Wetland and Waterbodies Delineation Report

for

5500 MILLERSPORT HIGHWAY

Town of Amherst

Erie County, New York

for

Kevin Stephens

EARTH DIMENSIONS, INC.
1091 Jamison Road, Elma, NY 14059
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September 9, 2024
EDI Project Code: **W8A16a**

REPORT SUMMARIZING
THE RESULTS OF
A WETLAND DELINEATION SURVEY OF

5500 MILLERSPORT HIGHWAY

Prepared for Submission to:

U.S. ARMY CORPS OF ENGINEERS
478 MAIN STREET
BUFFALO, NEW YORK 14202

AND

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
700 DELAWARE AVENUE
BUFFALO, NEW YORK 14209

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REPORT DATE: September 9, 2024

EDI PROJECT CODE: W8A16a

PROJECT INFORMATION

Project Name	5500 Millersport Highway
Street Address	5500 Millersport Highway
SBL Number	4.00-3-20
Town	Amherst
County	Erie
State	New York
Latitude/Longitude (NAD83)	43.08004°N, -78.70095°W
Investigation Area	4.92± Acres
USGS 7.5 Minute Topographical Map	Clarence Center Quadrangle
Waterway	N/A
Hydrologic Unit Code	04120104
Date of Delineation	September 6, 2024
Consultant	Earth Dimensions, Inc. 1091 Jamison Road Elma, New York 14059
Point of Contact	Alex Molik (716)655-1717 alex@earthdimensions.com
Engineer	Carmina Wood Design
Property Owner	5500 Millersport Highway LLC
Authority	Section 404, Article 24
Permit/Letter Being Requested	Jurisdictional Determination

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Kevin Stephens has proposed the development of a 4.92± acre parcel located along the northwest side of Millersport Highway in the Town of Amherst, County of Erie, and State of New York. Kevin Stephens has retained Earth Dimensions, Inc. (EDI) to complete a wetland delineation report that would allow the U.S. Army Corps of Engineers (USACE) and New York State Department of Environmental Conservation (NYSDEC) to determine their jurisdictional authority over the investigation area, pursuant to Section 404 of the Clean Water Act and Articles 15 (Protection of Waters) and 24 (Freshwater Wetlands) of the New York State Environmental Conservation Law. The proposed project does not qualify for Bipartisan Infrastructure Law (BIL) funding.

A preliminary review of available information pertaining to vegetation, soils, and hydrology in the project area was implemented prior to conducting a field investigation at the site. Sources of information included the United States Geological Survey (USGS), Natural Resources Conservation Service (NRCS), National Wetland Inventory (NWI), and NYSDEC Freshwater Wetland maps. The NRCS and NWI maps indicate the potential for wetlands under federal jurisdiction. The NYSDEC map indicates the potential for wetlands under state jurisdiction.

EDI applied methodology specified by the Corps of Engineers Wetlands Delineation Manual (January 1987) and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region Version 2.0 (January 2012) to perform a delineation of Federal jurisdictional wetlands within the site. EDI identified one (1) wetland area totaling 2.92± acres within the investigation area. The identification number of the wetlands, their acreage and boundary flags are as follows:

TABLE 1: WETLAND SUMMARY

Wetland Identification #	Geographic Center (WGS84)		Boundary Flag #	Total Acreage On-site	Wetland Type (Cowardin)	Wetland Type (Reschke)
	Latitude	Longitude				
Wetland 1	43.07978	-78.70143	W1-1 through W1-28	2.92±	PSS1E	Scrub-shrub
Total Wetland Acreage:				2.92±		

SECTION I: INTRODUCTION

Kevin Stephens has proposed the development of a 4.92± acre parcel on the northwest side of Millersport Highway in the Town of Amherst, County of Erie, and State of New York. The project has been given the name 5500 Millersport Highway and is located on USGS 7.5 minute quadrangle map indexed as Amherst Center (Figure 1). The field work was completed on September 6, 2024 using a Trimble TDC650 GPS to locate wetland and drainage boundaries.

Kevin Stephens has retained Earth Dimensions, Inc. (EDI) to complete a wetland delineation study at this site. The investigation was designed to facilitate a determination of the extent of USACE and NYSDEC jurisdiction over the project area pursuant to Section 404 of the Clean Water Act and Articles 15 (Protection of Waters) and 24 (Freshwater Wetlands) of the New York State Environmental Conservation Law.

EDI has performed a wetland delineation study at the site under guidelines specified by the *Corps of Engineers Wetlands Delineation Manual*, dated January 1987 (referred to hereafter as the Corps Manual) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region version 2.0* (January 2012) (referred to hereafter as the Northcentral and Northeast Regional Supplement). The purpose of this report is to present EDI's methods, results, conclusions and recommendations with respect to the 5500 Millersport Highway project site.

SECTION II: SITE DESCRIPTION

The 5500 Millersport Highway project area is comprised of a 4.92± acre irregular shaped investigation area on the north side of Millersport Highway and west of Transit Road which is outlined on Figure 1 and depicted on the Wetland Delineation Map included in Appendix A (Figure 6).

The natural topography of the 5500 Millersport Highway site is flat to gently sloping. The upland within the investigation area consisted of a mown lawn community. The wetland area was found to consist of a scrub-shrub swamp community. The vegetative communities of the investigation area are described according to *Ecological Communities of New York State* (Edinger et al. 2014).

SECTION III: PRELIMINARY DATA REVIEW

A. SUMMARY OF FINDINGS

Several sources of information may be reviewed to facilitate the completion of a wetland delineation study. In some cases, it is even possible to make a preliminary office wetland determination based upon available vegetation, soils, and hydrologic information for a project area. EDI completed a preliminary review of several data sources at the onset of this study. The results of the review are summarized as follows:

1. USGS 7.5 Minute Topographical Map

The USGS quadrangle map (Figure 1) depicts the investigation area on the Clarence Center quadrangle map. The figure depicts the flat topography of the site.

2. USFWS National Wetlands Inventory Map

The National Wetlands Inventory (NWI) map (Figure 2) obtained from the USFWS Wetland Mapper http://www.fws.gov/wetlands/Data/Mapper.html displays two (2) wetland types, PFO1E and PSS1E within the investigation area. The wetlands can be decoded as:

[P] Palustrine, [SS] Scrub-shrub, [1] Broad leaved-deciduous, [E] Seasonally flooded/saturated

[P] Palustrine, [SS] Scrub-shrub,[1] Broad leaved-deciduous, [E] Seasonally flooded/saturated

3. Natural Resources Conservation Service Soils Map

The NRCS Soil Map (Figure 3) depicts the investigation area on the Erie County Soil Survey map obtained from the Web Soil Survey. As shown on that figure, the site has the following soil types:

Soil Conservation Service Legend

Map Unit Symbol	Map Unit Name	Hydric Rating
Cc	Canandaigua silt loam	95
Ge	Getzville silt loam	85

Canandaigua Series: The Canandaigua series consists of very deep, poorly and very poorly drained soils formed in silty glacio-lacustrine sediments. These soils are on lowland lake plains and in

depressional areas on glaciated uplands. Slope ranges from 0 to 3 percent. Mean annual temperature is 49 degrees F. and mean annual precipitation is 39 inches.

Getzville Series: The Getzville series consists of deep, poorly drained and very poorly drained soils formed in silty lacustrine sediments that overlie sandy lacustrine sediments. These nearly level soils occupy slight depressional areas on lake plains. Permeability is moderate to moderately slow in the solum and moderately rapid in the substratum. Slope ranges from 0 to 3 percent. Mean annual temperature is 49°F and mean annual precipitation is 36 inches.

The U.S. Department of Agriculture's National Technical Committee for Hydric Soils Criteria has developed a list of soils that often display hydric soil characteristics. Hydric soil typically forms in places of the landscape where surface water periodically collects for some time and/or where groundwater discharges sufficient to create waterlogged or anaerobic soils. Such anaerobic soils can support the growth and survival of hydrophytic vegetation that is tolerant of such conditions. The Hydric Rating indicates the proportion of map units that meets the criteria for hydric soils. Soil units are designated as "hydric," "predominantly hydric," "partially hydric," "predominantly nonhydric," or "nonhydric" depending on the hydric rating of its respective components. "Hydric" means that all components listed for a given map unit are rated as being hydric. "Predominantly hydric" means components that comprise 66 to 99 percent of the map unit are rated as hydric. "Partially hydric" means components that comprise 33 to 66 percent of the map unit are rated as hydric. "Predominantly nonhydric" means components that comprise up to 33 percent of the map unit are rated as hydric. "Nonhydric" means that none of the components are rated as hydric. Wetland hydrologic conditions, hydric soils, and hydrophytic vegetation are the three criteria of a wetland.

4. NYSDEC Freshwater Wetlands Map

The NYSDEC Freshwater Wetlands map (Figure 4) obtained from the online NYSDEC Environmental Resource Mapper displays the 500-foot check zone to state jurisdictional Freshwater Wetland CC-35 within and adjacent to the investigation area.

5. USGS StreamStats Drainage Map

The USGS StreamStats map (Figure 7) depicts no blue-line streams within the investigation area.

6. FEMA Flood Map

The Federal Emergency Management Agency (FEMA) flood map (Figure 11) obtained from the National Flood Hazard Layer on-line map shows the investigation area within a flood zone identified as X. This zone represents an area with a 0.2 percent annual chance flood hazard.

B. RESULTS OF AGENCY INFORMATION REVIEW

The preliminary data review revealed that the Corps may have jurisdiction over wetlands at the project location. The evidence consisted of potential federally regulated wetlands on the NWI map (Figure 2) and hydric soils and soils with possible hydric inclusions depicted within the project area as shown on the NRCS map (Figure 3). The preliminary data review indicated that NYSDEC may have jurisdiction over wetlands on site as depicted on the NYSDEC Resource Mapper (Figure 4). Therefore, it was considered necessary to perform a field investigation at the site in order to determine the presence of federal and state protected wetlands. The methods specified in the Corps of Engineers Wetlands Delineation Manual (January 1987) and Northcentral and Northeast Regional Supplement Version 2.0 (January 2012) were employed during the field investigation. Procedures, results, and conclusions of the wetland delineation study are presented in the remainder of this report.

SECTION IV: FIELD INVESTIGATION PROCEDURES

WETLANDS:

Step 1

EDI applied methodology specified by the 1987 Corps of Engineers Wetlands Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region to perform a delineation of Federal jurisdictional wetlands within the site. EDI used the Level 2 Routine Determination method (on-site inspection necessary) since insufficient information was available for making a determination for the entire project area. This methodology is consistent with Part IV, Section D of the Corps Manual.

Step 2

EDI's initial evaluation of the project area revealed that no atypical situations existed. If an atypical situation had existed, EDI would have used methodology outlined in Part IV, Section F of the Corps manual and/or Section 5 of the Northcentral and Northeast Supplement.

Step 3

EDI made the determination that normal environmental conditions were present, as the area was not lacking hydrophytic vegetation or hydrologic indicators due to annual, seasonal or long-term fluctuations in precipitation, surface water, or groundwater levels. The Northcentral and Northeast Supplement defines the growing season as beginning when one of the following indicators of biological activity are evident in a given year: (1) above-ground growth and development of vascular plants and/or (2) soil temperature measured at 12" below ground surface reaches 41ºF. The end of the growing season is defined as the point at which deciduous species lose their leaves or the last herbaceous plants cease flowering and their leaves become dry or brown, whichever comes latest.

Step 4

In order to accurately identify the limits of various vegetative communities and extent of wetlands on-site, a routine determination method was used. As depicted in Appendix A and included in Appendix B, three (3) data points were used to characterize the site.

Step 5

The plant community inhabiting each observation point was characterized in accordance with methods specified in the Northcentral and Northeast Regional Supplement. Dominant plant species were identified within four vegetative strata (i.e. herb, sapling/shrub, tree and liana (woody vines) at each sampling point. The Northcentral and Northeast Regional Supplement defines the vegetative strata in the following manner:

Herb – A non-woody individual of a macrophytic species. Seedlings of woody plants (including vines) that are less than 3.28 feet in height are considered to be herbs.

Sapling/Shrub – A layer of vegetation composed of woody plants < 3.0 inches in diameter at breast height but greater than 3.28 feet in height, exclusive of woody vines.

Tree – A woody plant > 3.0 inches in diameter at breast height, regardless of height (exclusive of woody vines)

Liana – A layer of vegetation in forested plant communities that consist of woody vines greater than 3.28 feet in height.

As outlined in the manual, the quadrant sizes used for the vegetative strata were (i) a 3.28-foot radius for herbs; (ii) a ten-foot radius for saplings/shrubs and woody vines; and (iii) a 30-foot radius for trees. Dominant plant species were estimated using aerial coverage methods. Dominant species are defined in the Corps Manual as the most abundant plant species that when ranked in descending order of abundance and cumulatively totaled immediately exceed 50 percent of the total dominance measure for the stratum, plus any additional species comprising 20 percent or more of the total dominance measure.

The wetland indicator status (OBL, FACW, FAC, FACU, or UPL) listed for each identified species by the U.S. Fish and Wildlife Service in the National List of Plant Species that Occur in Wetlands: Northeast (Region 1) was recorded. The U.S. Fish and Wildlife wetland indicator status listings are defined as follows:

OBL – Plants that occur almost always (estimated probability >99 percent) in wetlands under natural conditions, but which may also occur rarely (estimated probability < 1 percent) in nonwetlands.

FACW – Plants that occur usually (estimated probability >67 percent to 99 percent) in wetlands, but also occur (estimated probability 1 percent to 33 percent) in nonwetlands.

FAC – Plants with a similar likelihood (estimated probability 33 percent to 67 percent) of occurring in both wetlands and nonwetlands.

FACU – Plants that occur sometimes (estimated probability 1 percent to <33 percent) in wetlands but occur more often (estimated probability >67 percent to 99 percent) in nonwetlands.

UPL – Plants that occur rarely (estimated probability < 1 percent) in wetlands but occur almost always (estimated probability >99 percent) in nonwetlands under natural conditions.

The plant community data was summarized on the data forms provided in the Northcentral and Northeast Regional Supplement included in this report as Appendix B.

Step 6

Plant data from each observation point were tested against the hydrophytic vegetation criterion specified in the Corps Manual and Northcentral and Northeast Regional Supplement. The Northcentral and Northeast Regional Supplement identifies a four-tiered approach for making a determination of whether or not the hydrophytic vegetation criteria is met for a sample plot. Indicator 1 (Rapid Test for Hydrophytic Vegetation) was first applied to determine if all dominant species across all strata are rated OBL and/or FACW. If Indicator 1 did not meet the hydrophytic vegetation criteria, Indicator 2 was then applied (dominance test); if greater than 50% of all plant species across all strata were rated OBL, FACW, or FAC, the hydrophytic vegetation criteria was considered met. In rare cases, when Indicators 1 and 2 did not meet the hydrophytic vegetation criteria but soils and hydrology criteria were met, Indicators 3 (Prevalence Index) and 4 (Morphological Adaptations) were used to make a final determination. All observation points that met the hydrophytic vegetation criterion were considered potential wetlands. Soils were then characterized.

Step 7

The Corps Manual specifies that soils need not be characterized (and are assumed hydric soils) at sampling points meeting the hydrophytic vegetation criterion if: (i) all dominant plant species have an indicator status of OBL, or (ii) all dominant species have an indicator status of OBL and/or FACW, and the wetland boundary is abrupt (at least one dominant OBL species must be present). All observation points sampled during this field investigation were examined directly for soil and hydrologic characteristics.

Step 8

At observation points requiring a soil evaluation, soil borings were performed by an EDI Soil Scientist using methods specified in the Northcentral and Northeast Regional Supplement. Soil pits were dug using a tile spade. Testpits were generally dug to a depth of 20 inches below ground surface. Soils were examined for any of the hydric soil indicators, as outlined in the Field Indicators of Hydric Soils in the United States. A determination was made as to whether or not the hydric soil criterion was met. Soils data was recorded on the data forms included in Appendix B of this report.

Step 9

EDI's Soil Scientist examined hydrologic indicators using methods specified by the Northcentral and Northeast Regional Supplement at each observation point. The wetland hydrology criterion was met if: (i) one or more primary field indicators was materially present, (ii) available hydrologic records provided necessary evidence, or (iii) two or more secondary indicators were present. Results were recorded on data forms taken from the Corps Manual and are included in this report as Appendix B.

Step 10

A wetland determination was made for every observation point. If a sample plot met the hydrophytic vegetation, hydric soil, and wetland hydrology criteria, the area was considered to be wetland.

Step 11

Based on the results of the transected data, wetland boundaries were established for each identified wetland using survey ribbon labeled “wetland delineation” and numbered consecutively along each wetland boundary. As outlined in the Corps Manual, the placement of flags was based on the limits of areas where all three parameters were met. Wetland flags were labeled W1-1 through W1-28.

STREAMS & DRAINAGES:

The federally regulated Ordinary High Water (OHW) mark of streams within the Project area were delineated utilizing the definitional criteria as presented in Title 33, Code of Federal Regulations, Part 328, and the USACE Regulatory Guidance Letter 05-05 – Guidance on Ordinary

High Water Mark Identification. Each stream is categorized in regard to its flow regime as perennial, intermittent, or ephemeral, as defined by the USACE. The Ordinary High Water (OHW) mark for each stream is surveyed using the Trimble Geo 7X GPS. Each stream is assigned a letter designation, and survey points are numbered consecutively. Substrate characteristics and water depth are noted. Streams classified as AA, A, B, C, C(t), C(ts) and D in the State of New York are regulated by NYSDEC under Article 15 Use and Protection of Waters. Streams are given classifications which designate the level of protection afforded to each waterbody. Class AA and A are assigned to sources of drinking water. Class B streams are best suited for swimming and other contact recreation, but not drinking water. Class C streams identify waters that support fishing and non-contact activities. A classification with (t) designated a stream with the potential to support trout populations. A classification of (ts) identifies waters that may support trout spawning. Class D waters are the lowest classification and are often highly imperiled.

SECTION V: RESULTS AND CONCLUSIONS

Earth Dimensions, Inc. (EDI) has completed a wetland delineation study at the 5500 Millersport Highway site located in the Town of Amherst, County of Erie, and State of New York. A field investigation was conducted by a Soil Scientist and a Wetland Ecologist from EDI. The wetland delineation study identified one (1) wetland totaling 2.92± acres present within the 5500 Millersport Highway site. No streams or waterbodies were identified within the investigation area.

Figure 5 depicts the vegetative communities as they existed at the time of the investigation. The upland within the investigation area was comprised of a mown lawn community. The wetland area was found to consist of a scrub-shrub swamp community. The vegetative communities of the investigation area are described according to Ecological Communities of New York State (Edinger et al. 2014).

The mown lawn community was dominated by the following species: Kentucky bluegrass (*Poa pratensis*) and white clover (*Trifolium repens*).

Wetland W1 is a 2.92± acre scrub-shrub swamp dominated by eastern cottonwood (*Populus deltoides*), pin oak (*Quercus palustris*), Bebb's willow (*Salix bebbiana*), green ash (*Fraxinus pennsylvanica*), calico aster (*Symphyotrichum lateriflorum*), and sensitive fern (*Onoclea sensibilis*). Soils within wetland W1 are mapped as Getzville silt loam and had topsoil colors of 10YR4/2 with 15% 10YR5/8 mottles and 10YR4/1 with 5% 10YR5/8 mottles. Wetland W1 had a subsoil color of 10YR5/1 with 15% 10YR5/8 mottles. The texture is silt loam, silty clay loam, and silty clay. This soil fits the NRCS F3 indicator (Depleted Matrix). Hydrology indicators present in Wetland W1 included Water-Stained Leaves (B9).

A map which depicts the site boundaries and the location of all observation points established during the field survey is included as Figure 6 in Appendix A of this report. Data forms are included as Appendix B. Appendix C includes representative photographs of the project area. Appendix D notes the references used during the preparation of this report and during the field investigation. Appendix E provides the names, addresses and phone numbers of the survey personnel involved in the wetland delineation study.

SECTION VI: RECOMMENDATIONS

One (1) wetland area was identified during the course of a field investigation based upon the three-parameter technique (vegetation, soils, and hydrology) outlined in the Corps Manual and Northcentral and Northeast Regional Supplement. EPA provided preliminary guidance on August 29, 2023 in response to the May 25, 2023, the U.S. Supreme Court ruling in the Sackett v EPA case. USACE and NYSDEC approach their regulatory analyses by first considering avoidance of wetlands and minimization of wetland losses. EDI recommends the following:

(1) Submit this report to USACE and NYSDEC with a request for a wetland boundary confirmation and jurisdictional determination.

(2) If no impacts are proposed to federal or state regulated wetlands or state regulated 100-foot adjacent area based on the outcome of the jurisdictional determination, it is the professional opinion of EDI that the project may proceed without the need for Section 404, or Article 24 Permits.

(3) If any NYSDEC regulated upland adjacent area or federal or state jurisdictional wetland impacts are proposed, it is EDI's recommendation that a Joint Application for Permit and supporting documentation be submitted to the USACE and NYSDEC with a request for a Section 404 Permit, Section 401 Water Quality Certification, and/or an Article 24 Permit.

5500 MILLERSPORT HIGHWAY

APPENDIX A - FIGURES

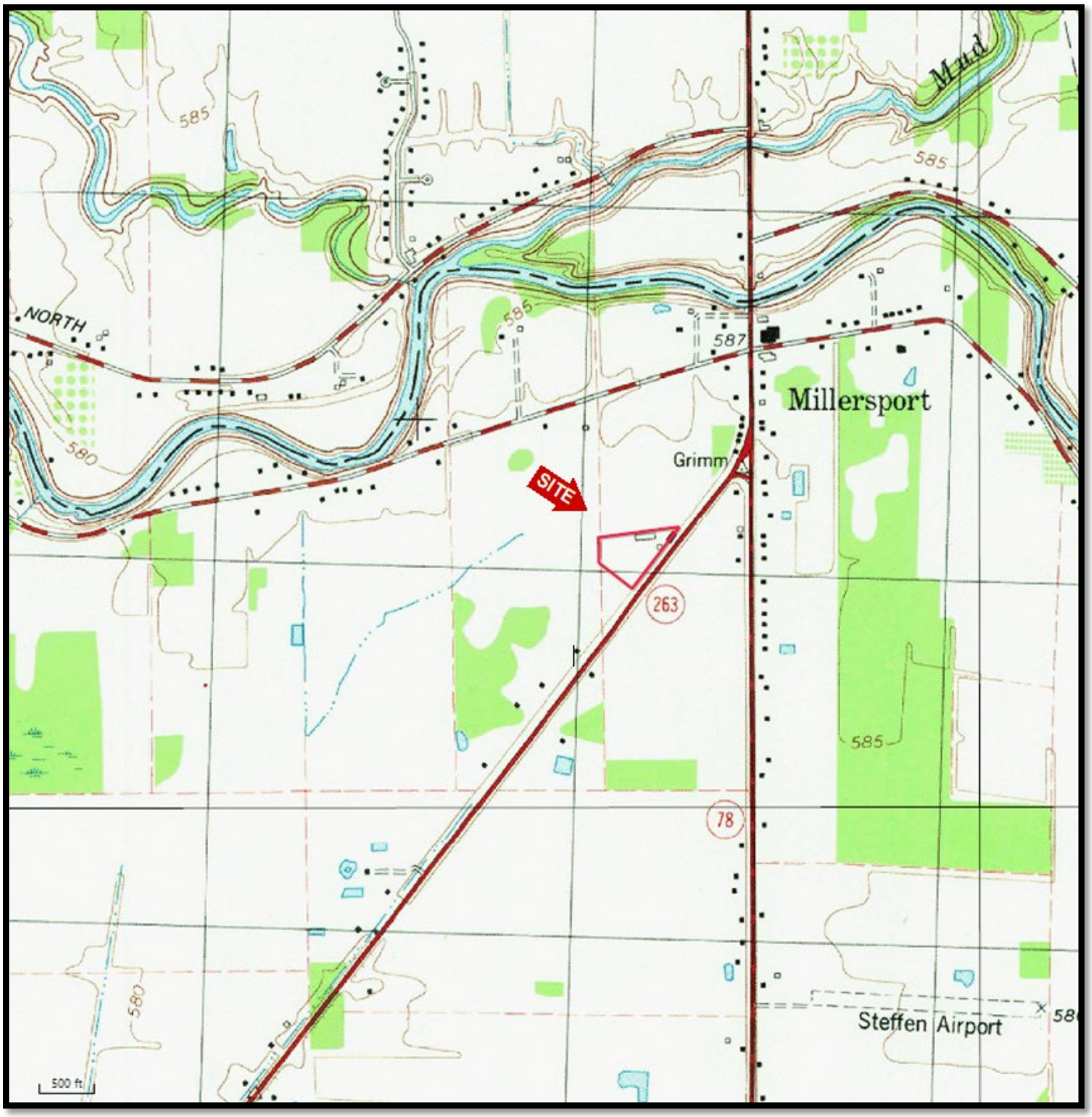

FIGURE 1: USGS 7.5 MINUTE TOPOGRAPHICAL MAP

Clarence Center Quadrangle / U.S. Geological Survey

5500 Millersport Highway

Town of Amherst, Erie County, New York

FIGURE 2: NATIONAL WETLANDS INVENTORY MAP

http://www.fws.gov/wetlands/data/mapper.HTML (Visited 9/6/24)

5500 Millersport Highway

Town of Amherst, Erie County, New York

FIGURE 3: NRCS SOIL SURVEY MAP

http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx (Visited 9/6/24)

5500 Millersport Highway

Town of Amherst, Erie County, New York

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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

Soil Survey Area: Erie County, New York
Survey Area Data: Version 23, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 28, 2020—Jul 4, 2020

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.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Cc	Canandaigua silt loam	95	1.2	23.5%
Ge	Getzville silt loam	85	3.8	76.5%
Totals for Area of Interest			**4.9**	**100.0%**

FIGURE 4: NYSDEC ENVIRONMENTAL RESOURCE MAPPER

https://gisservices.dec.ny.gov/gis/erm/ (Visited 9/6/24)

5500 Millersport Highway

Town of Amherst, Erie County, New York

Figure 5 - General Vegetation Map

Town of Amherst Erie County, New York

EARTH DIMENSIONS, INC.
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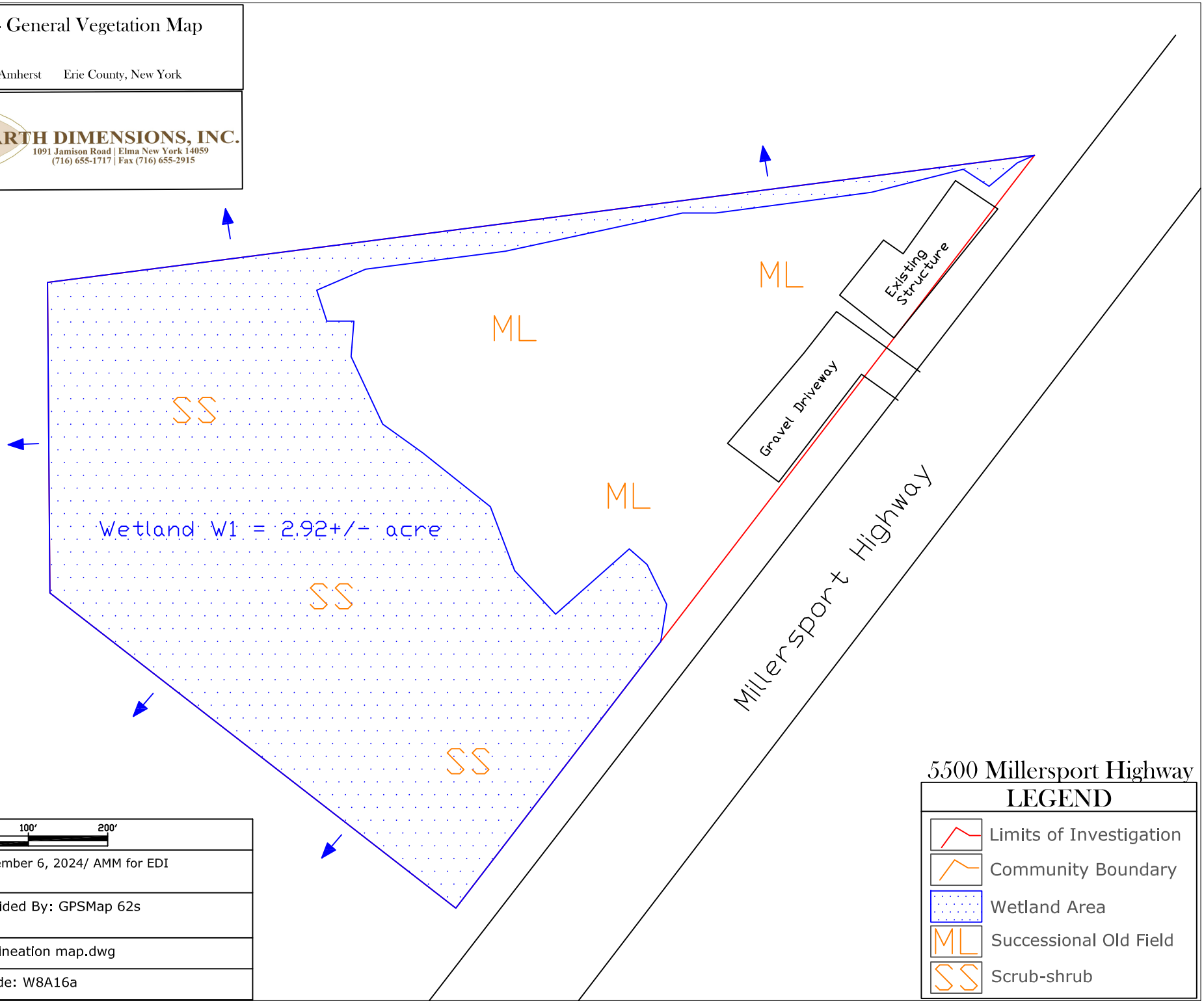


5500 Millersport Highway

LEGEND

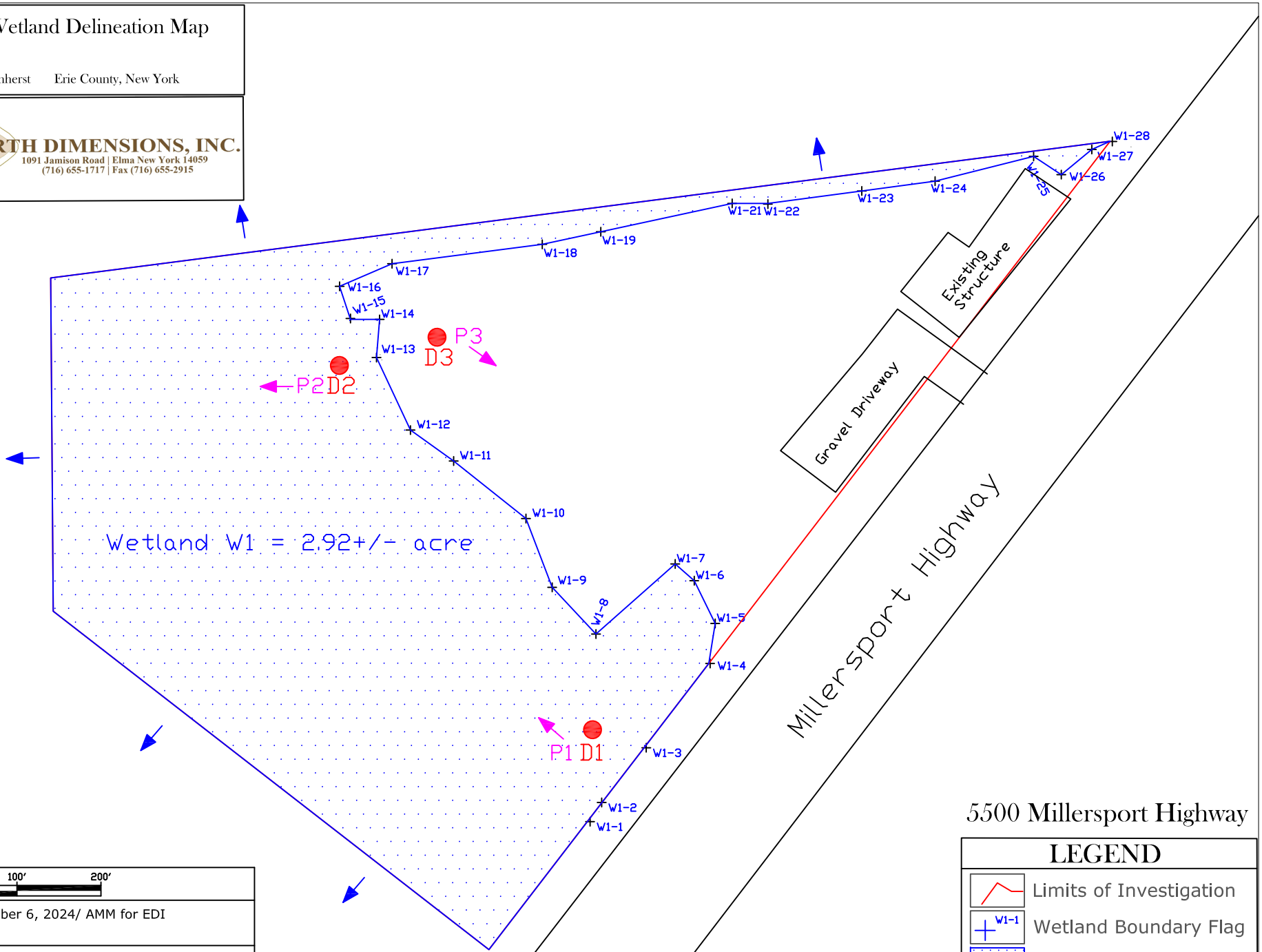
- Limits of Investigation
- Community Boundary
- Wetland Area
- ML Successional Old Field
- SS Scrub-shrub

Scale: 0 100′ 200′
Map Date: September 6, 2024/ AMM for EDI Revised:
Base Map Provided By: GPSMap 62s
File Name: Delineation map.dwg
EDI Project Code: W8A16a

Figure 6 - Wetland Delineation Map

Town of Amherst Erie County, New York

EARTH DIMENSIONS, INC.
1091 Jamison Road | Elma New York 14059
(716) 655-1717 | Fax (716) 655-2915



5500 Millersport Highway

LEGEND

- Limits of Investigation
- W1-1 Wetland Boundary Flag
- Wetland Area
- P1 Photo Location
- D1 Data Point Location

Scale: 0 100′ 200′
Map Date: September 6, 2024/ AMM for EDI Revised:
Base Map Provided By: GPSMap 62s
File Name: Delineation map.dwg
EDI Project Code: W8A16a

FIGURE 7: DRAINAGE MAP

https://streamstats.usgs.gov/ss/ (Visited 9/6/24)

5500 Millersport Highway

Town of Amherst, Erie County, New York

FIGURE 8: SITE AERIAL PHOTOGRAPH

https://gis.erie.gov/public/HTML5/ErieCountyNY/ (Visited 9/6/24)

5500 Millersport Highway

Town of Amherst, Erie County, New York


Figure 9 - Aerial Photo with Wetlands
Town of New Haven Oswego County, New York
4481
11426
W1-28
W1-27
W1-26
W1-25
W1-24
W1-23
W1-21
W1-22
W1-19
W1-18
W1-17
W1-16
W1-15
W1-14
W1-13
P3
D3
P2
D2
W1-12
W1-11
W1-10
W1-9
W1-8
W1-7
W1-6
W1-5
W1-4
W1-3
W1-2
W1-1
P1
D1
House
Gravel Driveway
Millersport Highway
Wetland W1 = 2.92+/- acre
SITE
11350
5420


Figure 10 - Soils Map with Wetlands
Town of New Haven Oswego County, New York
EARTH DIMENSIONS, INC.
1091 Jamison Road | Elma New York 14059
(716) 655-1717 | Fax (716) 655-2915
W1-28
W1-27
W1-26
W1-25
W1-24
W1-23
W1-22
W1-21
W1-19
W1-18
W1-17
W1-16
W1-15
W1-14
W1-13
W1-12
W1-11
W1-10
W1-9
W1-8
W1-7
W1-6
W1-5
W1-4
W1-3
W1-2
W1-1
P3
D3
P2
D2
P1
D1
Wetland W1 = 2.92+/- acre
House
Gravel Driveway
Millersport Highway
SITE

National Flood Hazard Layer FIRMette

78°42'21"W 43°5'2"N

78°41'44"W 43°4'35"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/6/2024 at 12:01 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

5500 MILLERSPORT HIGHWAY

APPENDIX B – DATA SHEETS

Project Code: W8A16a

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: 5500 Millersport Highway Town/County: Amherst/Erie County Sampling Date: September 6, 2024

Applicant/Owner: Stephens Plumbing & Heating, Inc. State: New York Sampling Point: D1

Investigator(s): Scott Livingstone & Alex Molik Section, Township, Range: 4.00-3-20

Landform (hillslope, terrace, etc.): LAKE PLAIN Local relief (concave, convex, none): NONE Slope (%): <1

Subregion (LRR or MLRA) LRRL Lat: 43.07955°N Long: -78.90058°W Datum: NAD83

Soil Map Unit Name: GETZVILLE SIlt loam NWI classification: PSS

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS : Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No _____	**Is the Sampled Area within a Wetland?** Yes X No _____
Hydric Soil Present?	Yes X	No _____	
Wetland Hydrology Present?	Yes X	No _____	If yes, optional Wetland Site ID: W1

Remarks: (Explain alternative procedures here or in a separate report.)

• W1-1 -> W1-28 (OPEN)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes _____	No X	Depth (inches): N/A
Water Table Present?	Yes _____	No X	Depth (inches): N/A
Saturation Present? (includes capillary fringe)	Yes _____	No X	Depth (inches): N/A

Wetland Hydrology Present? Yes X No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Project Code: W8A16a

VEGETATION : Use scientific names of plants. Sampling Point: D1

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1. Populus deltoides	15	Y	FAC
2. Quercus palustris	10	Y	FACW
3. Fraxinus pennsylvanica	5	N	FACW
4.			
5.			
6.			
7.			
	30	= Total Cover	

Sapling/Shrub Stratum (Plot size: 15')			
1. Salix babbiana	30	Y	FACW
2. Populus deltoides	15	Y	FAC
3. Fraxinus pennsylvanica	5	Y	FACW
4. Lonicera tatarica	10	N	FACU
5. Quercus palustris	5	N	FACW
6.			
7.			
	75	= Total Cover	

Herb Stratum (Plot size: 5')			
1. Fraxinus pennsylvanica	25	Y	FACW
2. Symphyotrichum lanceolatum	20	Y	FAC
3. Onoclea sensibilis	15	Y	FACW
4. Persicaria virginiana	10	N	FAC
5. Glyceria striata	5	N	OBL
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	75	= Total Cover	

Woody Vine Stratum (Plot size: 30')			
1. Vitis aestivalis	5	Y	FACU
2.			
3.			
4.			
	5	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 9 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 88.9 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species	x 1 =	
FACW species	x 2 =	
FAC species	x 3 =	
FACU species	x 4 =	
UPL species	x 5 =	
Column Totals: (A)		(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is < 3.0[1]
- ___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree - Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub - Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines - All woody vines greater than 3.28 ft in height.

Community Type: Forested Swamp

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (Include photo numbers here or on a separate sheet.)

Photo # 01 **Direction of Photo** NW

Project Code: W8A16a

SOIL Sampling Point: D1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR4/2	85	10YR5/8	15	C	M	SiCl	
4-20	10YR5/1	85	10YR5/8	15	C	M	SiC	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) (**LRR R, MLRA 149B**)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Dark Surface (S7) (**LRR K, L, M**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: NONE

Depth (inches): N/A

Hydric Soil Present? Yes X No ___

Remarks:

Project Code: W8A16a

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: 5500 Millersport Highway Town/County: Amherst/Erie County Sampling Date: September 6, 2024

Applicant/Owner: Stephens Plumbing & Heating, Inc. State: New York Sampling Point: D2

Investigator(s): Scott Livingstone & Alex Molik Section, Township, Range: 4.00-3-20

Landform (hillslope, terrace, etc.): LAKEPlain Local relief (concave, convex, none): CONCAVE Slope (%): <1

Subregion (LRR or MLRA) LRRL Lat: 43.0x030°N Long: -78.70x3°W Datum: NAD83

Soil Map Unit Name: Getzville Silt loam NWI classification: PSS

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS : Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No _____	**Is the Sampled Area within a Wetland?** Yes X No _____
Hydric Soil Present?	Yes X	No _____	
Wetland Hydrology Present?	Yes X	No _____	If yes, optional Wetland Site ID: W1

Remarks: (Explain alternative procedures here or in a separate report.)

- W1-1 => W1-28 (OPEN)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes _____	No X	Depth (inches): N/A
Water Table Present?	Yes _____	No X	Depth (inches): N/A
Saturation Present? (includes capillary fringe)	Yes _____	No X	Depth (inches): N/A

Wetland Hydrology Present? Yes X No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Project Code: W8A16a

VEGETATION : Use scientific names of plants. Sampling Point: D2

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1. Fraxinus pennsylvanica	15	Y	FACW
2. Populus deltoides	5	Y	FAC
3.			
4.			
5.			
6.			
7.			
	20	= Total Cover	

Sapling/Shrub Stratum (Plot size: 15')			
1. Salix bebbiana	35	Y	FACW
2. Fraxinus pennsylvanica	15	Y	FACW
3. Quercus palustris	10	N	FACW
4. Lindera benzoin	5	N	FACW
5.			
6.			
7.			
	65	= Total Cover	

Herb Stratum (Plot size: 5')			
1. Onoclea sensibilis	45	Y	FACW
2. Fraxinus pennsylvanica	20	Y	FACW
3. Persicaria virginiana	15	N	FAC
4. Glyceria striata	10	N	OBL
5. Agrimonia parviflora	5	N	FAC
6. Solidago rugosa	5	N	FAC
7.			
8.			
9.			
10.			
11.			
12.			
	100	= Total Cover	

Woody Vine Stratum (Plot size: 30')			
1.			
2.			
3.			
4.			
	0	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 6 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is < 3.0[1]
- ___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree - Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub - Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines - All woody vines greater than 3.28 ft in height.

Community Type: Scrub-Shrub Swamp

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (Include photo numbers here or on a separate sheet.)

Photo # P2 **Direction of Photo** W

Project Code: W8A16a

SOIL Sampling Point: DZ

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 4/1	95	10YR 5/8	5	C	M	S: J+	
6-20	10YR 5/1	85	10YR 5/8	15	C	M	S: el-	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) (**LRR R, MLRA 149B**)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Dark Surface (S7) (**LRR K, L, M**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: NONE

Depth (inches): N/A

Hydric Soil Present? Yes X No ___

Remarks:

Project Code: W8A16a

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: 5500 Millersport Highway Town/County: Amherst/Erie County Sampling Date: September 6, 2024

Applicant/Owner: Stephens Plumbing & Heating, Inc. State: New York Sampling Point: D3

Investigator(s): Scott Livingstone & Alex Molik Section, Township, Range: 4.00-3-20

Landform (hillslope, terrace, etc.): Fill PAD Local relief (concave, convex, none): CONVEX Slope (%): 3

Subregion (LRR or MLRA) LRRL Lat: 43.08632°N Long: -78.70119°W Datum: NAD83

Soil Map Unit Name: Getzville Silt loam NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil X, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS : Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	If yes, optional Wetland Site ID: N/A

Remarks: (Explain alternative procedures here or in a separate report.)

UPLAND LAWN/FILL PAD

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): N/A
Water Table Present?	Yes ____	No X	Depth (inches): N/A
Saturation Present? (includes capillary fringe)	Yes ____	No X	Depth (inches): N/A

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Project Code: W8A16a

VEGETATION : Use scientific names of plants. Sampling Point: D3

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
	0 = Total Cover		

Sapling/Shrub Stratum (Plot size: 15')			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
	0 = Total Cover		

Herb Stratum (Plot size: 5')			
1. Poa pratensis	35	Y	FACU
2. Trifolium repens	25	Y	FACU
3. Lotus corniculatus	20	N	FACU
4. Taraxacum officinale	10	N	FACU
5. Centaurea stoebe	10	N	NI
6. Solidago rugosa	5	N	FACU
7.			
8.			
9.			
10.			
11.			
12.			
	105 = Total Cover		

Woody Vine Stratum (Plot size: 30')			
1.			
2.			
3.			
4.			
	0 = Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	95	x 4 =	380
UPL species	0	x 5 =	0
Column Totals:	95 (A)		380 (B)

Prevalence Index = B/A = 4.0

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ___ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is < 3.0[1]
- ___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree - Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub - Woody plants less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines - All woody vines greater than 3.28 ft in height.

Community Type: Mowed Lawn

Hydrophytic Vegetation Present? Yes ___ No X

Remarks: (Include photo numbers here or on a separate sheet.)

Photo # 93 **Direction of Photo** SE

Project Code: W8A16a

SOIL

Sampling Point: D3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR3/1	100					Si:Cl	Fill

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) (**LRR R, MLRA 149B**)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Dark Surface (S7) (**LRR K, L, M**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: HARD FILL

Depth (inches): 3"

Hydric Soil Present? Yes _____ No X

Remarks:

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APPENDIX C - SITE PHOTOGRAPHS

Photo 1: Facing northwest. Depicts the scrub-shrub swamp community of W1 at data point D1. 9/6/24

Photo 2: Facing west. Depicts the scrub-shrub swamp community of W1 data point D2. 9/6/24

Photo 3: Facing southeast. Depicts the mown lawn community of data point D3. 9/6/24

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APPENDIX D - REFERENCES

INFORMATIONAL REFERENCES
USED BY EARTH DIMENSIONS INC.

Andrus, R.E. 1980. Sphagnaceae (Peat Moss Family) of New York State. Contributions to a Flora of New York State III, R.S. Mitchell (Ed.), Bulletin No. 442, New York State Museum, Albany, New York. 89 pp.

Benyus, J.M. 1989. The Field Guide to Wildlife Habitats of the Eastern United States. Fireside, Simon & Shuster, Inc., New York. 335 pp.

Britton, N.L., and H.A. Brown. 1970. An Illustrated Flora of the Northern United States and Canada, Volumes 1, 2, and 3. Dover Publications, Inc., New York. 2052 pp.

Brockman, C.F., R. Merrilees, and H.S. Zim. 1968. Trees of North America: A Field Guide to the Major Native and Introduced Species North of Mexico. Western Publishing, Inc. New York, New York. 280 pp.

Brown, L. 1979. Grasses: An Identification Guide. Peterson Nature Library. Houghton Mifflin Co., Boston. 240 pp.

Cobb, B. 1963. A Field Guide to the Ferns and Related Families. Houghton Mifflin Co., Boston. 281 pp.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. Laroe. 1979. Classification of Wetlands and Deep Water Habitats of the United States. U.S. Fish and Wildlife Service, Washington, D.C. FWS/OBS-79-31. 103 pp.

Eggers, S.D., and D.M. Reed. 1997. Wetland Plants and Plant Communities of Minnesota and Wisconsin. Second Edition. U.S. Army Corps of Engineers, St. Paul District, Minnesota. 263 pp.

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, U.S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, Mass. 100 pp. plus appendices.

Hotchkiss, N. 1970. Common Marsh Plants of the United States and Canada. U.S. Department of the Interior, Bureau of Sport Fisheries and Wildlife, Washington, D.C., Resource Publication 93.

Hurley, L.M. 1990. Field Guide to the Submerged Aquatic Vegetation of Chesapeake Bay. U.S. Fish and Wildlife Service, Chesapeake Bay Estuary Program, Annapolis, Maryland. 51 pp.

Knobel, E. 1977. Field Guide to the Grasses, Sedges, and Rushes of the United States. Dover publications, Inc., New York. 83 pp.

Little, E.L. 1980. The Audubon Society Field Guide to North American Trees (Eastern Region). Alfred A. Knopf, New York. 714 pp.

Magee, D.W. 1981. Freshwater Wetlands. University of Massachusetts Press, Amherst. 245 pp.

.

Mitchell, R.S., and G.C. Tucker. 1997. Revised Checklist of New York State Plants. Contributions to a Flora of New York State IV, R.S. Mitchell (Ed.). Bulletin No. 490, New York State Museum, Albany, New York. 400 pp.

Munsell Color Chart. (Munsell Color 1975).

National Wetland Inventory Maps. U.S. Department of the Interior, Fish and Wildlife Service, National Wetland Inventory, St. Petersburg, Florida. http://wetlandsfws.er.usgs.gov

Niering, W.C., and N.C. Olmstead. 1979. The Audubon Society Field Guide to North American Wildflowers (Eastern Region). Alfred A. Knopf, New York. 887 pp.

New York State Code of Rules and Regulations (NYCRR). 1989. Protected Native Plants. NYCRR Part 193.3, June, 1989. New York State Department of Environmental Conservation.

New York Natural Heritage Program. 2002. New York Rare Plant Status List, February, 1989. S.M. Young, (Ed.), New York State Department of Environmental Conservation and The Nature Conservancy publication. 26 pp.

New York State Department of Environmental Conservation Freshwater Wetlands Maps, NYSDEC Environmental Resource Mapper, http://www.dec.ny.gov/imsmaps/ERM/viewer.htm

Newcomb, L. 1977. Newcomb's Wildflower Guide. Little, Brown and Co., Boston. 490 pp.

Ogden, E.C. 1981. Field Guide to Northeastern Ferns. Contributions to a Flora of New York State III, R.S. Mitchell (Ed.), Bulletin No. 444, New York State Museum, Albany, New York. 122 pp.

Peattie, D.C. 1991. A Natural History of Trees of Eastern and North America. Houghton Mifflin Co., Boston. 606 pp.

Peterson, RT., and M. McKenny. 1968. A Field Guide to Wildflowers of Northeastern and Northcentral North America. Houghton Mifflin Co., Boston. 420 pp.

Petrides, G.A. 1972. A Field Guide to Trees and Shrubs. Houghton Mifflin Co., Boston. 428 pp.

Prescott, G.W. 1969. How to Know the Aquatic Plants. Second Edition. William C. Brown Co., Dubuque, Iowa. 171 pp.

Raynal, D.J., and D. J. Leopold. 1999. Landowner's Guide to State-Protected Plants of Forests in New York State. New York Center for Forestry Research and Development, SUNY-ESF, Syracuse, New York. 92pp.

Reed, Porter B. Jr. 1988. National List of Plant Species that Occur in Wetlands: Northeast (Region 1). U.S. Fish and Wildlife Service, Washington, D.C. Biol. Rept. 88 (26.1). 112 pp.

Reschke, C. 2002. Ecological Communities of New York State. New York Natural Heritage Program. NYSDEC, Latham, N.Y. (2nd Ed.) 136 pp.

Soil Conservation Service. 1975. Soil Taxonomy: A Basic System of Soil Classification for Making and Interpreting Soil Surveys. U.S.D.A., Soil Conservation Service, U.S. Handbook 436.

Soil Conservation Service. 1988. New York Hydric Soils and Soils with Hydric Inclusions, revised July, 1988, Soil Conservation Service, Syracuse, New York, Technical Guide, Section II. 23 pp.

Simonds,R.L., and H.H. Tweedie. 1978. Wildflowers of the Great Lakes Region. Chicago Review Press, Chicago. 96 pp.

Symonds, G.W.D. 1958. The Tree Identification Book. Quill, New York. 272 pp.

Symonds, G.W.D. 1963. The Shrub Identification Book. William Morrow & Co., New York. 379 pp.

Tiner, R. W. Jr. 1988. A Field Guide to Nontidal Wetland Identification. Maryland Department of Natural Resources and U.S. Fish and Wildlife Service Cooperative Publication. Maryland Department of Natural Resources, Annapolis, Maryland. 283 pp. + 198 color plates.

United States Department and Agriculture & the Natural Resources Conservation Service (USDA, NRCS).Soil Conservation Service Soil Survey of Erie County, New York. U.S.D.A., Soil Conservation Service. 1986 http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

USDA, NRCS. 2009. The PLANTS Database (http://plants.usda.gov, 12/14/09). National Plant Data Center, Baton Rouge, LA 70874-4490 USA.

United States Geological Survey maps, Denver, Colorado. Amherst Center Quadrangle.

U.S. Army Corps of Engineers. 2009. Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-09-19. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

U.S. Fish and Wildlife Service, A Wetlands and Deepwater Habitats Classification. May 3, 2002, http: //www.nwi.fws.gov/. June 16, 2002.

Zander, R.H., and G.J. Pierce. 1979. Flora of the Niagara Frontier Region. Bulletin of the Buffalo Society of Natural Sciences, Vol. 16 (Suppl. 2), Buffalo, New York. 110 pp

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