

**APPENDIX H**  
**SOURCE OF FILL MATERIAL INFORMATION**



Chemung County  
Soil and Water  
Conservation District  
851 Chemung Street  
Horseheads, NY 14845  
(607) 739-2009  
(607) 739-4392  
Fax: (607) 739-4392

Sheet \_\_\_\_\_ of \_\_\_\_\_

Date \_\_\_\_\_

Prepared by \_\_\_\_\_

Project \_\_\_\_\_

Notes \_\_\_\_\_

Subject \_\_\_\_\_

FAX

DATE: MARCH 11, 2013

TO: JIM LOONAN

FROM: MARK WATTS

TOTAL PAGES INCLUDING COVER 11

Re: Seely Creek GRAVEL TO Wellsbury Fire STATION

SEQR - CONSIDERED TYPE II ACTION

Attached info on SHPO

The first issue to be decided is whether the action is subject to SEQR. Many actions are not, but some are. SEQR does not apply to Excluded Actions, Exempt Actions and Type II Actions. SEQR does apply to Type I Actions and Unlisted Actions.

## EXCLUDED ACTIONS

SEQR does not apply to Excluded Actions. An "Excluded Action" is one that was funded, approved or undertaken prior to the various effective dates of SEQR since its initial passage in 1975. If the action your agency is considering is an Excluded Action, it has no further responsibilities under SEQR. (See 617.2(m))

## EXEMPT ACTIONS

SEQR does not apply to Exempt Actions. Exempt Actions constitute a category of actions listed in DEC's regulations that, because of their special nature, have been deemed not to require review under SEQR. Exempt actions are summarized in Box I.

If the Action your agency is considering is an Exempt Action, it has no further responsibilities under SEQR.

### BOX I EXEMPT ACTIONS

These are actions that are not subject to the provisions of SEQR:

- 1) Law enforcement or criminal proceedings.
- 2) Ministerial acts (e.g. issuing a driver's license, hunting license, issuance of a permit for an allowable use in a zone meeting standards and not requiring a site plan review).
- \* 3) Maintenance or repair activities involving no substantial changes in existing facilities (e.g. road maintenance or trash removal).
- 4) Actions requiring a certificate of environmental compatibility and public need under Article VII or Article VIII of the Public Service Law.
- 5) Certain actions subject to review under the Adirondack Park Agency Act.
- \* 6) Immediately necessary actions (on a limited emergency basis) for the protection of life, health, property, or natural resources (e.g. flood victim housing, or oil spill clean-up).
- 7) Actions of the State Legislature or of any court.

[see 617.2(n)]



March 12, 2012

NYS Office of Parks, Recreation and Historical Preservation  
Historic Preservation Field Services Bureau  
Peebles Island Resource Center  
P.O. Box 189  
Waterford, NY 12188-0189

**RE: Request for Project Review on Proposed Stream Projects in Chemung County**

To Whom It May Concern:

In September of 2011, Tropical Storm Lee hit parts of Chemung County. These extreme storm events caused damage to some of our streams.

Currently, the District is working with various federal and state agencies to obtain funding to correct these streams issues. As part of the process, when utilizing these funds, the project location must be identified and if it is in a shaded area for archeology sensitive area, we must consult with your office.

Upstream of a state bridge and railroad bridge a great deal of gravel and debris has been deposited. The concern is after the next event this material will again become mobile and cause issues with both of the bridges as it has historically done. Norfolk Southern (Letter attached) has requested our help with this issue. The goal is to remove approximately 30,000 cubic yards of material and chip the woody debris.

Please review the information within this packet and call with any questions.

Thank you!

Sincerely,

*Mark W. Watts*

Mark Watts  
District Manager



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

March 30, 2012

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

Mark W. Watts  
Chemung County Soil & Water Conservation District  
851 Chemung Street  
Horseheads, New York 14845

Re: ARMY  
Gravel & Debris Removal @ Railroad & State  
Bridge  
Seeley Creek  
ASHLAND, Chemung County  
12PR01176

RECEIVED  
APR 04 2012

Dear Mr. Watts:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Deputy Commissioner for Historic Preservation



**New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau**

Pebbles Island Resource Center, PO Box 189, Waterford, NY 12188-0189 (Mail)  
Delaware Avenue, Cohoes 12047 (Delivery)

(518) 237-8643

**PROJECT REVIEW COVER FORM**

Rev. 10-04

Please complete this form and attach it to the top of any and all information submitted to this office for review.  
Accurate and complete forms will assist this office in the timely processing and response to your request.

This information relates to a previously submitted project.

**PROJECT NUMBER** PR

If you have checked this box and noted the previous Project Review (PR) number assigned by this office you do not need to continue unless any of the required information below has changed.

**COUNTY** Chemung

2. This is a new project.

If you have checked this box you will need to complete ALL of the following information.

**Project Name** Gravel & Debris Removal at RailRoad and State Bridge

**Location** \_\_\_\_\_  
You MUST include street number, street name and/or County, State or Interstate route number if applicable

**City/Town/Village** Town of Ashland  
List the correct municipality in which your project is being undertaken. If in a hamlet you must also provide the name of the town.

**County** Chemung  
If your undertaking\* covers multiple communities/counties please attach a list defining all municipalities/counties included.

**TYPE OF REVIEW REQUIRED/REQUESTED** (Please answer both questions)

A. Does this action involve a permit approval or funding, now or ultimately from any other governmental agency?

No  Yes

If Yes, list agency name(s) and permit(s)/approval(s)

| Agency involved   | Type of permit/approval               | State                               | Federal                             |
|-------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <u>Army Corps</u> | <u>Regional Permit</u>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <u>NYS DEC</u>    | <u>401 WOC or Possibly Article 15</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|                   |                                       | <input type="checkbox"/>            | <input type="checkbox"/>            |

B. Have you consulted the NYSHPO web site at <http://www.nysparks.state.ny.us/shpo> to determine the preliminary presence or absence of previously identified cultural resources within or adjacent to the project area? If yes:

Yes  No

Was the project site wholly or partially included within an identified archeologically sensitive area?

Yes  No

Does the project site involve or is it substantially contiguous to a property listed or recommended for listing in the NY State or National Registers of Historic Places?

Yes  No

**CONTACT PERSON FOR PROJECT**

**Name** Mark Watts **Title** District Manager

**Firm/Agency** Chemung County Soil & Water Conservation District

**Address** 851 Chemung St. **City** Horseheads **STATE** NY **Zip** 14845

**Phone** (607) 739-2009 **Fax** (607) 739-4392 **E-Mail** markwatts@stny.rr.com

## The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings\*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978. (regulations on line at: [www.nysparks.state.ny.us/shpo](http://www.nysparks.state.ny.us/shpo) Environmental Review)

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

### ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).

#### Project Description

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.

#### Maps Locating Project

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.

#### Photographs

Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

*-If the project involves rehabilitation, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.*

*-If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.*

**NOTE: Projects submissions will not be accepted via facsimile or e-mail.**

\***Undertaking** is defined as an agency's purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.

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Railroad Gravel Project



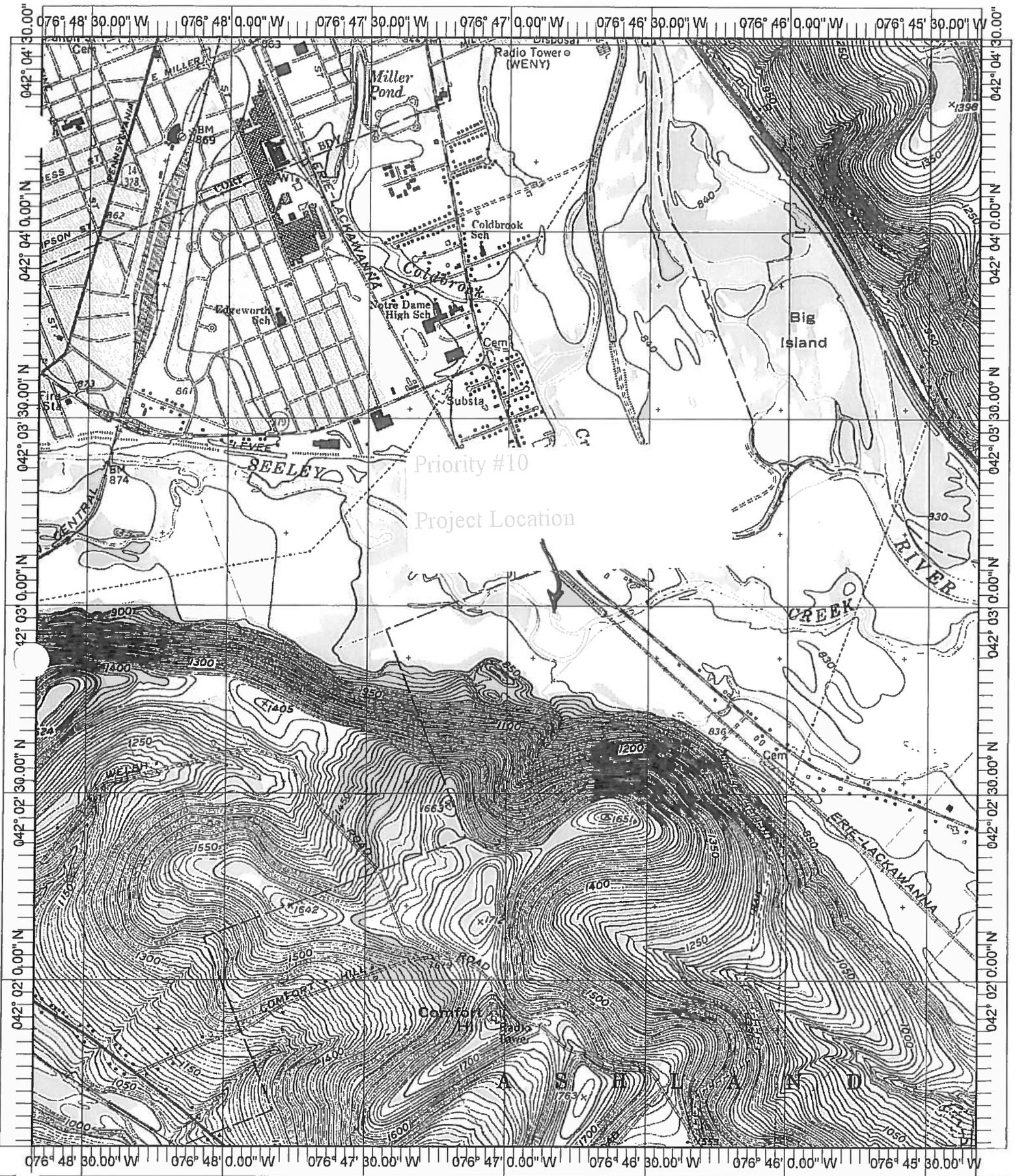
March 10, 2012

Disclaimer: This map was prepared by the New York State Parks, Recreation and Historic Preservation National Register Listing Internet Application. The information was compiled using the most current data available. It is deemed accurate, but is not guaranteed.

Project  
Location

Town of Ashland  
Railroad Debris Removal  
Priority #10

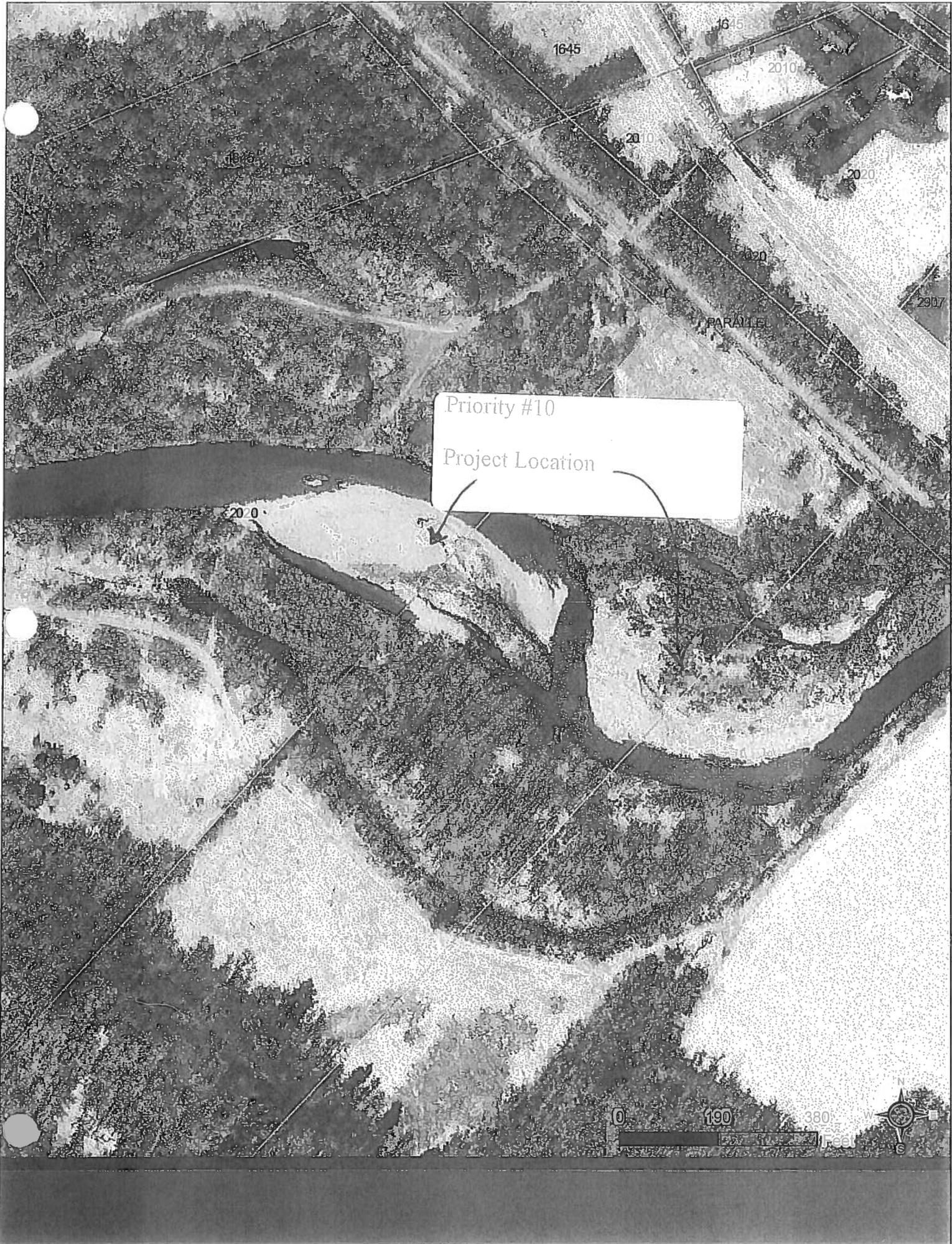




Priority #10  
Project Location

Marker 1 - 042° 01' 18.5" N, 076° 50' 26.3" W  
 Marker 2 - 042° 01' 24.0" N, 076° 50' 27.1" W  
 Marker 3 - 042° 01' 48.9" N, 076° 50' 32.5" W  
 Marker 4 - 042° 01' 58.0" N, 076° 50' 28.2" W  
 Marker 5 - 042° 02' 06.5" N, 076° 50' 20.9" W

Name: ELMIRA  
 Date: 3/5/112  
 Scale: 1 inch equals 2000 feet  
 Location: 042° 03' 02.1" N 076° 46' 59.8" W



Priority #10  
Project Location

0 190 380 Feet