:	Plot W1
(If needed, explain on reverse)	Tilled Ag land		

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1.			9.		
2.			10.		
3.			11.		
4. None			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-):

Remarks: Tilled field
Less than 50% of the dominant vegetation is OBL, FACW, or FAC. Hydrophytic vegetation criterion is not met.

HYDROLOGY

Recorded Data
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other
- ___ No Recorded Data Field

Observations:
- Depth of Surface Water: ___ (in.)
- Depth of Free Water in Pit: ___ (in.)
- Depth to Saturated Soil: ___ (in.)
- Field Observations: ___ (in.)

- ☐ Inundated
- ☐ Saturated in Upper 12"
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage Patterns in Wetlands
- ☐ Oxidized Root Channels in Upper 12"
- ☐ Water Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks: Tilled field
No field indicators of wetland hydrology observed. Wetland hydrology criterion is not met.

T301

SOILS

Map Unit Name: (Series and Phase): Bernard-Nassau Complex -rolling Taxonomy (Subgroup): Profile Classification				Drainage Class: Field Observations: Confirm Mapped Type? ☐ Yes ☐ No	
Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle (Abundance /Contrast)	Texture, Concretions, Structure, etc.
0-12	A	10YR 5/4	—	—	gravelly silt loam

Hydric Soil Indicators:

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Sulfidic Odor
- ☐ Gleyed or Low Chroma Soil
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☐ Listed on local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:
Soil does not meet hydric soil criterion.

WETLAND DETERMINATION

Hydrophytic Vegetation Present:	☐ Yes	☑ No	Is this Sampling Point Within a Wetland? ☐ Yes ☑ No
Wetland Hydrology Present:	☐ Yes	☑ No	
Hydric Soils Present:	☐ Yes	☑ No	

Remarks:

Sampling point does not have one positive wetland indicator from each parameter (hydrology, soil, and vegetation). Sampling point is not within a wetland.

Photos 17, 18, 19 Recently tilled field - no vegetation

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual

Project/Site:	Brunswick Meadows	Date:	31-3-06
Applicant/Owner:	Murley	County:	Rensselaer
Investigator:	BAGDON Environmental	State:	NY
Do Normal Circumstances exist on the site? NO		Community ID:	T3W1
Is the site significantly disturbed (Atypical Situation)? YES		Transect ID:	Transect 3
Is the area a potential problem area? NO		Plot ID:	Plot W1
(If needed, explain on reverse) partially filled field			

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Juncus effusus	H	OBL	9.		
2. Carex vulpinoidea	H	FACW	10.		
3. Epilobium glandulosum	H	OBL	11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-): 100 %

Remarks: Remaining vegetation in wet area of plowed field
At least 50% of the dominant vegetation is OBL, FACW, or FAC. Hydrophytic vegetation criterion is met.

HYDROLOGY

Recorded Data
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other
- ___ No Recorded Data Field

Observations:
- Depth of Surface Water: ___ (in.)
- Depth of Free Water in Pit: ___ (in.)
- Depth to Saturated Soil: ___ (in.)
- Field Observations: ___ (in.)

Primary Indicators
- ☐ Inundated
- ☑ Saturated in Upper 12
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage Patterns in Wetlands

Secondary Indicators
- ☐ Oxidized Root Channels in Upper 12"
- ☐ Water Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks:

Field indicators of wetland hydrology observed. Wetland hydrology criterion met.

T3W1

SOILS

Map Unit Name: (Series and Phase): Bernard - Nassau Complex - rolling				Drainage Class: Field Observations: Confirm Mapped Type? ☐ Yes ☐ No	
Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle (Abundance /Contrast)	Texture, Concretions, Structure, etc.
0-8	A	10YR5/3	—	—	gravelly silt loam
8-12	A	10YR5/2	10YR5/6	common/ distinct	

Hydric Soil Indicators:

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Sulfidic Odor
- ☑ Gleyed or Low Chroma Soil
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☐ Listed on local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:
Matrix chroma of 2 or less in a mottled soil. Meets criterion for hydric mineral soil.

WETLAND DETERMINATION

Hydrophytic Vegetation Present:	☑ Yes	☐ No	Is this Sampling Point Within a Wetland? ☑ Yes ☐ No
Wetland Hydrology Present:	☑ Yes	☐ No	
Hydric Soils Present:	☑ Yes	☐ No	

Remarks:

One positive wetland indicator from each parameter (hydrology, soil, and vegetation) verified in the field. Sampling point is within a wetland.

Photos 17, 18, 19 - sparse wetland vegetation remaining in wet plowed area

TRANSMITTAL

To:

Mr. Andy Dangler
Regulatory Branch
U.S. Army Corps of Engineers
Bond Street
Troy, New York 12180

BAGDON
environmental
25 Delaware Avenue
Delmar, N.Y. 12054-1308
(518) 439-8235 Fax: (518) 439-8592
nquenzer@bagdonenvironmental.com

Job No: 93501 | Date: 11-16-06

Re: Request For Jurisdictional Determination Letter
Waters of the U.S.
Brunswick Meadows
Town of Brunswick, Rensselaer County, New York

We are sending ☑ Attached ☐ Under separate cover
☐ Prints ☐ Plans ☐ Specifications ☐ Copy of Letter
☐ Change Order ☐ Computer Media ☐ Shop Dwgs ☑ Other

COPIES	DATE	PAGES	DESCRIPTION
3	July 13, 2006 (Revised 11-9-06)	1 24"x 36"	Revised Wetland Delineation Map – Waters of the U.S.

ITEMS ARE BEING TRANSMITTED:

☑ For Your Use ☑ As Requested ☐ For Approval
☑ For Review and Comment ☐ Return signed copy ☐ Approved As Submitted
☐ Approved as Noted ☐ Returned for Correction ☐ Resubmit ( ) for Approval
☐ Submit Copies for Distribution ☐ Prints returned ☐ Other

REMARKS: Revised map, as per your 9-19-06 site inspection. Please forward a letter of jurisdiction based on the revised map. Contact me with any questions regarding the map revisions. Thank you for your assistance in this matter.

CC: Thomas Mutley, P.E.

SIGNATURE: Norbert Quenzer Jr.

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
ALBANY FIELD OFFICE
1 BOND ST.
TROY, N.Y. 12180

REPLY TO
ATTENTION OF

AUG 2 8 2006

Regulatory Branch

SUBJECT: Permit Application Number NAN-2006-3092
by J.P.J. Partnership

Mr. Thomas M. Murley, Member
Topatoma, LLC
32 Hialeah Drive
Troy, New York 12182

Dear Mr. Murley:

We have received your request for a Department of the Army jurisdictional determination pursuant to:

[ ] Section 10 of the Rivers and Harbors Act of 1899

[X] Section 404 of the Clean Water Act

[ ] Section 103 of the Marine Protection, Research & Sanctuaries Act of 1972.

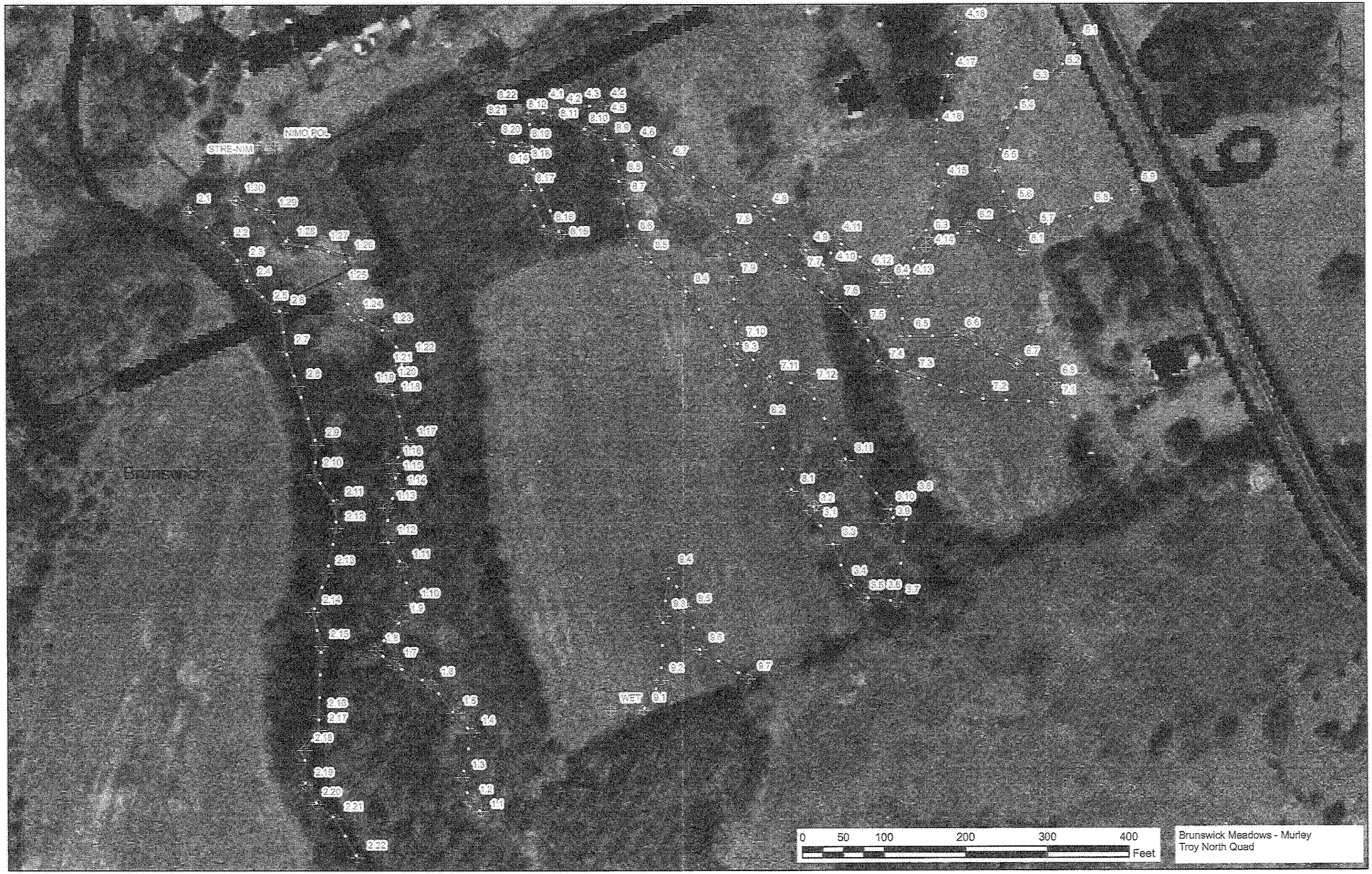
Please use the above referenced application number when requesting information concerning your application. This number will be used on any further correspondence.

You are advised not to undertake any activity in connection with the proposed work in waters of the United States until the required Department of the Army authorization has been obtained.

You may contact the undersigned at (518) 273-7420 if you have any questions.

Sincerely,

Christine Delorier
Project Manager
Western Permits Section


NIMO FOL
SITE-NIM
Brunswick
0 50 100 200 300 400
Feet
Brunswick Meadows - Murley
Troy North Quad