

Appendix C

Farmland Protection Policy Act

United States Department of Agriculture



Natural Resources Conservation Service
The Galleries of Syracuse
441 S. Salina Street, Suite 354
Syracuse, NY 13202-2450

Telephone: (315) 477-6505
FAX: (315) 477-6550
Email: beth.polge@ny.usda.gov

May 11, 2011

US DHS - FEMA
Donna Bolognino
Leo O'Brien Federal Building
1 Clinton Square Rm. 742
Albany, New York 12207

Re: FEMA -DR-1857 TLC Medical offices - Bennett State Road Hanover, NY
NRCS FPPA review

Dear Ms. Bolognino,

The Farmland Conversion Impact Rating (AD-1006), for the project cited above, is attached for your use. Also attached is a map of the soils that were used and a spreadsheet that shows the value for the soil type(s) and the final results (weighted average) that was entered on the AD-1006.

If you have any questions about this determination please feel free to contact me.

A handwritten signature in cursive script that reads "Beth Polge".

Beth Polge
Resource Conservationist

U.S. Department of Agriculture

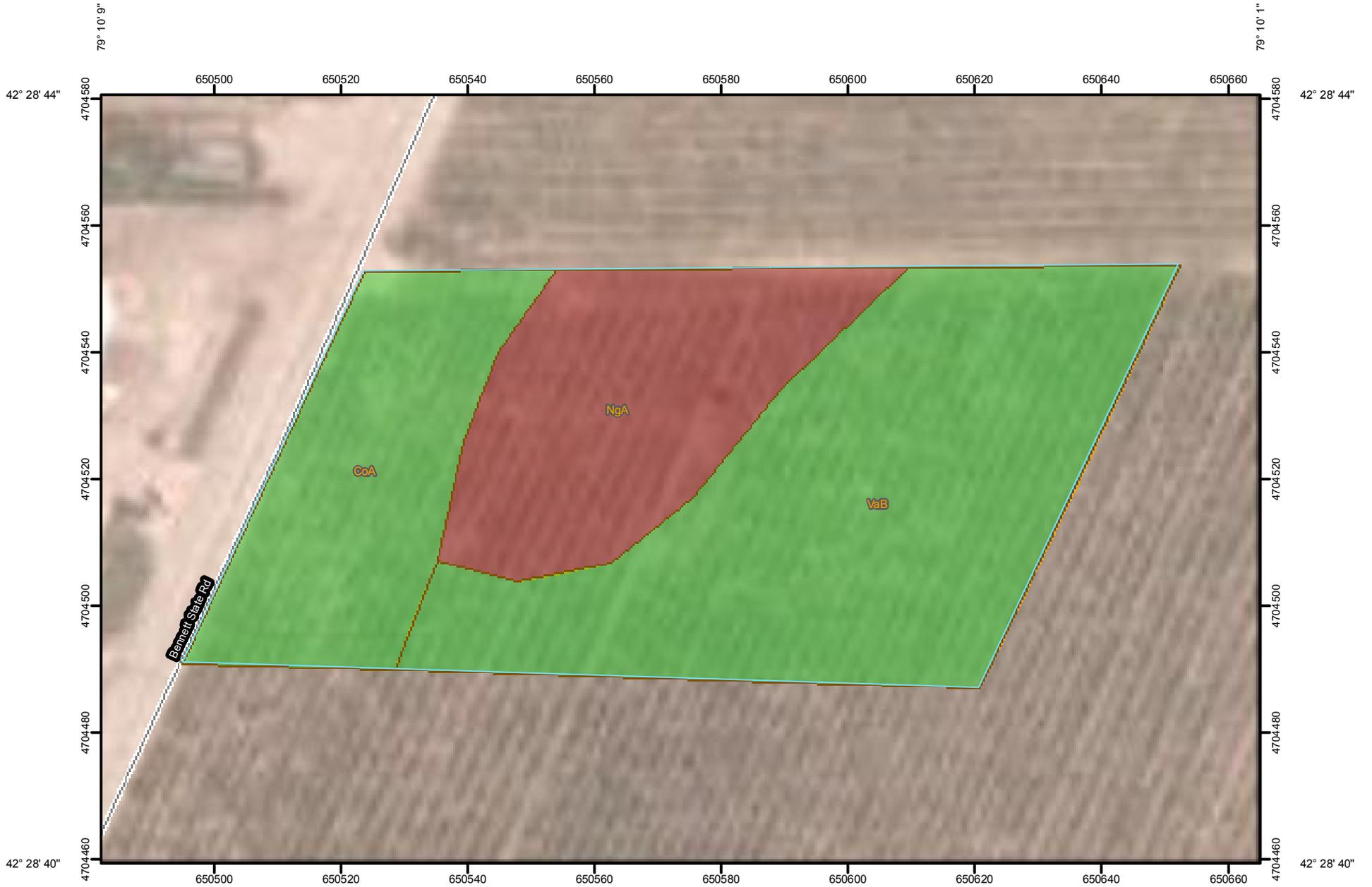
FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 5/9/11			
Name Of Project Construct Replacement TLC Health Network Clinic		Federal Agency Involved US Department of Homeland Security-FEMA			
Proposed Land Use Medical offices		County And State Chautauqua County			
PART II (To be completed by NRCS)		Date Request Received By NRCS 5-9-11			
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply -- do not complete additional parts of this form).</i>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated 1153	Average Farm Size 142
Major Crop(s) Corn	Farmable Land In Govt. Jurisdiction Acres: 235,858 % 35	Amount Of Farmland As Defined In FPPA Acres: 375,334 % 55			
Name Of Land Evaluation System Used Chautauqua	Name Of Local Site Assessment System None	Date Land Evaluation Returned By NRCS 5-11-11			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		1.4			
B. Total Acres To Be Converted Indirectly		0.6			
C. Total Acres In Site		2.0	0.0	0.0	0.0
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		2			
B. Total Acres Statewide And Local Important Farmland		0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		10001			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value		34			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		79	0	0	0
PART VI (To be completed by Federal Agency)					
Site Assessment Criteria <i>(These criteria are explained in 7 CFR 658.5(b))</i>	Maximum Points				
1. Area In Nonurban Use	15	14			
2. Perimeter In Nonurban Use	10	9			
3. Percent Of Site Being Farmed	20	20			
4. Protection Provided By State And Local Government	20	20			
5. Distance From Urban Builtup Area	15	15			
6. Distance To Urban Support Services	15	15			
7. Size Of Present Farm Unit Compared To Average	10	0			
8. Creation Of Nonfarmable Farmland	10	0			
9. Availability Of Farm Support Services	5	4			
10. On-Farm Investments	20	0			
11. Effects Of Conversion On Farm Support Services	10	0			
12. Compatibility With Existing Agricultural Use	10	7			
TOTAL SITE ASSESSMENT POINTS	160	104	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland <i>(From Part V)</i>	100	79	0	0	0
Total Site Assessment <i>(From Part VI above or a local site assessment)</i>	160	104	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	183	0	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Reason For Selection:					

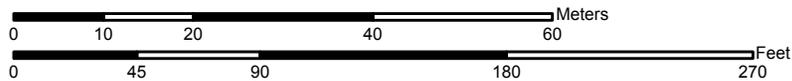
(See instructions on reverse side)

This form was electronically produced by National Production Services Staff

Farmland Classification—Chautauqua County, New York
(Proposed Site - Farmland Soils Map)



Map Scale: 1:868 if printed on A size (8.5" x 11") sheet.



Farmland Classification—Chautauqua County, New York
(Proposed Site - Farmland Soils Map)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Units

Soil Ratings

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available

Political Features

 Cities

Water Features

-  Oceans
-  Streams and Canals

Transportation

-  Rails
-  Interstate Highways

-  US Routes
-  Major Roads
-  Local Roads

MAP INFORMATION

Map Scale: 1:868 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:15,840.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 17N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Chautauqua County, New York
Survey Area Data: Version 8, Feb 5, 2010

Date(s) aerial images were photographed: 6/17/2006

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

Farmland Classification

Farmland Classification— Summary by Map Unit — Chautauqua County, New York				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CoA	Chenango channery loam, fan, 0 to 3 percent slopes	All areas are prime farmland	0.5	22.8%
NgA	Niagara silt loam, 0 to 3 percent slopes, loamy substratum	Prime farmland if drained	0.5	25.5%
VaB	Valois gravelly silt loam, 3 to 8 percent slopes	All areas are prime farmland	1.0	51.7%
Totals for Area of Interest			2.0	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

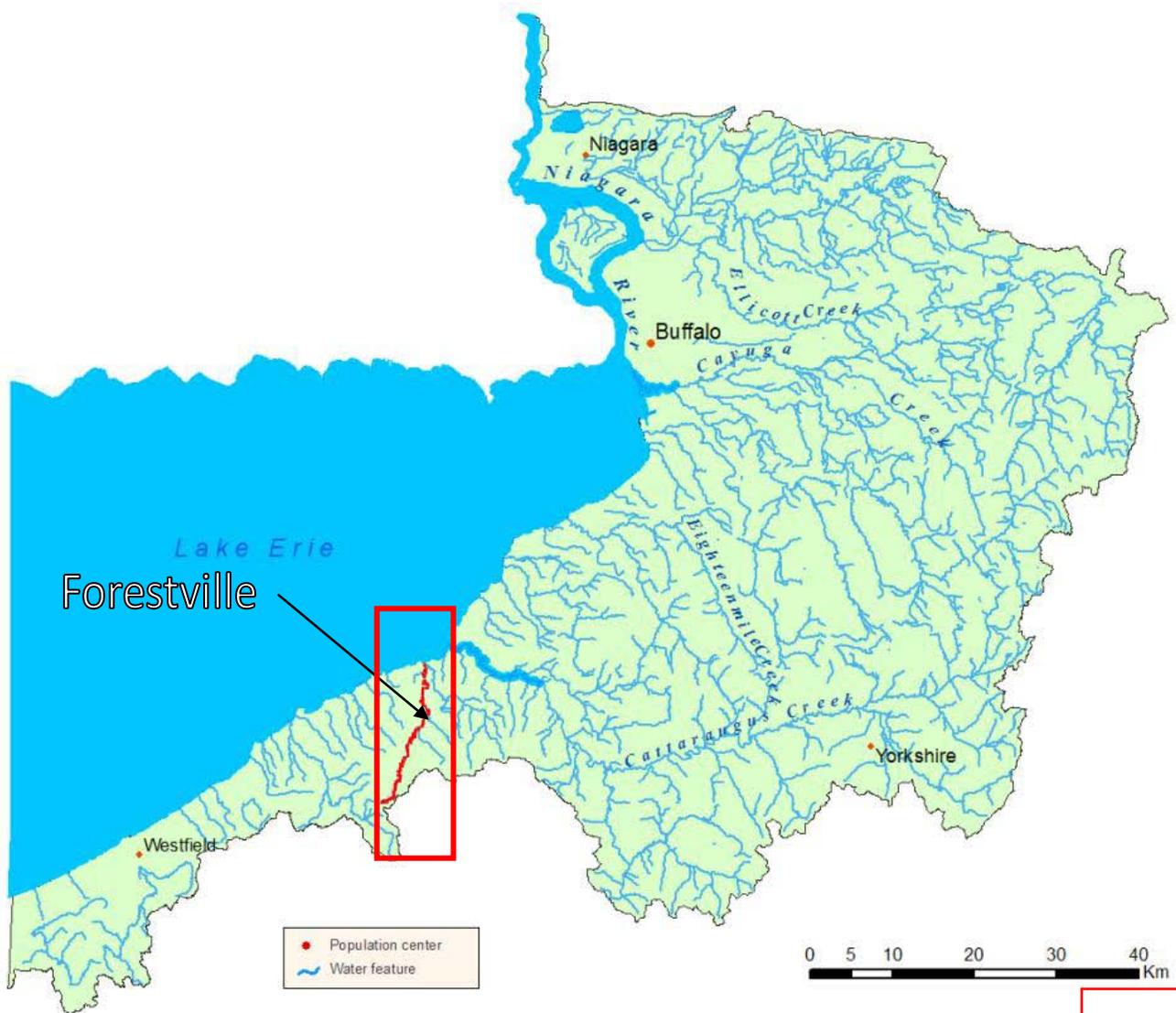
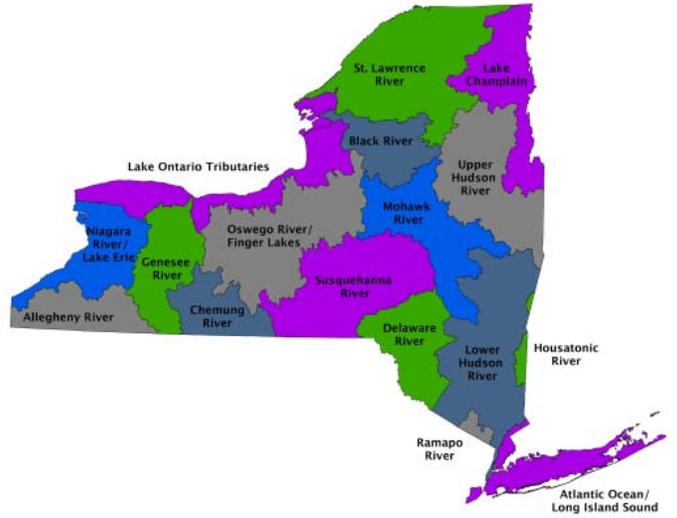
Aggregation Method: No Aggregation Necessary

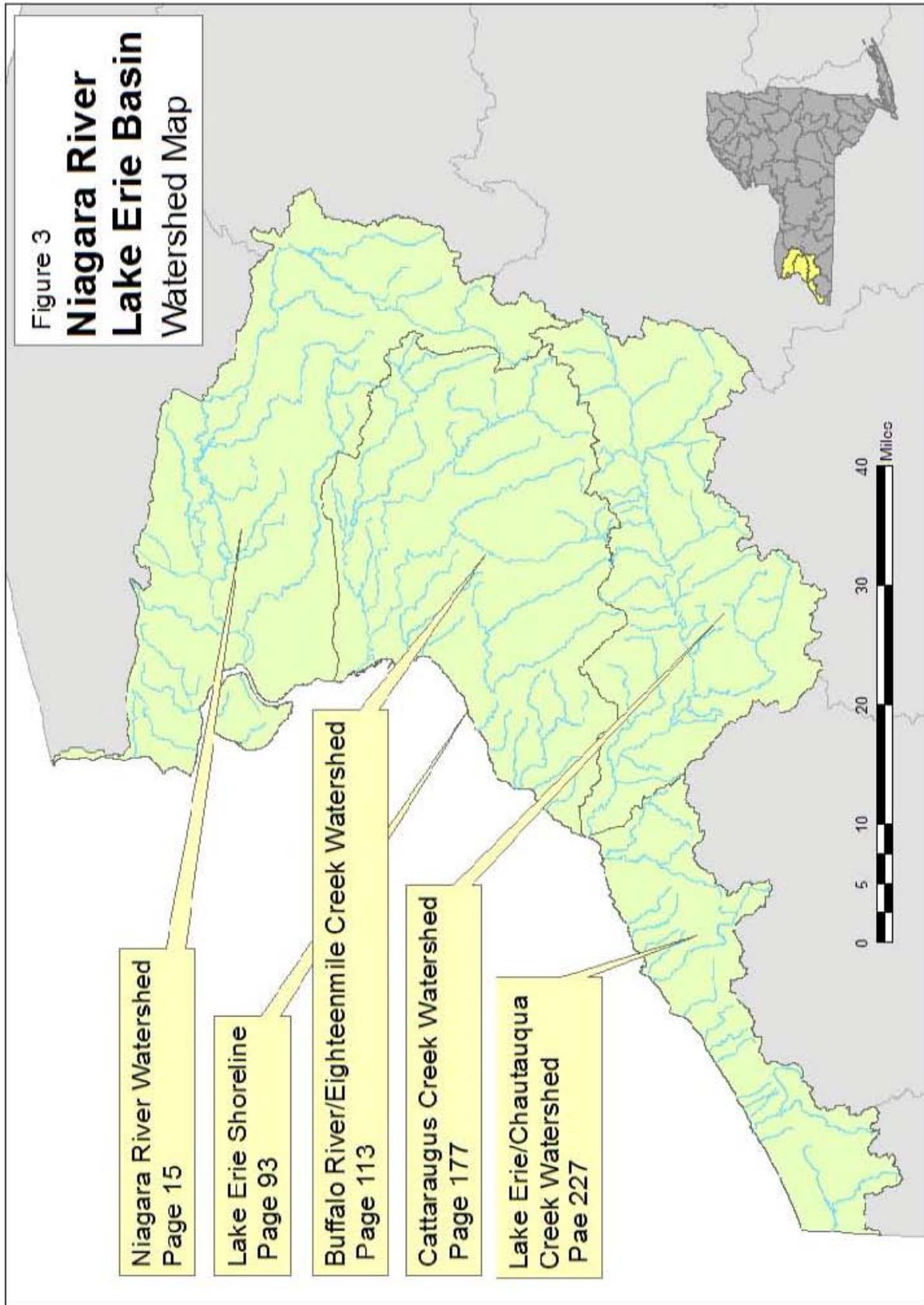
Tie-break Rule: Lower

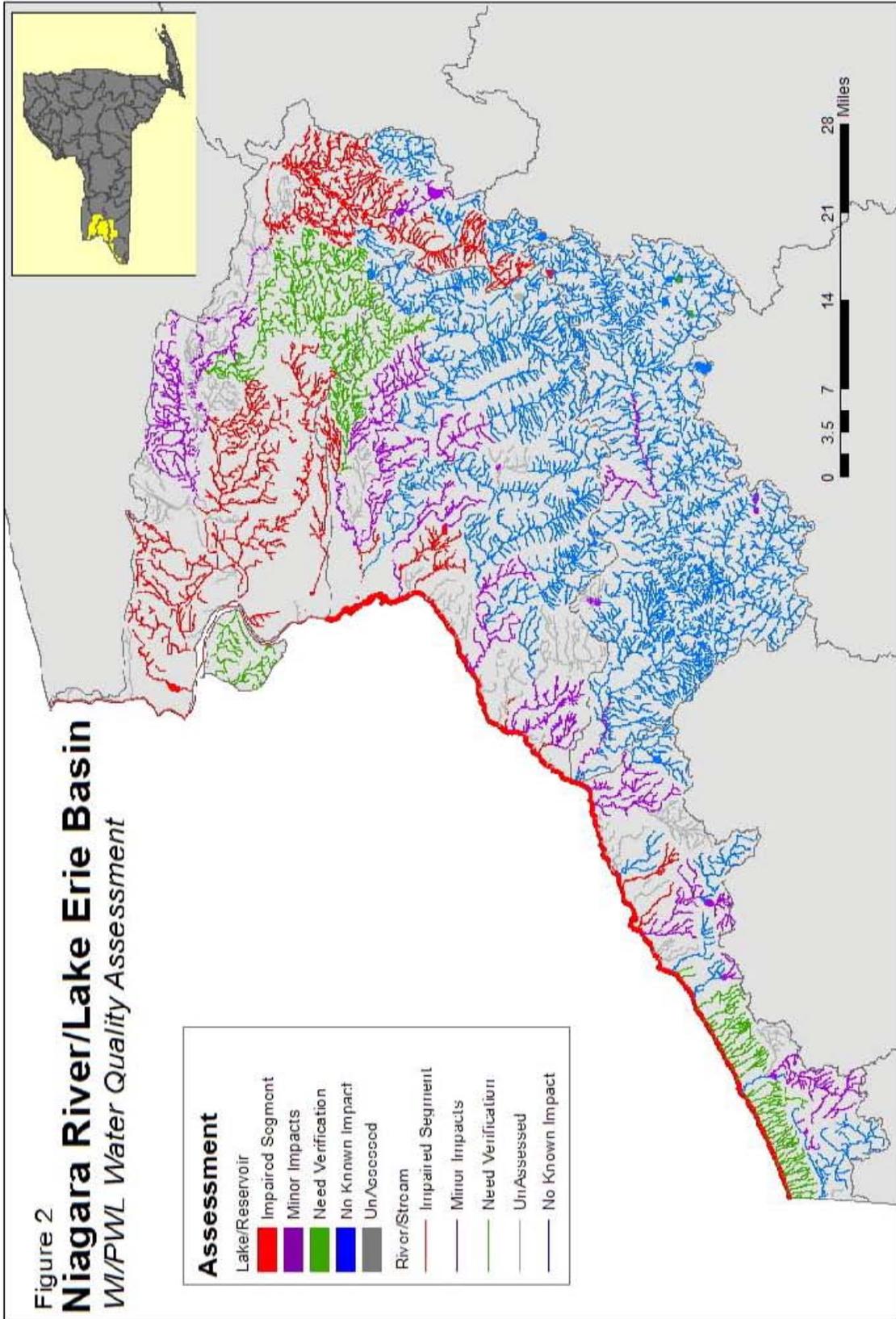
Appendix D

Water Resources Mapping

Appendix D Streams and Tributaries of the Niagara River-Lake Erie watershed (Walnut Creek in Red)







Waterbody Inventory for the Lake Erie/Chautauqua Creek Watershed

Water Index Number	Waterbody Segment	Category
Silver/Walnut Creek Watershed		
Ont 158..E-24	Halfway Brook and tribs (0104-0072)	MinorImpacts
Ont 158..E-25	Silver Creek, Lower, and minor tribs (0105-0007)	MinorImpacts
Ont 158..E-25	Silver Creek, Upper, and tribs (0105-0012)	NoKnownImpct
Ont 158..E-25- 1	Walnut Creek, Lower, and tribs (0105-0006)	MinorImpacts
Ont 158..E-25- 1	Walnut Creek, Upper, and tribs (0105-0013)	UnAssessed
Ont 158..E-25- 8-P??	Silver Creek Reservoir (0105-0014)	NoKnownImpct
Tribes to Lake Erie, Silver Creek to Dunkirk		
Ont 158..E-26 thru 41 (selected)	Minor Tribs to Lake Erie (0105-0015)	UnAssessed
Ont 158..E-31	Beaver Creek and tribs (0105-0016)	NoKnownImpct
Ont 158..E-32	Scott Creek and tribs (0105-0017)	Impaired Seg
Ont 158..E-34	Hyde Creek and tribs (0105-0018)	UnAssessed
Ont 158..E-36	Crooked Brook and tribs (0105-0019)	Impaired Seg
Canadaway Creek Watershed		
Ont 158..E-37	Canadaway Creek, Lower, and tribs (0105-0008)	MinorImpacts
Ont 158..E-37	Canadaway Creek, Upper, and tribs (0105-0020)	NoKnownImpct
Ont 158..E-37- 7-P160	Fredonia Reservoir (0105-0021)	Threatened
Ont 158..E-37- 7-P160-	Tribs to Fredonia Reservoir (0105-0022)	Threatened
Tribes to Lake Erie, Dunkirk to PA State Line		
Ont 158..E-43	Little Canadaway Creek and tribs (0105-0023)	NoKnownImpct
Ont 158..E-44 thru 67 (selected)	Minor Tribs to Lake Erie (0105-0024)	Need Verific
Ont 158..E-50	Slippery Rock Creek and tribs (0105-0010)	NoKnownImpct
Ont 158..E-50-P160k	Brocton Reservoir (0105-0025)	Threatened
Ont 158..E-50-P160k-	Tribs to Brocton Reservoir (0105-0026)	Threatened
Ont 158..E-68	Chautauqua Creek, Lower, and minor tribs (0105-0001)	NoKnownImpct
Ont 158..E-68	Chautauqua Creek, Upper and tribs (0105-0027)	Threatened
Ont 158..E-68- 1	Little Chautauqua Creek and tribs (0105-0028)	UnAssessed
Ont 158..E-68- 2-P165a	Minton Reservoir (0105-0029)	Threatened
Ont 158..E-69 thru 95	Minor Tribs to Lake Erie (0105-0030)	Need Verific
Ont 158..E-96	Twentymile Creek and minor tribs (0105-0003)	NoKnownImpct
Ont 158..E-96- 3	Upper Belson Creek/Gage Gulf and tribs (0105-0031)	Threatened
Ont 158..E-97	unnamed tribs to Pennsylvania (0105-0032)	UnAssessed

Appendix D – Niagara River/Lake Erie Basin Watershed: Water Quality Assessment for Walnut Creek

Walnut Creek, Lower, and tribs (0105-0006) MinorImpacts

Waterbody Location Information Revised: 06/01/2010

Water Index No: Ont 158..E-25- 1 **Drain Basin:** Lake Erie-Niagara River

Hydro Unit Code: 04120101/140 **Str Class:** C Lake Erie-Chautauqua

Waterbody Type: River **Reg/County:** 9/Chautauqua Co. (7)

Waterbody Size: 25.1 Miles **Quad Map:** SILVER CREEK (K-04-4)

Seg Description: stream and tribs, from the mouth to Forestville

Water Quality Problem/Issue Information (CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted Severity Problem Documentation

Aquatic Life Stressed Known

Recreation Stressed Suspected

Habitat/Hydrology Stressed Suspected

Type of Pollutant(s)

Known: NUTRIENTS (phosphorus)

Suspected: D.O./Oxygen Demand, Silt/Sediment

Possible: Thermal Changes

Source(s) of Pollutant(s)

Known: - - -

Suspected: AGRICULTURE, Streambank Erosion, Silviculture

Possible: - - -

Resolution/Management Information

Issue Resolvability: 1 (Needs Verification/Study (see STATUS))

Verification Status: 3 (Cause Identified, Source Unknown)

Lead Agency/Office: ext/WQCC **Resolution Potential:** Medium

TMDL/303d Status: n/a

Further Details

Overview

Aquatic life, recreational uses and natural resources (fishery) habitat in this portion of Walnut Creek are considered to experience minor impacts due to elevated nutrient loadings from primarily agricultural nonpoint sources and streambank erosion and logging activities. Elevated silt and sediment loads in the creek are common and can impact aquatic habitat and recreational uses to some degree. However, much of the sediment loading is considered to be natural, a result of highly erodible soils throughout the basin.

Water Quality Sampling

A biological (macroinvertebrate) assessment of Walnut Creek in Silver Creek (at Route 5) was conducted as part of the RIBS biological screening effort in 2005. Sampling results indicated the lower range of slightly impacted conditions. In such samples some replacement of sensitive ubiquitous species by more tolerant species occurs, although the sample also includes a balanced distribution of all expected species. Aquatic life is considered to be fully supported in the stream, however the community composition and nutrient biotic index suggests conditions and levels of nutrient enrichment are sufficient to cause some stress to aquatic life. Impact source determination found the fauna to be most similar to communities influenced by nutrient additions from agricultural nonpoint sources. (DEC/DOW, BWAM/SBU, June 2010)
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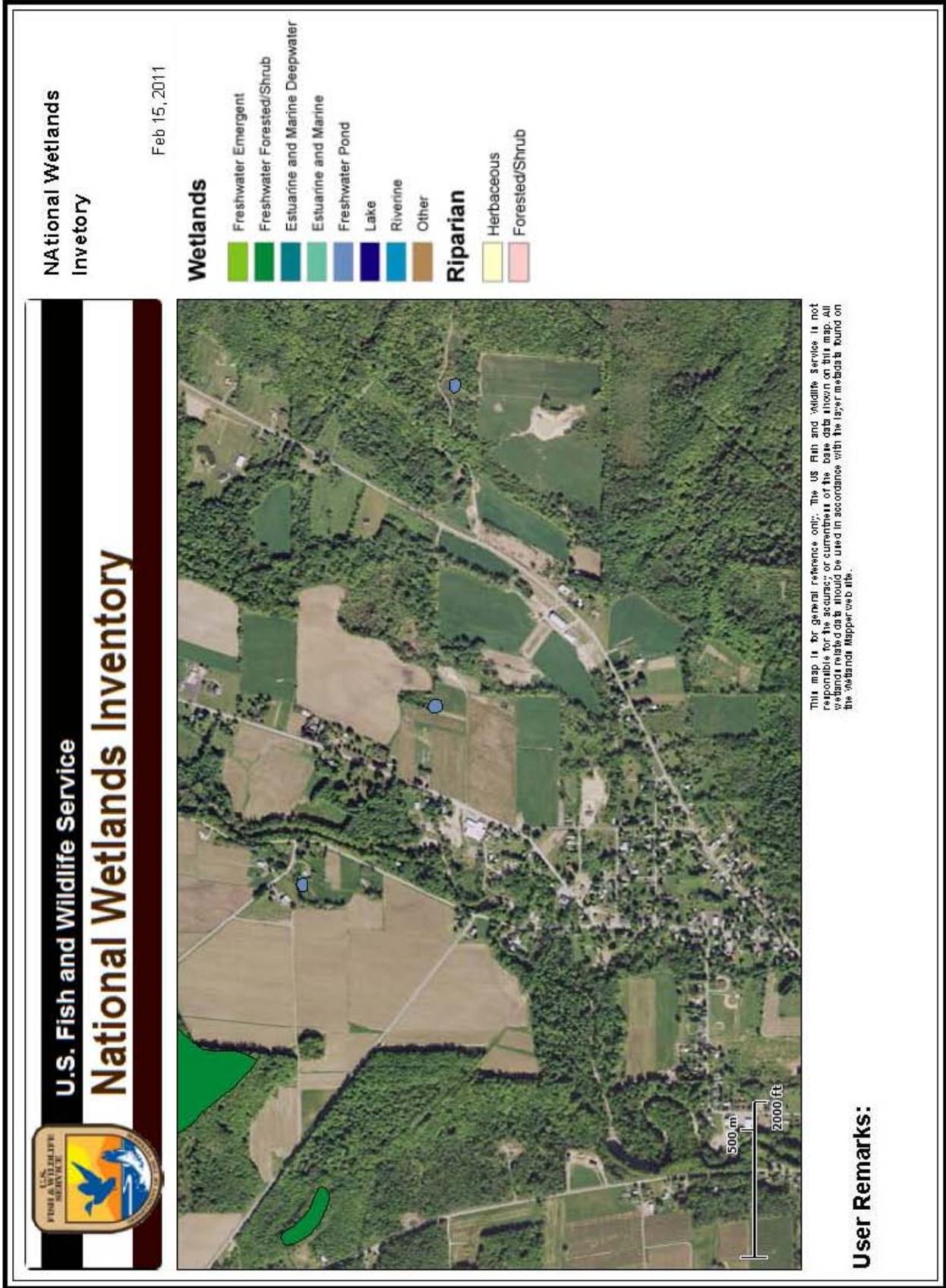
These results are consistent with results found during sampling of the site conducted in 2000. Sampling results indicated slightly impacted water quality conditions. Nonpoint source nutrient enrichment was the primary cause of impact. Walnut Creek had also been assessed as slightly impacted in 1993, and non-impacted in 1994. The 1994 sample is considered non-representative, and caused by a high-flow year. Despite some minor impacts, aquatic life is considered to be fully supported in the stream, and there are no other apparent impacts to water quality. (DEC/DOW, BWAR/SBU, April 2003)

Segment Description

This segment includes the portion of the stream and all tribs from the mouth to/including Tupper Creek (-5) in Forestville. The waters of this portion of the stream are Class C,C(T). Tribs to this reach/segment, including Tupper Creek (-5), are Class C,C(T).

Appendix E

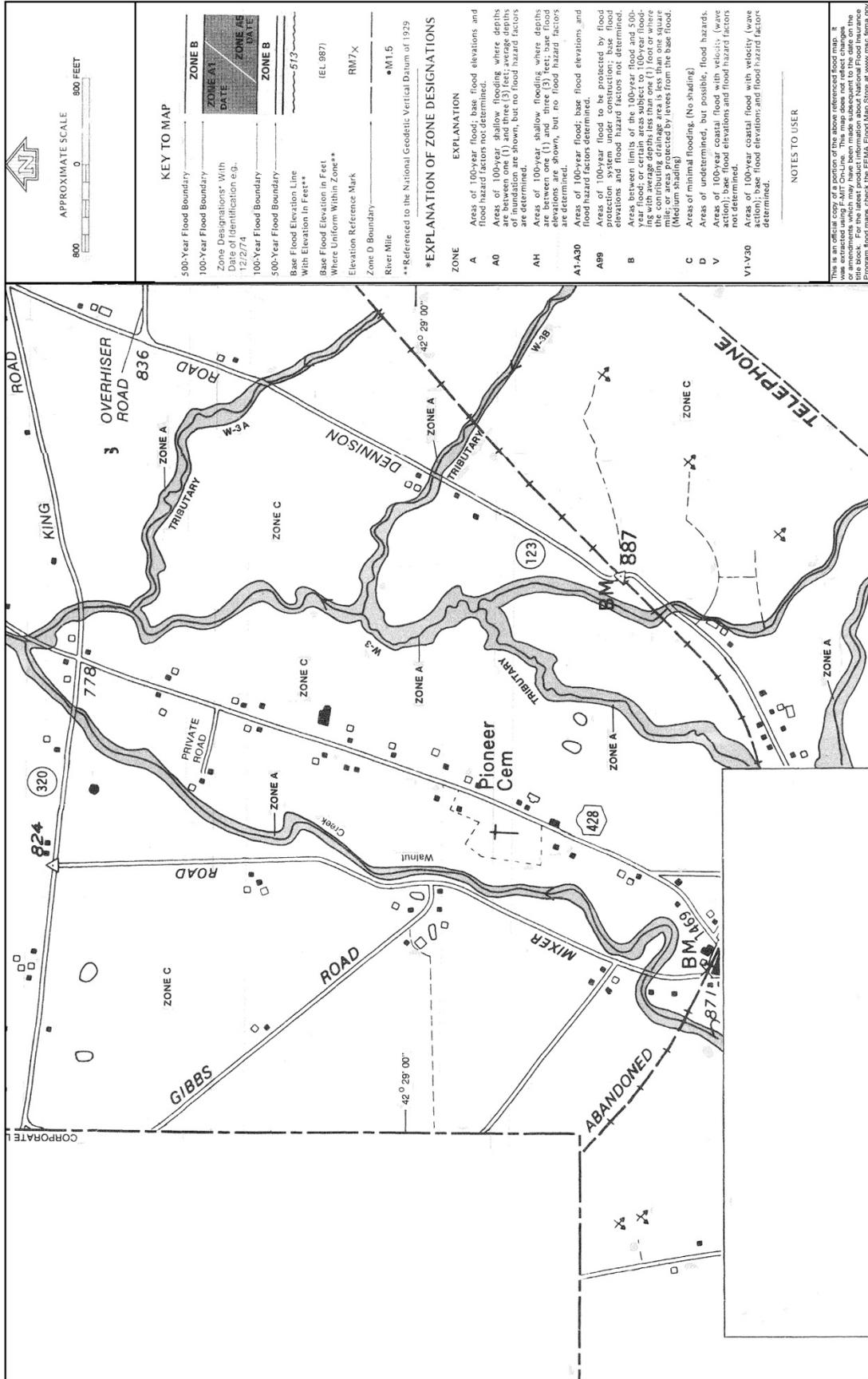
Wetland Mapping

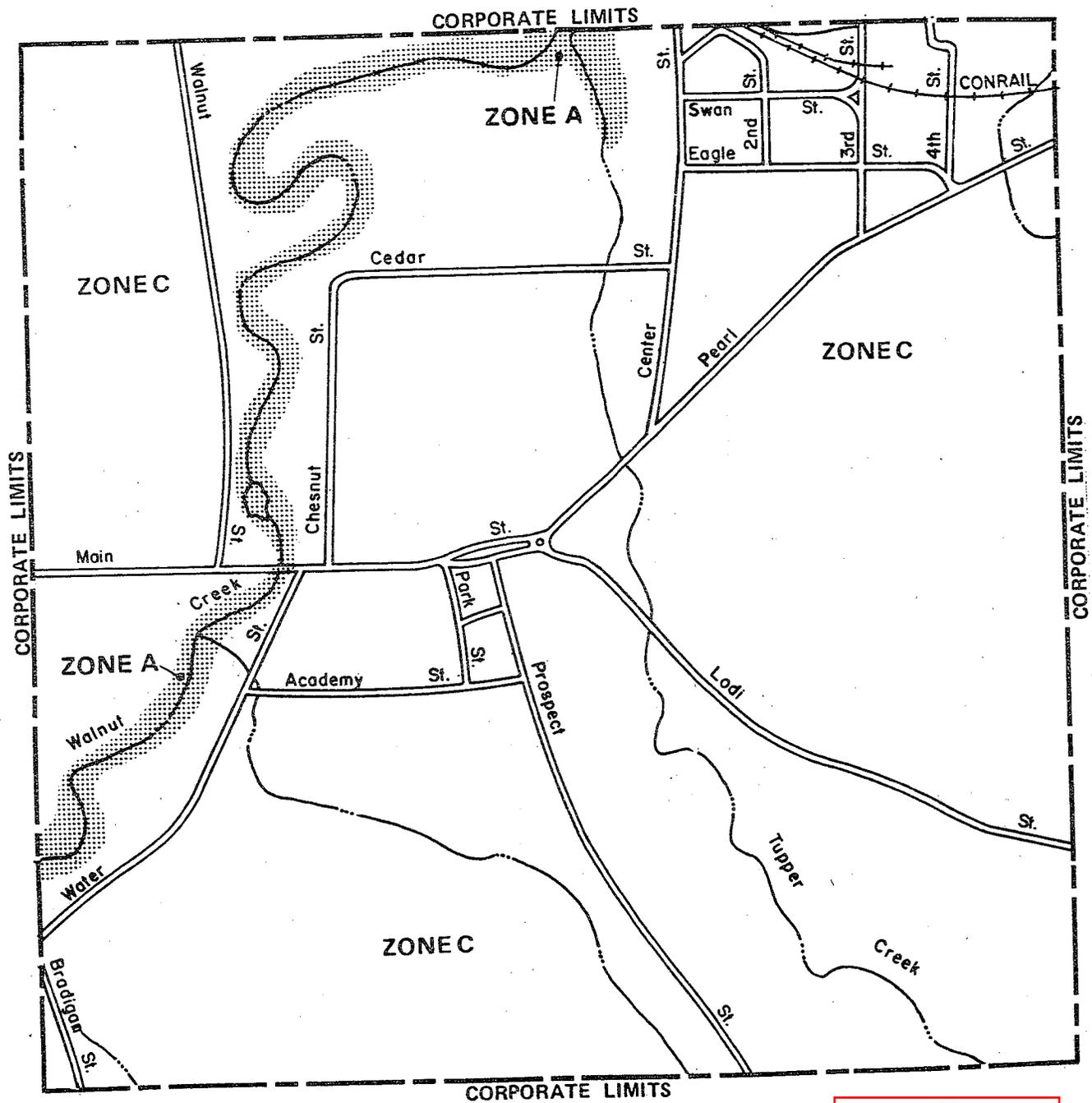


Appendix F

Flood Insurance Rate Maps

Appendix F – FEMA Floodplain Mapping





Appendix G
Fish & Wildlife Habitat – Pertinent
Correspondence

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Acting Commissioner

March 1, 2011

RECEIVED

MAR 02 2011

KIDENEY ARCHITECTS

Michelle Ezzo
Kideney Architects
200 John James Audubon
Buffalo, NY 14228

Dear Ms. Ezzo:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Medical Office, Parking, Septic System, site as indicated on the map you provided, located on Bennett State Road, Town of Hanover, Chautauqua County.

We have no records of rare or state-listed animals or plants, significant natural communities or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,
Tara Salerno jr
Tara Salerno, Information Services
New York Natural Heritage Program

Enc.
cc: Region 9

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February 16, 2011

Re: TLC Health Network
Tri-County Medical Office
Extension Clinic
Bennett State Road
Town of Hanover, NY 14062

NYSDEC-DFWMR
NY Natural Heritage Program Information Services
625 Broadway, 5th Floor
Albany, New York 12233-4757

**SUBJECT: REQUEST FOR REVIEW OF RARE SPECIES
or
SIGNIFICANT NATURAL COMMUNITIES**

Thomas E. Jaeger, AIA
David M. Varecka, AIA
Glenn A. Pawloski, AIA
Richard F. Dahm, AIA, ACHA
Raymond J. Bednarski, AIA

Dear Sir/Madam:

We respectfully request that you review the New York Heritage Program files with respect to known occurrences of endangered or special concern wildlife species, rare plant, animal or natural community occurrences or other significant habitats in the vicinity of the above-referenced project site.

The TLC Health Network is planning on constructing a replacement medical office under FEMA's Public Assistance Program #807. Before the project can proceed, FEMA requires that an environmental assessment be conducted to identify any potential environmental impacts due to the project.

The project involves the construction of a 3,000 +/- SF medical office and associated site infrastructure such as parking access drive, septic system and utility connections.

It is anticipated that the project will impact approximately 1.0 +/- acres of land.

The site is currently a privately-owned vineyard which is in the process of being subdivided into a 2-acre parcel which will be purchased by TLC Health Network from the current owner.



NYSDEC-DFWMR
TLC Health Network

February 16, 2011
KA No. 2010019.01

The site is located off of Bennett State Road in the Town of Hanover, New York 14062. Location maps, which have been included for your use, include:

- Figure 1 – Site Location Map from USGS Forestville Quad (approximate latitude and longitude of the project site is N42 deg 28' 41.24" W79 deg 10' 06.96").
- Figure 2 – Site Topographic Survey (Source: McIntosh & McIntosh Land Surveyors, October 6, 2010).
- Figure 3 – Preliminary Site Concept (KA Feb. 2011).

Our team is in the process of completing the environmental assessment and would appreciate your timely response.

If you should have any questions, please contact Benjamin Vilonen at 716-636-9700. Your assistance is greatly appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Michelle M. Ezzo".

Michelle M. Ezzo, R.A., LEED AP
Associate/Project Architect

cc: Ron Simmons, Simmons Recovery Consultants
Benjamin Vilonen, Kideney Architects

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