

# Full Environmental Assessment Form Part 1 and Report

## Obercreek Brewery & Tasting Room

81 New Hamburg Road/County Road 28

Town of Wappinger

Dutchess County, New York

Issued: August 14, 2023



21 Fox Street | Poughkeepsie, NY 12601 | p 845-486-1541

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## FULL ENVIRONMENTAL ASSESSMENT FORM PART 1 FORM

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### ATTACHMENTS

**Attachment A:** Information for Planning and Consultation





# ENVIRONMENTAL ASSESSMENT REPORT

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## **1.0 PROJECT DESCRIPTION**

### **1.1 Introduction**

The Applicant, Obercreek LP, is seeking site plan and special use permit approval for the operation of a farm brewery and associated tasting room located on tax lot 6057-02-847758 at 81 New Hamburg Road (see Figure 1). The site currently contains three existing buildings, including two former dairy barns and a farm stand. The northern, 1-story with loft, dairy barn (6,029 SF) will be converted to a tasting room comprising 5,337 SF, with a catering kitchen and 187 seats. The southern, 1-story with loft, dairy barn (7,371 SF) will be converted to a brewery, with an 814 SF addition for a total of 8,185. There is no change proposed to the 1,250 SF farm stand.

Approximately 2.4-acres of ground disturbance will occur. Development of the site includes drainage improvements, exterior lighting, land grading, erosion & sediment control, a subsurface sewage disposal field, a private well (serving the brewery only), and a municipal water connection (for the tasting room). The project site contains an existing parking area with 10 parking spaces. With the project, 73 additional parking spaces (including accessible parking spaces) will be added in two parking lots for a total of 83 parking spaces, which complies with zoning. The existing access will be widened to 20-feet-wide and paved and an additional access will be added. The parking area will feature angled parking spaces with wheel stops and traffic circulation will be one-way through the parking area. The project will require a Town Wetland Buffer Disturbance permit to allow accessible parking and proposed landscaping. Currently, the existing tasting room (former dairy barn) and existing courtyard encroach on the buffer.

### **1.2 Background**

The project site is currently in final lot line adjustment approval review as part of a previous action (Obercreek Lot Line Adjustments) undertaken by the Applicant. The current tax lot configuration will be modified upon approval. This application assumes the approval of the tax lot line adjustment and the future proposed tax lot lines are shown on the site plan drawings.

### **1.3 Approvals**

The following approvals are being sought in connection with the proposed action, including:

- Town of Wappinger Planning Board Site Plan and Special Use permit approval;
- Town of Wappinger – Water Connection
- Dutchess County Department of Public Works Highway and Utility Work Permit;
- Dutchess County Department of Health Subsurface Sewage Disposal System and well location approval;
- NYS Department of Environmental Conservation SPDES Permits (GP 0-20-001) and Sanitary Wastewater

## ENVIRONMENTAL ASSESSMENT

### 2.1 Land Use, Zoning and Public Policy

#### 2.1.1 Land Use

As shown in Figure 2, the area is largely residential and agricultural with some undeveloped or vacant areas. Religious and cultural uses are located to the southwest and the Wappinger Creek is west and northwest of the site. The Wappinger Greenway Trail follows Creek Road.

#### 2.1.2 Zoning and other Jurisdictional Boundaries

The project site is zoned within the One-family Residence District (R-80) Zoning District and is entirely located within the Wheeler Hill Historic District (see 6). The Wheeler Hill Historic District was listed in the State Register of Historic Places on April 24, 1991 and within the National Register of Historic Places on June 14, 1991. The proposed farm brewery building and the tasting room are within buildings that are listed on the State and National Register of Historic Places. These buildings are joined by the farm stand which is also listed.

The project site is located within the New York State Coastal Zone for Wappinger Creek. However, there is no Town of Wappinger local waterfront revitalization plan; therefore, no consistency assessment is required.

Special Use Permit for the renovation of two existing barns for use as an 8,185 SF brewery and a 5,337 SF tasting room is being requested. Per Zoning Section 240-55, Farm uses, including accessory farm produce stands, nurseries and greenhouses, this use is subject to the following standards. The project's compliance is indicated in **bold** below.

- A. No storage of manure or any other odor- or dust-producing substance shall be permitted within 100 feet of a street or property line, nor within 150 feet of a watercourse or wetlands area.

**No storage of manure, odor or dust-producing substance will occur within 100 feet of a property line or within 150 feet of a watercourse or wetland area.**

- B. Such sales shall only be permitted in accordance with the approved site plan.

**The Applicant will comply.**

- C. Commercial vehicles and farm equipment need not be stored inside structures.

**The Applicant will comply.**

- D. The applicant shall demonstrate to the satisfaction of the Planning Board that there is adequate land area for the number and type of animals to be raised on the property.

**The project does not include raising of animals.**

- E. All animal feed shall be stored in rodentproof containers.

**The project does not include raising of animals.**

- F. Such use may sell agricultural, nursery and greenhouse products grown or raised on the premises or elsewhere, and the Planning Board shall have the authority to determine whether the proposed products for sale comply with this subsection.

**The Applicant will comply.**

### 2.1.3 Public Policy

#### *Town of Wappinger Comprehensive Plan, 2010*

The Town of Wappinger Comprehensive Plan considers issues, opportunities, goals and objectives as they pertain to the Town's environmental resources, population and housing, economic base, community appearance and character, transportation, water supply and sewage treatment, recreation and community facilities, and land use.

In the conditions and recommendations section on Transportation, the Plan states, "The Town should give careful consideration as well to the Wheeler Hill / Obercreek area as a potential area for transit-oriented development in relation to the New Hamburg station in Poughkeepsie, with the parallel goal of preserving the rural landscape that separates and defines the Hughsonville hamlet."<sup>1</sup> The Plan notes that this level of residential density would require extension of water and sewer infrastructure. Page 54 identifies Creek and New Hamburg Roads as candidates for scenic road status.

The proposed project will not have a negative effect on the conditions and recommendations listed above.

## **2.2 Water, Wastewater and Stormwater Management**

### 2.2.1 Water

The proposed activity will utilize both municipal water (for the tasting room) as well as a private drilled well (for brewing use at the brewery). The total water demand for the tasting room from the existing public supply is anticipated to be 2,992 gallons per day. The total water demand for the brewery from the private well is anticipated to be 945 gallons per day for brewery operations. The total for the tasting room and brewery is 3,937 GPD.

### 2.2.2 Wastewater

The project site will be served by a private system comprised of septic tanks in series using an Eljen Geotextile Filtration System modules and subsurface effluent disposal. A grease trap will also be installed. Sanitary wastewater generated from the project site is anticipated to be 3,937 gallons per day. Brewing wastes will be pre-treated.

### 2.2.3 Stormwater Management

The proposed project will disturb greater than 1-acre, creating an increase of 0.92-acres of impervious surface. The total size of the current parcel is 20.37-acres, and the total size of the parcel upon the approved subdivision filed separately will be 20.04-acres. Due to the size of the ground disturbance, a Stormwater Pollution Prevention Plan will be implemented and a SPDES permit will be obtained. An

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<sup>1</sup> Town of Wappinger Comprehensive Plan, adopted 2010, page 67.

infiltrating on-site aquatic resource will continue to receive runoff from the project area and will infiltrate into the ground, resulting in no increase in runoff volume off-site.

## **2.3 Traffic**

The Institute of Transportation Engineers (ITE) Trip Generation Report, 11th Edition, estimates 9.83 vehicle trip ends (vte's) per 1,000 SF per weekday p.m. peak hour of adjacent street traffic for Land Use Code 971, Brewery Tap Room. Based on this information, the proposed 5,337 SF would generate a total of 52 vte's per weekday p.m. peak hour of adjacent street traffic. The facility would generate 123 total vehicle trip ends during the Saturday peak hour of the Brewery (2 - 3 PM). As entry (69) and exit (54) trips are less than 100, no significant adverse impact related to traffic is anticipated to occur.

## **2.4 Wetlands and Surface Waters, Stormwater and Floodplains**

According to NYSDEC Environmental Resource Mapper, and available GIS mapping, the project site does not include aquatic resources (Figure 4). However, federally regulated wetlands have been identified on site and are shown on the site plan. The Town regulates a 100-foot buffer around this wetland and the proposed project includes construction of accessory parking spaces and landscaping in the buffer area. The existing tasting room building and courtyard already encroach into the buffer. The Applicant will seek a wetland disturbance permit from the Town for the 4,356 SF encroachment in the buffer.

As shown in Figure 6, the Site falls within a check zone for a Significant Natural Community adjacent area, which is the Wappinger Creek, a tidal river. The project site is a partially developed uplands and does not constitute an extension of this Significant Natural Community.

With the implementation of the SWPPP, no adverse impacts to Wappinger Creek or the aquatic resources on the site will occur.

## **2.5 Natural Resources**

According to the New York State Department of Environmental Conservation Environmental Resource Mapper, there are known occurrences of Endangered or Threatened Species, including the Bald Eagle, Northern Long-eared Bat, Indiana Bat, Atlantic Sturgeon, and Shortnose Sturgeon (see Figure 5). The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation Service identified the site as having potential habitat for the Indiana Bat and the Northern Long-eared Bat.

Winter tree clearing (< 10 acres) between October 1 to March 31 would mitigate potential negative effects to the Bat species. The project will require no work within Wappinger Creek; therefore, the project will have no effect on the Sturgeon species. It is anticipated that based on the distance of the proposed activities to the location of the non-breeding bald eagle occurrence, no adverse impacts are anticipated. The breeding season for bald eagles runs from January 1st to September 30<sup>th</sup> and it is anticipated that given the high ambient noise related to the Metro-North Railroad, that no time of year restriction will be required for construction.

A request for more information will be submitted to the NYSDEC.

## **2.6 Historic and Cultural Resources**

According to the NYSOPRHP Cultural Resource Information System (CRIS), the project site is located within the National and State Register of Historic Places Listed Wheeler Hill Historic District (see Figure 4). The District is also locally designated. The proposed brewery building and the tasting room are

within buildings that are listed on the State and National Register of Historic Places. These buildings are joined by the farm stand, which are also listed.

The site is located within an area that is considered to be archeologically sensitive. A submittal will be made to the New York State Office of Parks, Recreation and Historic Preservation.

# FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF) PART 1 FORM

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**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

|  |                           |                 |
|--|---------------------------|-----------------|
| Name of Action or Project:<br>Obercreek Brewery & Tasting Room   |                           |                 |
| Project Location (describe, and attach a general location map):<br>81 New Hamburg Road, Wappingers Falls, New York 12590   |                           |                 |
| Brief Description of Proposed Action (include purpose or need):<br><br>The Applicant, Obercreek LP, is seeking site plan and special use permit approval for the operation of a farm brewery and associated tasting room located on tax lot 6057-02-847758 at 81 New Hamburg Road (see Figure 1). The site currently contains three existing buildings, including two former dairy barns and a farm stand. The northern, 1-story with loft, dairy barn (6,029 SF) will be converted to a tasting room comprising 5,337 SF, with a catering kitchen and 187 seats. The southern, 1-story with loft, dairy barn (7,371 SF) will be converted to a brewery, with an 814 SF addition for a total of 8,185. There is no change proposed to the 1,250 SF farm stand.<br><br>Approximately 2.4-acres of ground disturbance will occur. Development of the site includes drainage improvements, exterior lighting, land grading, erosion & sediment control, a subsurface sewage disposal field, a private well (serving the brewery only), and a municipal water connection (for the tasting room). The project site contains an existing parking area with 10 parking spaces. With the project, 73 additional parking spaces (including accessible parking spaces) will be added in two parking lots for a total of 83 parking spaces. |                           |                 |
| Name of Applicant/Sponsor:<br>Obercreek LP - Alexander Reese   | Telephone: 914-475-5195   |                 |
|  | E-Mail: alexreese@aol.com |                 |
| Address: PO Box 230  |                           |                 |
| City/PO: Hughsonville  | State: NY                 | Zip Code: 12537 |
| Project Contact (if not same as sponsor; give name and title/role):  | Telephone:                |                 |
|  | E-Mail:                   |                 |
| Address:   |                           |                 |
| City/PO:   | State:                    | Zip Code:       |
| Property Owner (if not same as sponsor):   | Telephone:                |                 |
|  | E-Mail:                   |                 |
| Address:   |                           |                 |
| City/PO:   | State:                    | Zip Code:       |

## B. Government Approvals

| <b>B. Government Approvals, Funding, or Sponsorship.</b> (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)   |  |   |
|---|--|---|
| <b>Government Entity</b>  | <b>If Yes: Identify Agency and Approval(s) Required</b>  | <b>Application Date (Actual or projected)</b> |
| a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees  |  |   |
| b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   | T. Wappinger Planning Board Site Plan approval, Special Use Permit, Wetland Disturbance Permit | Summer 2023                                   |
| c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |   |
| d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   | T. Wappinger - Water connection  | Summer/Fall 2023                              |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  | Dutchess County Dept of Health SSDS/well appr. Dutchess County DPW Highway/Util. Work Permit   | Summer/Fall 2023                              |
| f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |   |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   | NYSDEC SPDES (GP 0-20-001); Sewage > 1,000 GPD)  | Summer/Fall 2023                              |
| h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |   |
| i. Coastal Resources.<br>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><br>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No |  |   |

## C. Planning and Zoning

|  |  |
|--|--|
| <b>C.1. Planning and zoning actions.</b>   |  |
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>• <b>If Yes</b> , complete sections C, F and G.<br>• <b>If No</b> , proceed to question C.2 and complete all remaining sections and questions in Part 1                  |  |
| <b>C.2. Adopted land use plans.</b>  |  |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No        |  |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>If Yes, identify the plan(s):<br><u>Greenway Compact Community; Hudson Valley National Heritage Area</u><br>_____<br>_____ |  |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If Yes, identify the plan(s):<br>_____<br>_____<br>_____  |  |

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

One-Family Residence District (R-80)

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? Wappingers CSD

b. What police or other public protection forces serve the project site?

Wappingers Falls Police Department, Dutchess County Sheriff, NYS Police

c. Which fire protection and emergency medical services serve the project site?

Hughsonville Fire Department, Empress EMS

d. What parks serve the project site?

Reese park

### D. Project Details

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Agricultural, commercial

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 20.31 acres With approved subdivision (Obercreek Lot Line Revisions)  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 2.4 acres 20.04 ac.  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 225 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ <1 Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: \_\_\_\_\_ 12 months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

|   |                   |                   |                     |                                       |
|---|-------------------|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> |                   |                   |                     |                                       |
| If Yes, show numbers of units proposed.   |                   |                   |                     |                                       |
|   | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase   | _____             | _____             | _____               | _____                                 |
| At completion   | _____             | _____             | _____               | _____                                 |
| of all phases   | _____             | _____             | _____               | _____                                 |

|   |                         |
|---|-------------------------|
| g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> |                         |
| If Yes,   |                         |
| i. Total number of structures _____ 3   | Existing Barn, Proposed |
| ii. Dimensions (in feet) of largest proposed structure: _____ 27.25 height; _____ 61 width; and _____ 93 length   | Brewery                 |
| iii. Approximate extent of building space to be heated or cooled: _____ 14,772 square feet  |                         |

|  |  |
|--|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> |  |
| If Yes,  |  |
| i. Purpose of the impoundment: _____   |  |
| ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</span>   |  |
| iii. If other than water, identify the type of impounded/contained liquids and their source. _____   |  |
| iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres   |  |
| v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length  |  |
| vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____   |  |

**D.2. Project Operations**

|  |  |
|--|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> |  |
| (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)   |  |
| If Yes:  |  |
| i. What is the purpose of the excavation or dredging? _____  |  |
| ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  |  |
| <ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>   |  |
| iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____   |  |
| iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  |  |
| If yes, describe. _____  |  |
| v. What is the total area to be dredged or excavated? _____ acres  |  |
| vi. What is the maximum area to be worked at any one time? _____ acres   |  |
| vii. What would be the maximum depth of excavation or dredging? _____ feet   |  |
| viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  |  |
| ix. Summarize site reclamation goals and plan: _____   |  |

|  |  |
|--|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>  |  |
| If Yes:  |  |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>The project will require disturbances within the Town 100' Wetland Buffer from a Federally regulated wetland for accessible parking and landscaping. The existing building already encroaches into buffer area.</u> |  |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
No direct impact to wetland. Disturbance in buffer area of 4,356 SF. SWPPP will be implemented.

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iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No  
 If Yes: Tasting room will use municipal water. Brewery will use new private well.

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 3,937 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No  
 If Yes:

- Name of district or service area: Wappinger/CAMO Pollution (for public potable water only)
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_  
945 GPD from private well for Brewery.

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ 5+ gallons/minute.

---

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 3,937 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
Sanitary wastewater

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iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

|   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____<br/>           _____<br/>           _____</li> </ul>   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No   |
| <p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul> <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):<br/> <u>Septic tanks in series, Eljen Geotextile Filtration System modules and subsurface effluent disposal</u><br/>           _____<br/>           _____</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____<br/>           _____<br/>           _____</p>  | <input type="checkbox"/> Yes <input type="checkbox"/> No   |
| <p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?<br/>           _____ Square feet or <u>0.92</u> acres (impervious surface) new<br/>           _____ Square feet or <u>20.37</u> acres (parcel size) (With approved Subdivision, 20.04 ac.)</p> <p>ii. Describe types of new point sources. <u>Drainage outlets (will be captured at aquatic resource)</u><br/>           _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?<br/>           <u>Existing aquatic resource</u><br/>           _____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____<br/>             <u>On site wetland.</u></li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)<br/>           _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)<br/>           _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)<br/>           _____</p>  | <input type="checkbox"/> Yes <input type="checkbox"/> No   |
| <p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>  | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No   |

|   |  |   |  |
|---|--|---|--|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>  |  |   |  |
| <p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>   |  |   |  |
| <p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input checked="" type="checkbox"/> Evening <input checked="" type="checkbox"/> Weekend<br/> <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____<br/> <div style="text-align: center;">WB-40 Delivery Truck, twice daily</div></p> <p>iii. Parking spaces: Existing <u>10</u> Proposed <u>83</u> Net increase/decrease <u>73</u></p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:<br/> <u>New and modified access on New Hamburg Road</u></p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> |  |   |  |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____<br/> <u>TBD</u></p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>   |  |   |  |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7AM-5PM</u></li> <li>• Saturday: <u>closed</u></li> <li>• Sunday: <u>closed</u></li> <li>• Holidays: <u>closed</u></li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>M-W closed; T-F 4PM-7PM</u></li> <li>• Saturday: <u>11AM-7PM</u></li> <li>• Sunday: <u>12PM-7PM</u></li> <li>• Holidays: <u>12PM-7PM</u></li> </ul> </td> </tr> </table>   |  | <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7AM-5PM</u></li> <li>• Saturday: <u>closed</u></li> <li>• Sunday: <u>closed</u></li> <li>• Holidays: <u>closed</u></li> </ul> | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>M-W closed; T-F 4PM-7PM</u></li> <li>• Saturday: <u>11AM-7PM</u></li> <li>• Sunday: <u>12PM-7PM</u></li> <li>• Holidays: <u>12PM-7PM</u></li> </ul> |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7AM-5PM</u></li> <li>• Saturday: <u>closed</u></li> <li>• Sunday: <u>closed</u></li> <li>• Holidays: <u>closed</u></li> </ul>   | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>M-W closed; T-F 4PM-7PM</u></li> <li>• Saturday: <u>11AM-7PM</u></li> <li>• Sunday: <u>12PM-7PM</u></li> <li>• Holidays: <u>12PM-7PM</u></li> </ul> |   |  |

|  |  |
|--|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p style="margin-left: 20px;"><u>Temporary sources during construction</u></p>   |  |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>   |  |
| <p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p><u>Pole-mounted lights in parking areas, lighted bollards at pedestrian pathways, wall-mounted sconces at buildings. Each shall be dark sky compliant, average of + 1 footcandle, 3000K color temperature, 15 ft max mounting height, nearest adjacent occupied structure is + 125 ft away.</u></p>   |  |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>   |  |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>   |  |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>   |  |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>  |  |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>  |  |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: <span style="float: right;">Two, 5-cubic yard dumpsters, serviced once weekly for operation = (5 CY*2)*1x weekly = 10 CY<br/>10 CY x 52 weeks = 520 CY. 520 CY *1.4 = 728 Tons</span></p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ &lt;1 tons per _____ one time (unit of time)</li> <li>• Operation : _____ Approximately 728 tons per _____ Year (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: <u>C&amp;D waste will go to licensed C&amp;D facility</u></li> <li>• Operation: <u>Brewery waste will be composted.</u></li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: <u>Pick up by licensed carter and taken to licensed facility.</u></li> <li>• Operation: <u>Tasting room waste will be picked up by licensed hauler and taken to licensed facility.</u></li> </ul> |  |



s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

## E. Site and Setting of Proposed Action

| E.1. Land uses on and surrounding the project site                                       |   |   |  |
|--|---|---|--|
| a. Existing land uses.   |   |   |  |
| i. Check all uses that occur on, adjoining and near the project site.                    |   |   |  |
| <input type="checkbox"/> Urban   | <input type="checkbox"/> Industrial             | <input type="checkbox"/> Commercial         | <input checked="" type="checkbox"/> Residential (suburban) |
| <input checked="" type="checkbox"/> Forest   | <input checked="" type="checkbox"/> Agriculture | <input checked="" type="checkbox"/> Aquatic | <input checked="" type="checkbox"/> Rural (non-farm)       |
| ii. If mix of uses, generally describe: _____  |   |   |  |
| b. Land uses and coverytypes on the project site.  |   |   |  |
| Land use or Coverytype   | Current Acreage                                 | Acreage After Project Completion            | Change (Acres +/-)   |
| • Roads, buildings, and other paved or impervious surfaces                               | 1.43  | 2.35  | +0.92  |
| • Forested   | 8.79  | 8.79  | 0  |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 8.02  | 7.10  | -0.92  |
| • Agricultural (includes active orchards, field, greenhouse etc.)                        | 1.31  | 1.31  | 0  |
| • Surface water features (lakes, ponds, streams, rivers, etc.)                           | 0   | 0   | 0  |
| • Wetlands (freshwater or tidal)   | 0.49  | 0.49  | 0  |
| • Non-vegetated (bare rock, earth or fill)   | 0   | 0   | 0  |
| • Other Describe: _____  |   |   |  |

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|   |               |  |   |   |   |       |         |
|---|---------------|--|---|---|---|-------|---------|
| v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>If yes, DEC site ID number: _____</li> <li>Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>Describe any use limitations: _____</li> <li>Describe any engineering controls: _____</li> <li>Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>Explain: _____<br/> _____</li> </ul> |               |  |   |   |   |       |         |
| <b>E.2. Natural Resources On or Near Project Site</b>   |               |  |   |   |   |       |         |
| a. What is the average depth to bedrock on the project site? _____ >7 feet  |               |  |   |   |   |       |         |
| b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %   |               |  |   |   |   |       |         |
| c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border: none;"><u>Knickerbocker fine sandy loam, und</u></td> <td style="border: none; text-align: right;"><u>16.1</u> %</td> </tr> <tr> <td style="border: none;"><u>Knickerbocker fine sandy loam, rollin</u></td> <td style="border: none; text-align: right;"><u>83.9</u> %</td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none; text-align: right;">_____ %</td> </tr> </table>   |               | <u>Knickerbocker fine sandy loam, und</u>    | <u>16.1</u> %   | <u>Knickerbocker fine sandy loam, rollin</u>  | <u>83.9</u> %                             | _____ | _____ % |
| <u>Knickerbocker fine sandy loam, und</u>   | <u>16.1</u> % |  |   |   |   |       |         |
| <u>Knickerbocker fine sandy loam, rollin</u>  | <u>83.9</u> % |  |   |   |   |       |         |
| _____   | _____ %       |  |   |   |   |       |         |
| d. What is the average depth to the water table on the project site? Average: _____ >7 feet   |               |  |   |   |   |       |         |
| e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: _____ % of site<br><input type="checkbox"/> Moderately Well Drained: _____ % of site<br><input type="checkbox"/> Poorly Drained: _____ % of site  |               |  |   |   |   |       |         |
| f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____ % of site<br><input type="checkbox"/> 10-15%: _____ % of site<br><input type="checkbox"/> 15% or greater: _____ % of site   |               |  |   |   |   |       |         |
| g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span><br>If Yes, describe: _____<br>_____   |               |  |   |   |   |       |         |
| h. Surface water features. <span style="float: right;">Yes, Wetlands are identified on site. The auto response is incorrect.</span>   |               |  |   |   |   |       |         |
| i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>   |               |  |   |   |   |       |         |
| ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>  |               |  |   |   |   |       |         |
| If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.  |               |  |   |   |   |       |         |
| iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>  |               |  |   |   |   |       |         |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="border: none;">• Streams: Name _____ Classification _____</td> </tr> <tr> <td style="border: none;">• Lakes or Ponds: Name <u>Freshwater pond</u> Classification <u>PUBHh</u></td> </tr> <tr> <td style="border: none;">• Wetlands: Name <u>Wappinger Creek (Class: R1UBV)</u> Approximate Size <u>85.25-Acre</u></td> </tr> <tr> <td style="border: none;">• Wetland No. (if regulated by DEC) _____</td> </tr> </table>  |               | • Streams: Name _____ Classification _____   | • Lakes or Ponds: Name <u>Freshwater pond</u> Classification <u>PUBHh</u> | • Wetlands: Name <u>Wappinger Creek (Class: R1UBV)</u> Approximate Size <u>85.25-Acre</u> | • Wetland No. (if regulated by DEC) _____ |       |         |
| • Streams: Name _____ Classification _____  |               |  |   |   |   |       |         |
| • Lakes or Ponds: Name <u>Freshwater pond</u> Classification <u>PUBHh</u>   |               |  |   |   |   |       |         |
| • Wetlands: Name <u>Wappinger Creek (Class: R1UBV)</u> Approximate Size <u>85.25-Acre</u>   |               |  |   |   |   |       |         |
| • Wetland No. (if regulated by DEC) _____   |               |  |   |   |   |       |         |
| v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span><br>If yes, name of impaired water body/bodies and basis for listing as impaired: _____<br>_____  |               |  |   |   |   |       |         |
| i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>   |               |  |   |   |   |       |         |
| j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>   |               |  |   |   |   |       |         |
| k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>   |               |  |   |   |   |       |         |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes: <table style="width: 100%; border: none;"> <tr> <td style="border: none;">i. Name of aquifer: <u>Principal Aquifer</u></td> </tr> </table>  |               | i. Name of aquifer: <u>Principal Aquifer</u> |   |   |   |       |         |
| i. Name of aquifer: <u>Principal Aquifer</u>  |               |  |   |   |   |       |         |

|   |                           |
|---|---------------------------|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Typical Dutchess County species _____</p> <p>_____</p>  | <p>_____</p> <p>_____</p> |
| <p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: <span style="float: right;">This community is located off site.</span></p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>Freshwater Intertidal Mudflats, Freshwater Tidal Marsh</p> <p>ii. Source(s) of description or evaluation: <u>US Fish and Wildlife Service</u></p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ 6.65, 2.74 acres</li> <li>• Following completion of project as proposed: _____ 6.65, 2.74 acres</li> <li>• Gain or loss (indicate + or -): _____ 0 acres</li> </ul> |                           |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): <u>USFWS: Indiana Bat, Northern Long-eared Bat</u></p> <p><u>Atlantic Sturgeon, Bald Eagle, Northern Long-eared Bat, Shortnose Sturgeon, Indiana Bat - NYSDEC</u></p>   |                           |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p>  |                           |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>   |                           |
| <p><b>E.3. Designated Public Resources On or Near Project Site</b></p>  |                           |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: <u>DUTC022</u></p>  |                           |
| <p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? <u>20 acres - entire area of disturbance</u></p> <p>ii. Source(s) of soil rating(s): <u>NRCS Web Soil Survey, Farmland of Statewide Importance, and Prime Farmland</u></p>   |                           |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>  |                           |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>   |                           |

|   |  |
|---|--|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> |  |
| If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District</li> <li>ii. Name: <u>Wheeler Hill Historic District</u></li> <li>iii. Brief description of attributes on which listing is based:<br/> <u>Architecture (early republic, late victorian, late 19th and 20th century revival) and Commerce</u></li> </ul>                    |  |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>  |  |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  |  |
| If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>  |  |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  |  |
| If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>  |  |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  |  |
| If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>  |  |

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Obercreek LP - Alexander Reese Date 8/14/2023

Signature Caren LoBrutto, Senior Planner  Title Agent for Applicant, LaBella Associates



**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.



|  |   |
|--|---|
| B.i.i [Coastal or Waterfront Area]   | Yes   |
| B.i.ii [Local Waterfront Revitalization Area]                                      | No  |
| C.2.b. [Special Planning District]   | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History]           | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h.i [DEC Spills or Remediation Site - Listed]                                  | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h.iii [Within 2,000' of DEC Remediation Site]                                  | Yes   |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]                         | 314127, 546031  |
| E.2.g [Unique Geologic Features]   | No  |
| E.2.h.i [Surface Water Features]   | No  |
| E.2.h.ii [Surface Water Features]  | Yes   |
| E.2.h.iii [Surface Water Features]   | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| E.2.h.v [Impaired Water Bodies]  | No  |
| E.2.i. [Floodway]  | No  |
| E.2.j. [100 Year Floodplain]   | No  |
| E.2.k. [500 Year Floodplain]   | No  |
| E.2.l. [Aquifers]  | Yes   |
| E.2.l. [Aquifer Names]   | Principal Aquifer   |
| E.2.n. [Natural Communities]   | Yes   |

|   |   |
|---|---|
| E.2.n.i [Natural Communities - Name]  | Freshwater Intertidal Mudflats, Freshwater Tidal Marsh  |
| E.2.n.i [Natural Communities - Acres]   | 6.65, 2.74  |
| E.2.o. [Endangered or Threatened Species]   | Yes   |
| E.2.o. [Endangered or Threatened Species - Name]  | Atlantic Sturgeon, Bald Eagle, Northern Long-eared Bat, Shortnose Sturgeon, Indiana Bat                 |
| E.2.p. [Rare Plants or Animals]   | No  |
| E.3.a. [Agricultural District]  | Yes   |
| E.3.a. [Agricultural District]  | DUTC022   |
| E.3.c. [National Natural Landmark]  | No  |
| E.3.d [Critical Environmental Area]   | No  |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites]          | Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook. |
| E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name] | Wheeler Hill Historic District  |
| E.3.f. [Archeological Sites]  | Yes   |
| E.3.i. [Designated River Corridor]  | No  |

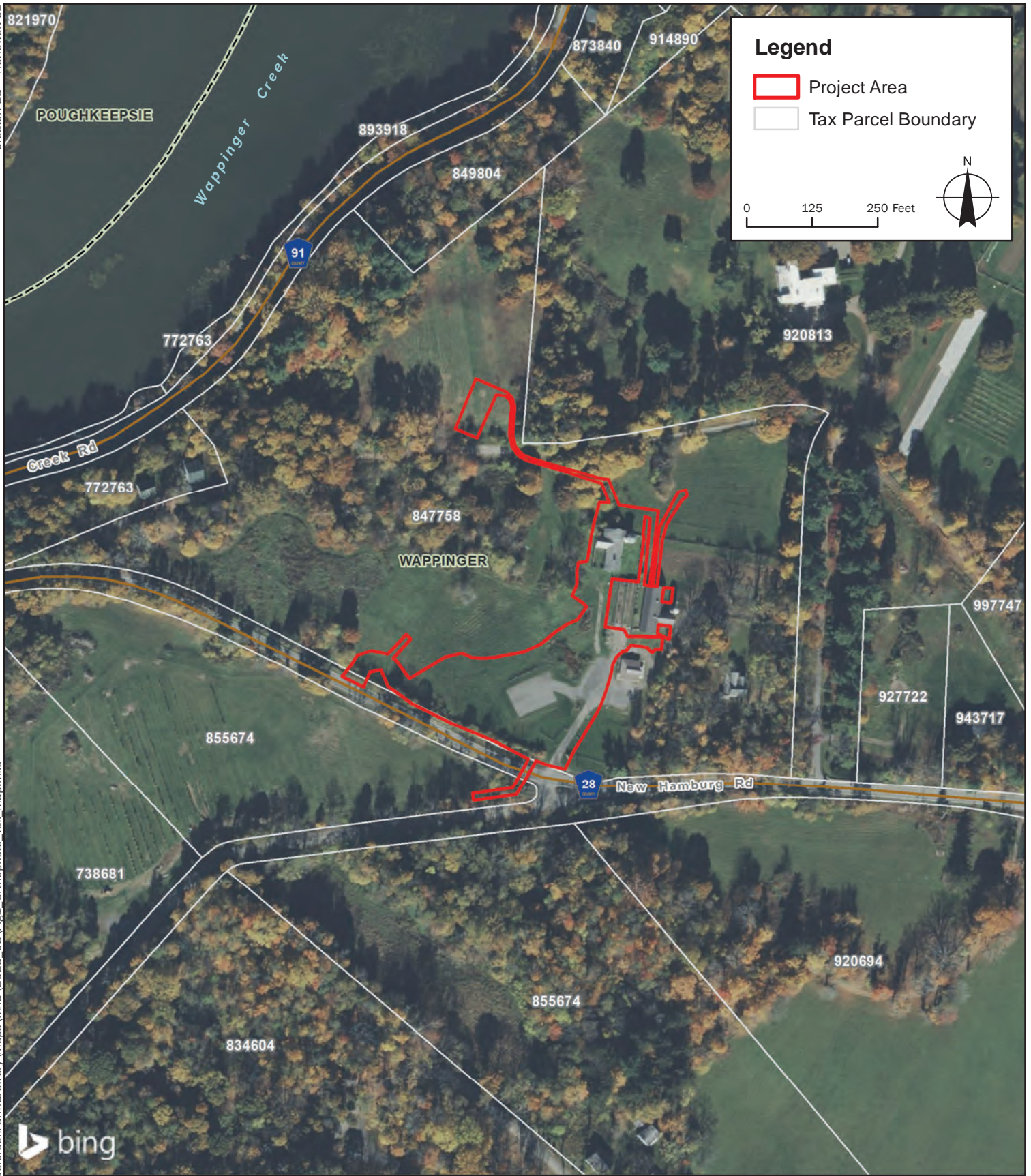




## FIGURES

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Sources:  
1. Project Area: LaBella 2023  
2. Tax Parcels: Regrid 2023  
3. Streets: NYS GIS Program Office 2022  
4. Basemap: Bing Maps



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

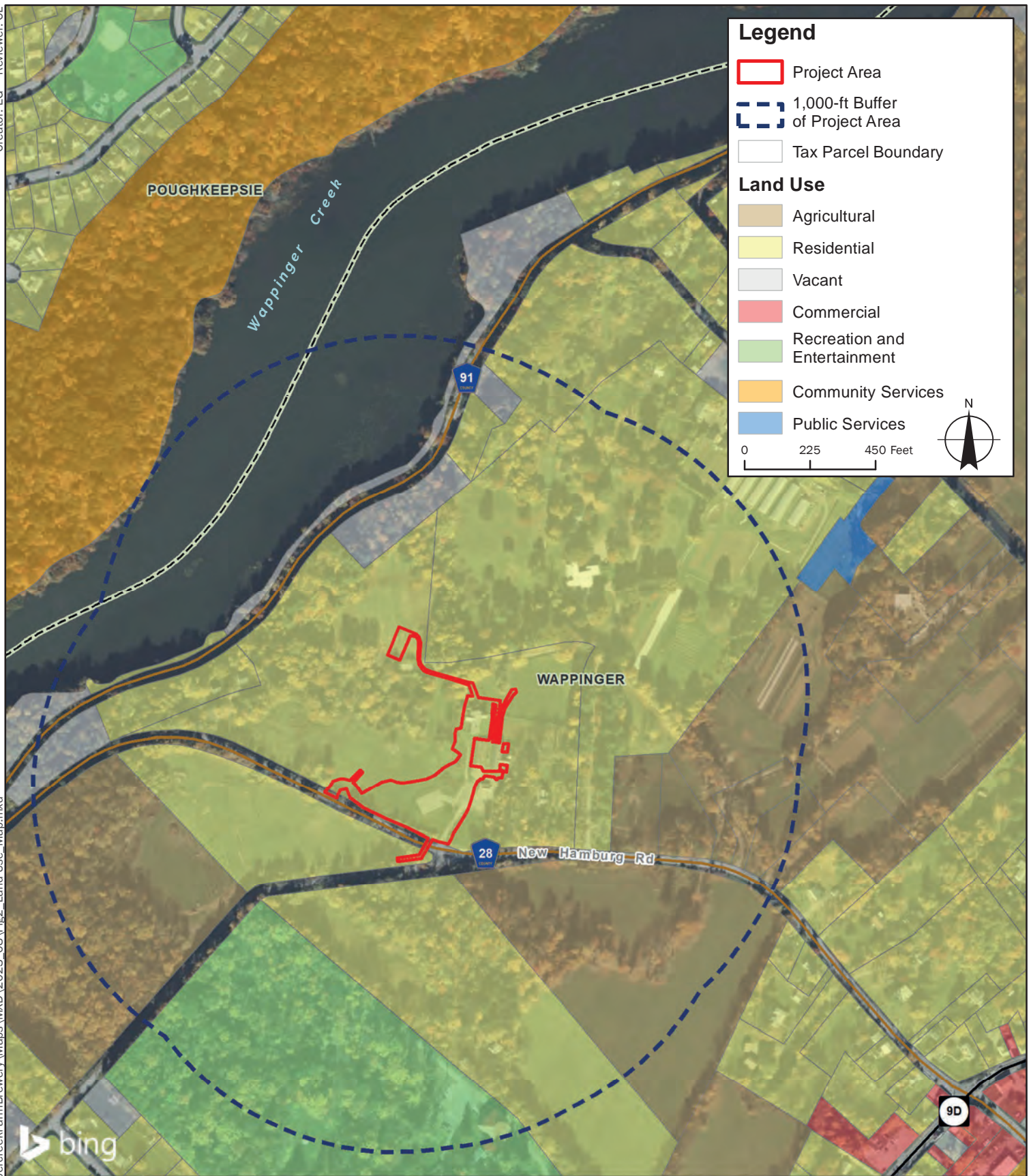
Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

Orthophoto  
Tax Map

**FIGURE 1**





Sources:  
1. Project Area: LaBella, 2023  
2. Tax Parcels: Regrid, 2023  
3. Land Use: Regrid, 2023  
4. Streets: NYS GIS Program Office, 2022  
5. Basemap: Bing Maps



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

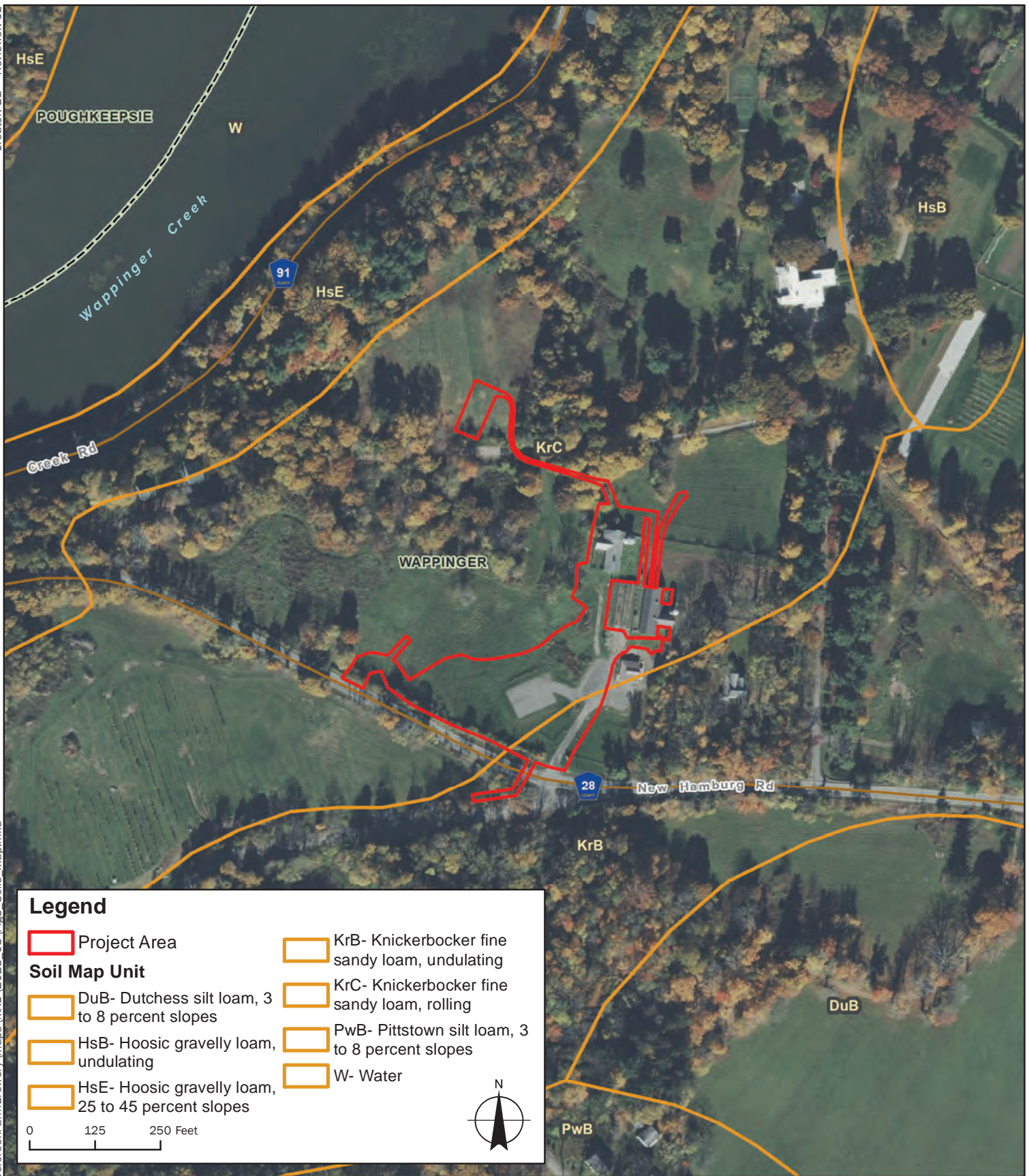
Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

Land Use  
Map

FIGURE 2





Sources:  
1. Project Area: LaBella 2023  
2. Soil Map Unit: USDA/NRCS 2021  
3. Streets: NYS GIS Program Office 2022  
4. Basemap: Bing Maps



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

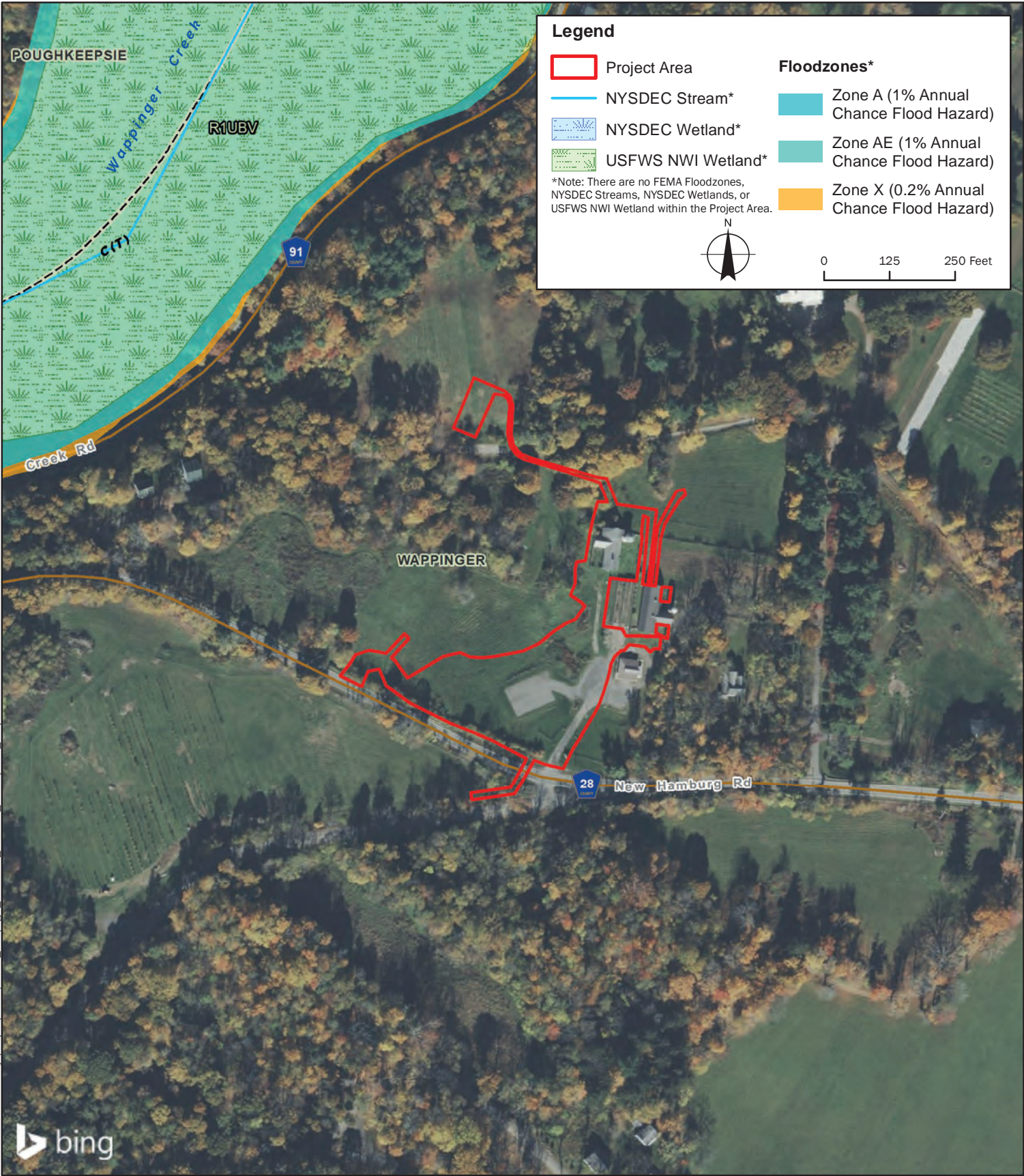
Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

Soils  
Map

**FIGURE 3**





- Sources:
1. Project Area: LaBella 2023; Regrid 2023
  2. NYSDEC Streams: NYSDEC 2021
  3. NYSDEC Wetlands: NYSDEC 2006
  4. NWI Wetlands: USFWS 2022
  5. Flood Zones: FEMA 2021
  6. Streets: NYS GIS Program Office 2022
  7. Basemap: Bing Maps



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

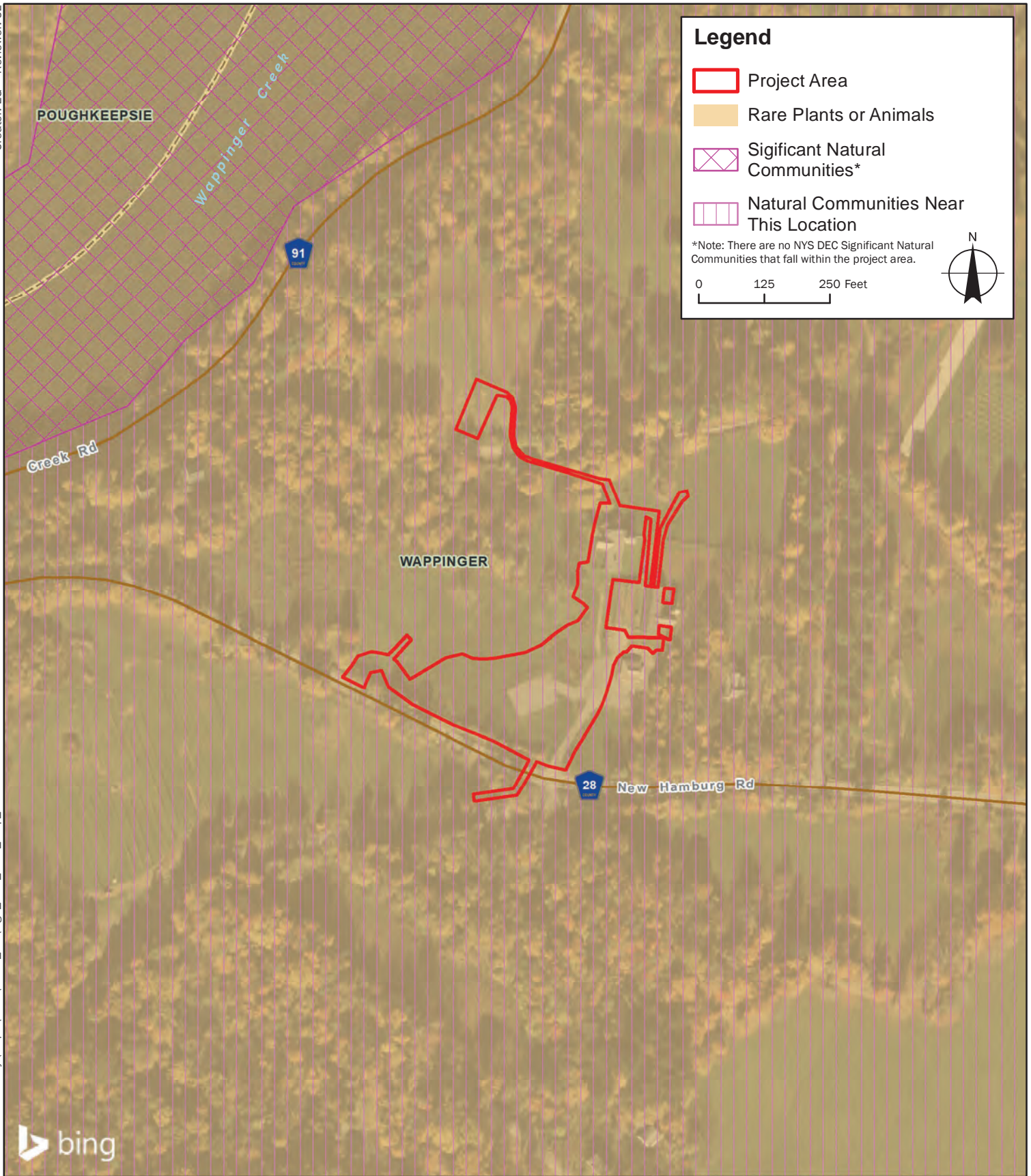
Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

Wetland, Stream,  
and Floodplain  
Map

FIGURE 4





Sources:

1. Project Area: LaBella 2023
2. Rare Plants or Animals and Significant Natural Communities: NYSDEC Environmental Resource Mapper (ERM) 2023
3. NYSDEC Wetlands: NYSDEC 2006
4. Streets: NYS GIS Program Office 2022
5. Basemap: Bing Maps



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

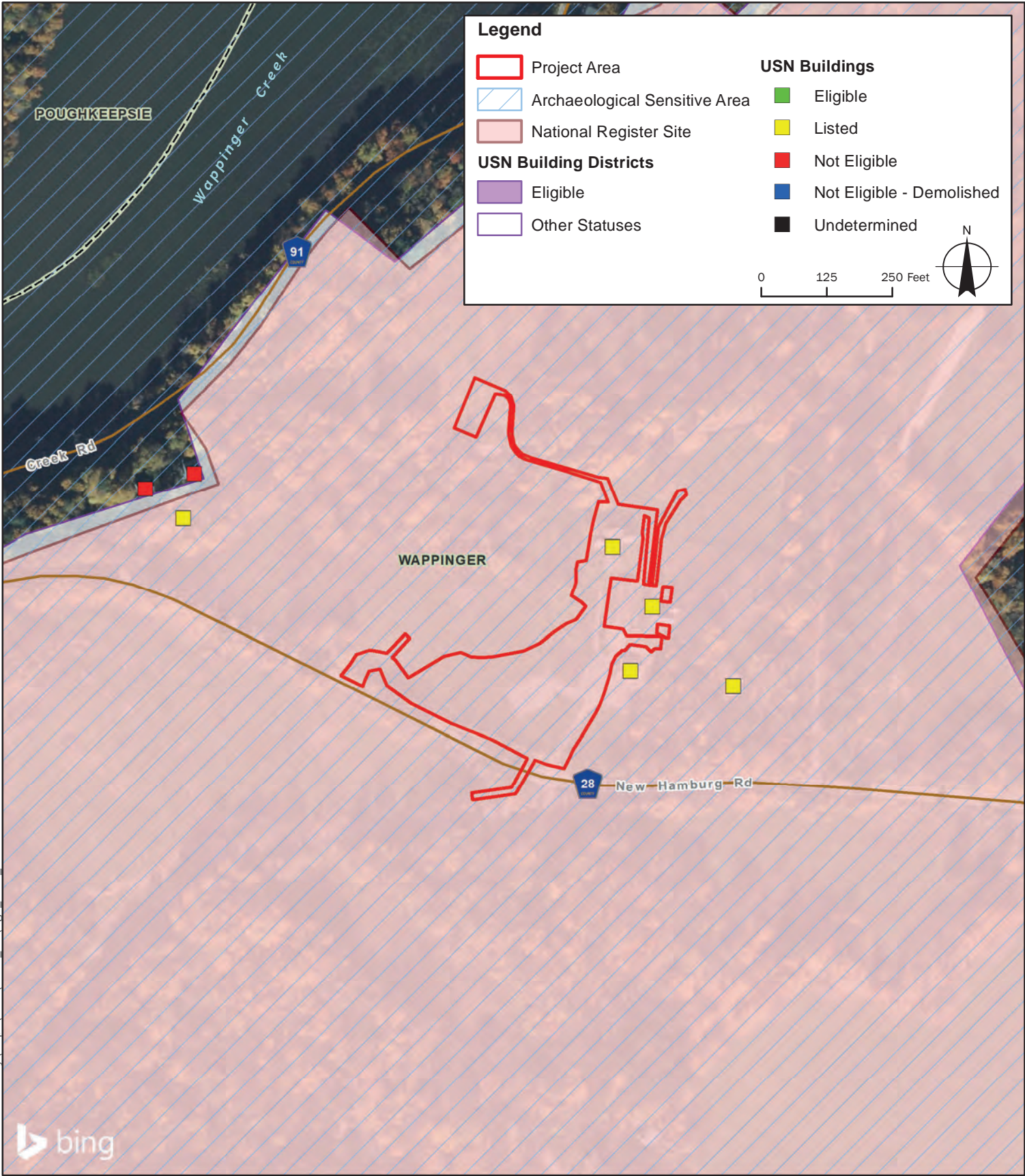
Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

**NYSDEC**  
**Environmental**  
**Resource Map**

**FIGURE 5**





Sources:  
1. Project Area: LaBella, 2023  
2. Archaeologically Sensitive Areas/National Register Sites: NYSOPRHP Cultural Resource Information System (CRIS), 2023  
3. Streets: NYS GIS Program Office, 2022  
4. Basemap: Bing Maps



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

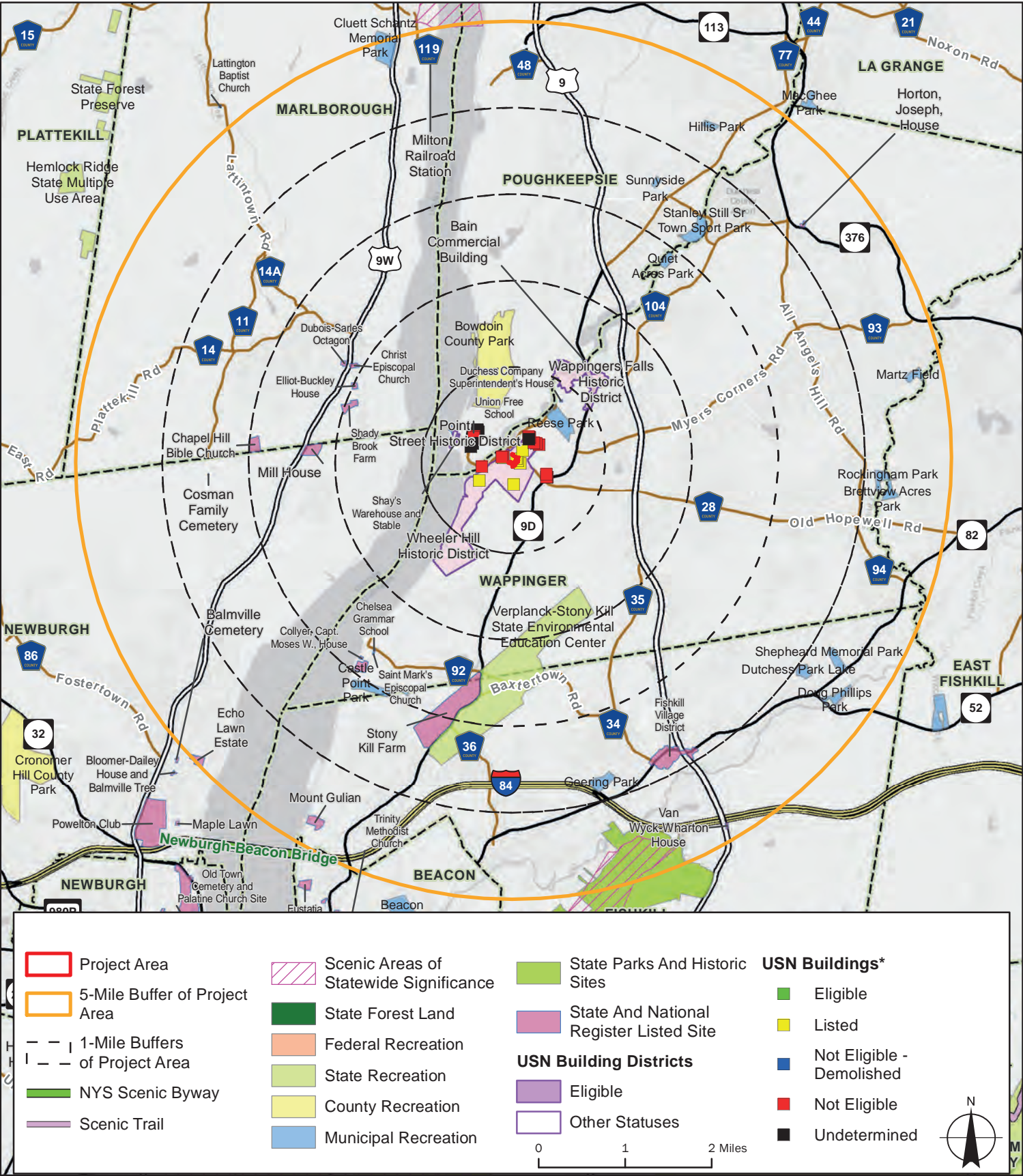
Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

**NYSOPRHP  
Cultural Resource  
Information System  
(CRIS) Map**

**FIGURE 6**





Sources:  
1. Project Area: LaBella 2023  
2. Streets: NYS GIS Program Office 2022  
3. Scenic Resources: NYS GIS Program Office; NYSDEC; NYSDOT; NYSOPRHP; CRIS 2023  
4. Basemap: Bing



81 New Hamburg Road,  
Village of Wappinger Falls,  
Dutchess Co., NY 12590

Obercreek Farm Brewery  
& Tasting Room

LaBella Project No: 70608.02  
Date: 8/11/2023

Publicly Accessible  
Federal, State, or Local  
Scenic or Aesthetic  
Resources Map

FIGURE 7

\*Note: USN Buildings within 0.5 Miles and USN Building Districts within 1 Mile of the project area were digitized. There may be USN Buildings and USN Building Districts that fall within the rest of the 5-Mile Buffer area, but they are not shown on this map.



ATTACHMENT A

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# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Dutchess County, New York





## Local office

New York Ecological Services Field Office

☎ (607) 753-9334

📅 (607) 753-9699

✉ [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)

3817 Luker Road  
Cortland, NY 13045-9385

# Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.



1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

| NAME   | STATUS     |
|--|------------|
| <b>Indiana Bat</b> <i>Myotis sodalis</i><br>Wherever found<br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br><a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a> | Endangered |
| <b>Northern Long-eared Bat</b> <i>Myotis septentrionalis</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>                                 | Endangered |

## Insects

| NAME   | STATUS    |
|--|-----------|
| <b>Monarch Butterfly</b> <i>Danaus plexippus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a> | Candidate |



## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

## Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

Additional information can be found using the following links:

- Eagle Managment <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

**There are bald and/or golden eagles in your project area.**

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON



This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.



### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

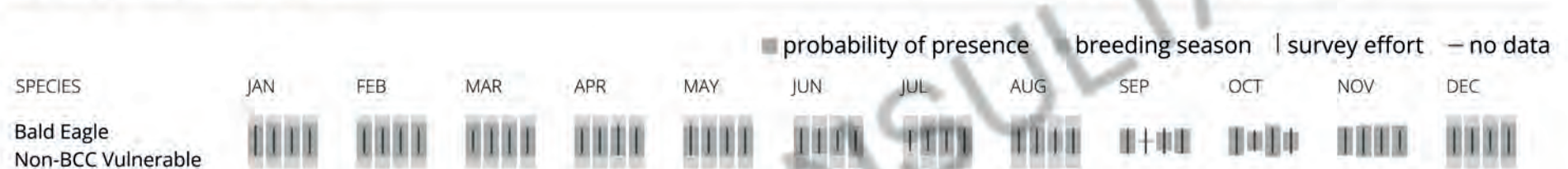
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



### What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.



The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>



The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

| NAME   | BREEDING SEASON         |
|--|-------------------------|
| <b>Bald Eagle</b> <i>Haliaeetus leucocephalus</i><br>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. | Breeds Dec 1 to Aug 31  |
| <b>Belted Kingfisher</b> <i>Megasceryle alcyon</i><br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  | Breeds Mar 15 to Jul 25 |
| <b>Black-billed Cuckoo</b> <i>Coccyzus erythrophthalmus</i><br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br><a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>         | Breeds May 15 to Oct 10 |
| <b>Blue-winged Warbler</b> <i>Vermivora pinus</i><br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA   | Breeds May 1 to Jun 30  |

**Canada Warbler** *Cardellina canadensis*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Aug 10

**Cerulean Warbler** *Dendroica cerulea*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/2974>

Breeds Apr 20 to Jul 20

**Chimney Swift** *Chaetura pelagica*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Mar 15 to Aug 25

**Evening Grosbeak** *Coccothraustes vespertinus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 15 to Aug 10

**Prairie Warbler** *Dendroica discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

**Red-headed Woodpecker** *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

**Wood Thrush** *Hylocichla mustelina*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31



# Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

## Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

## Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

## Survey Effort (I)









### Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures or permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).



Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).



### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.



## Fish hatcheries

There are no fish hatcheries at this location.

## Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

This location did not intersect any wetlands mapped by NWI.

**NOTE:** This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.