

3.3 ECOLOGY AND WETLANDS COMMENTS AND RESPONSES

Comment 3.3-1 (Letter #1 Ralph P. Peragine, P.E., Stephan A. Maffia, P.E., Jay Snyder, and Anthony Agresti, TRC Engineers, Inc., March 4, 2009): The Figure provided is illegible (Figure 3.3-4). A legible Figure should be provided.

***Response 3.3-1:** FSEIS Figure 3.3-1 - On-Site Delineated Wetlands is attached at the end of this section to replace the previous figure that was included in the SEIS document.*

Comment 3.3-2 (Letter #4 Frederick P. Clark Associates, Inc., March 13, 2009): Figure 3.3.2 is the national wetlands inventory map which shows the majority of the Ramapo portion of the Minisceongo parcel to be covered with wetlands in contrast to the site plan. Please explain this discrepancy.

***Response 3.3-2:** Previous concept plans have shown only a portion of the parcel within the Town of Ramapo - the undeveloped portion of the Ramapo site was omitted to be able to present the site plan at a reasonable scale (1" = 50'). Sheet 1 of 4 (scale of 1" = 80') illustrates the entirety of the property, including all of the parcel within the Town of Ramapo. As is evident, the site plan is consistent with the National Wetland Inventory map which illustrates that a significant portion of the westerly portion of the property contains wetlands associated with Minisceongo Creek.*

Comment 3.3-3 (Letter #4 Frederick P. Clark Associates, Inc., March 13, 2009): Figure 3.3.3 is the NYSDEC Freshwater Wetlands Map which again shows a significant fraction of the Ramapo portion of the Minisceongo parcel to be freshwater wetlands in contrast to the site plan. Please explain this discrepancy.

***Response 3.3-3:** See response to Comment 3.3-2.*

Comment 3.3-4 (Town of Haverstraw Public Hearing March 4, 2009): MR. HEVNER: ... A couple of the concerns I have is living within a thousand yards of a corner, the northwest corner of the property, some things that I'm concerned of, that I've spent there over the past forty-five years, include the deer. Is there any impact in this study that people noted the migratory pattern of the deer because for the past forty years, fifty years that I'm aware of, even before I was born, they kind of crossed that property every morning to bed down at a certain location and then cross again, the northwest property the corner, the same spot at night moving back to where they bed down in the evening hours.

So I'm not sure if that's appropriate or that's part of the study. If not, I would ask that some type of a state input be allowed to how that affects the deer patterns. I think what it would do is push the deer up into the actual backyards of people as opposed to this now open space.

***Response 3.3-4:** Evidence of whitetail deer bedding in the field areas has been noted during site visits. It is likely that deer travel through the wooded and wetland portions of the site and may use the open areas for foraging and bedding.*

It is anticipated that the site will continue to support deer populations within the wetland portion of the site as well as the 100-foot adjacent area. Sufficient open space will remain undisturbed to allow deer to continue to use Minisceongo Creek as a riparian travel corridor. Development of the overall site will likely reduce the browse and bedding

that occurs within the developed footprint. Ultimately the deer population will decrease as a result of loss of habitat or will migrate to open lands to the south or north of the project site. Whitetail deer are not a NYS protected species and are found abundantly in the region. Thus, NYSDEC has not expressed any concern or interest in examining effects to the deer population associated with this development (See Figure 3.3-1 in the SEIS document, Aerial Photograph).

Comment 3.3-5 (Town of Haverstraw Public Hearing March 4, 2009): MR. HEVNER: ... Second concern I have is hiking on this property, meaning the general level of property, for the past forty years. I've lost a lot of shoes and boots down there even in the driest of summers, even in the county, the streams, the natural antigen wells that naturally percolate out of that area. I want to make sure the studies looks at all the times of years and whatever the normal requirement is to satisfy the requirements of any studies of how wet that actually is back there. I'd ask that extra studies be done for various times of year because even I can count on my hands over the past couple of years, when the county was in drought mode with restrictions, this property still had tons of water percolating out of the soil, from, you know, -- we still call it the swamp -- swamp.

So if you live there it's the swamp and it's a swamp year round even if it's dry on day regardless of rain water or regardless of anything else happening, it can be wet the next day. So I think any type of a normal range of checking how wet that area is isn't enough. I think you have to check it extra to see if it can handle these buildings.

I would note that across the street on 202 I've been involved in building several of the buildings and have been in ever building. I think every one from the Mount Ivy Diner down to the chiropractor's office off of Camp Hill. Every one of those buildings has sunk. It just matters how much they've sunk. So I want to make sure extra care is considered for that.

Could anybody show me on the map where exactly the wetlands technically begins? I know the state declaration line is different from what most people consider the swamp to be. So I'm kind of wondering what line is that up there?

Response 3.3-5: *Wetlands on the project site were delineated. The NYSDEC signed off on the wetland boundary map. With the exception of a small disturbance to the 100-foot adjacent area (0.41 acres) and wetland (0.03 acres) to accommodate a stormwater management facility outfall, no development is proposed within the wetlands on this project site. Filling which may or may not have occurred on other parcels in the study area is unrelated to the proposed development of Minisceongo Park.*

LEGEND

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|-----|---------------------------|-----|---------------------------|
| --- | EXISTING 2' CONTOUR | --- | PROPOSED 2' CONTOUR |
| --- | EXISTING 10' CONTOUR | --- | PROPOSED 10' CONTOUR |
| --- | EXISTING WATERLINE | --- | PROPOSED WATER SERVICE |
| --- | EXISTING FIRE HYDRANT | --- | PROPOSED FIRE HYDRANT |
| --- | EXISTING GAS LINE | --- | PROPOSED GAS SERVICE |
| --- | EXISTING CATCH BASIN | --- | PROPOSED CATCH BASIN |
| --- | EXISTING STORM DRAIN LINE | --- | PROPOSED STORM DRAIN LINE |
| --- | EXISTING SEWER MANHOLE | --- | PROPOSED SEWER CLEANOUT |
| --- | EXISTING SEWER LINE | --- | PROPOSED SPOT ELEVATION |
| --- | EXISTING SPOT ELEVATION | --- | PROPOSED SILT FENCE |
| --- | EXISTING STONEWALL | --- | PROPOSED FORCE MAIN |
| | | --- | PROPOSED SEWER MANHOLE |
| | | --- | PROPOSED SEWER LINE |
| | | --- | PROPOSED LIGHT POLE |

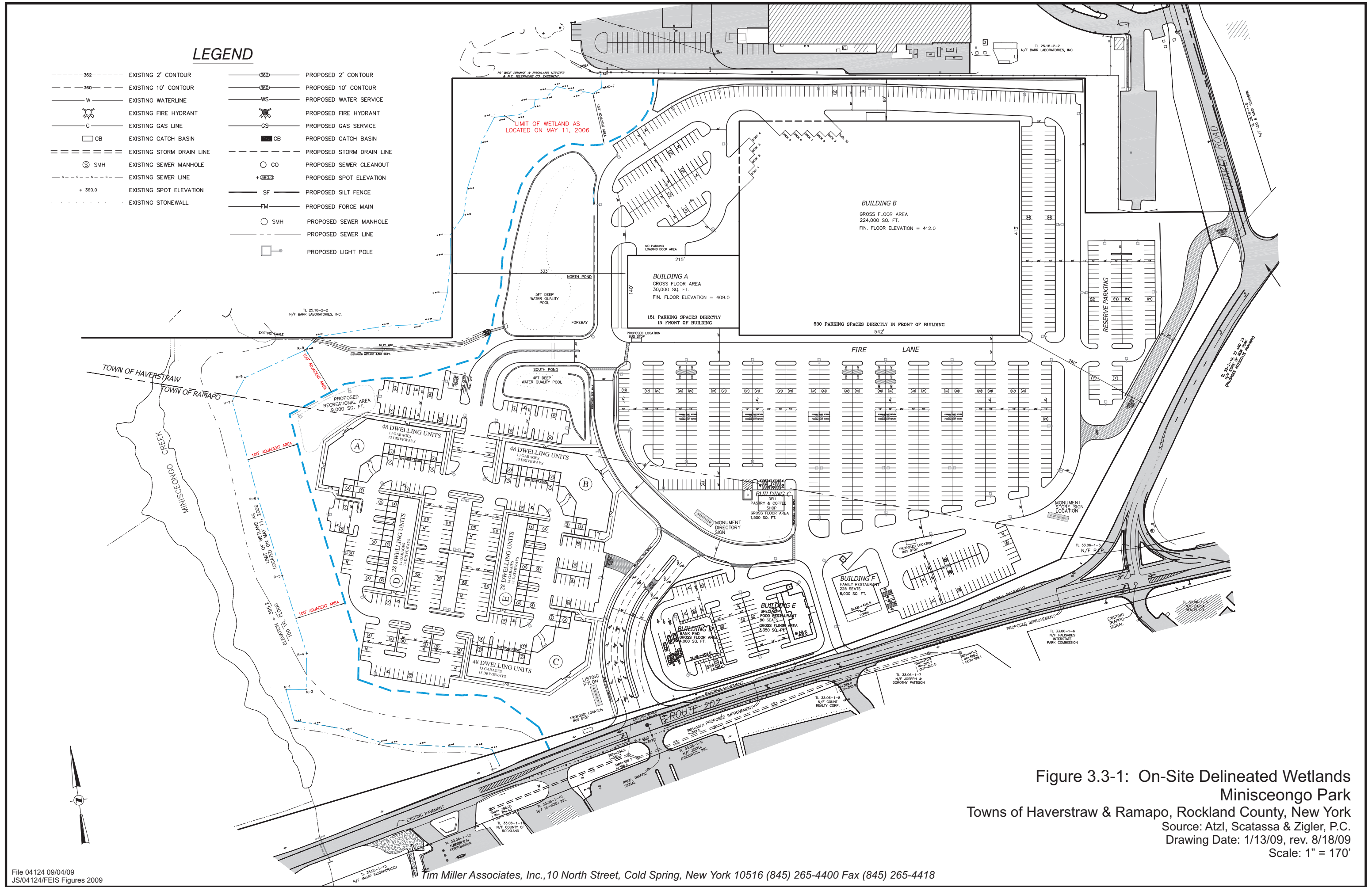


Figure 3.3-1: On-Site Delineated Wetlands
 Minisceongo Park
 Towns of Haverstraw & Ramapo, Rockland County, New York
 Source: Atzl, Scatassa & Zigler, P.C.
 Drawing Date: 1/13/09, rev. 8/18/09
 Scale: 1" = 170'