U.S. General Services Administration

# FINAL ENVIRONMENTAL ASSESSMENT

## Rouses Point Land Port of Entry

Rouses Point, New York

November 2024

GSA

EAXX-023-00-002-1730870339

# Final
# Environmental Assessment
# Rouses Point Land Port of Entry
# Rouses Point, New York

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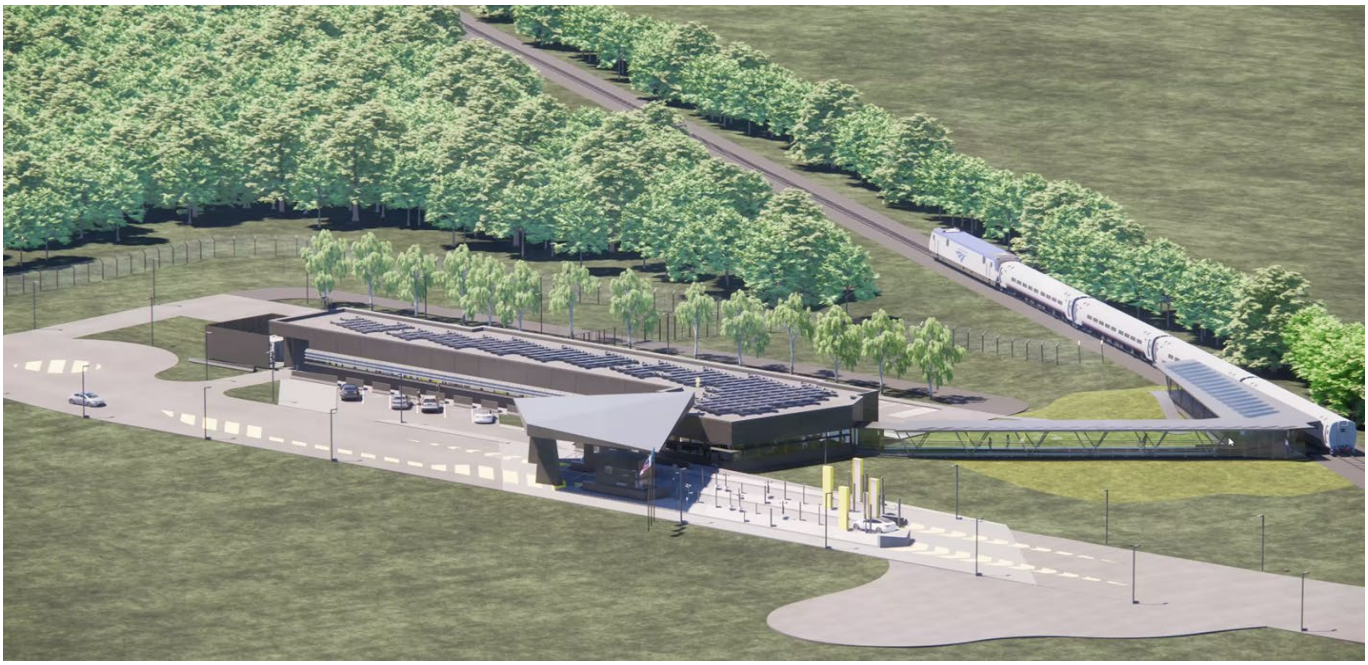

*Prepared for:*

U.S. General Services Administration – Region 2
One World Trade Center, 55th Floor, Room 55W09

New York, NY 10007

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# FINAL ENVIRONMENTAL ASSESSMENT
# FOR
# ROUSES POINT LAND PORT OF ENTRY
# ROUSES POINT, NEW YORK

Lead Agency: U.S. General Services Administration

For Additional Information: Thomas Burke
U.S. General Services Administration – Region 2
NEPA Program Manager
One World Trade Center, 55th Floor, Room 55W09
New York, NY 10007
thomas.w.burke@gsa.gov

# Finding of No Significant Impact
# Rouses Point Land Port of Entry
# Rouses Point, New York

EAXX-023-00-002-1730870339

## Introduction

The U.S. General Services Administration (GSA) proposes to design and construct a new Land Port of Entry (LPOE) located north of the town of Rouses Point, New York. This Environmental Assessment (EA) has been prepared as required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations 1500–1508) (CEQ 1978), and GSA Public Buildings Service NEPA Desk Guide (GSA 1999).

The EA explains the need for the project, the alternatives that were considered to meet the need, the impacts that were identified, and how impacts will be mitigated. The anticipated impacts, mitigation of impacts, and other information discussed herein, are incorporated by reference from the published EA.

## Proposed Action

GSA's Proposed Action is to award a contract to construct a new LPOE in immediate proximity to the U.S.–Canadian border, approximately 0.65 miles north of the existing LPOE. Under the Proposed Action, the newly constructed facility would be 12,399 gross square feet in size without accounting for the rail platform, primary inspection booths, and the canopy that is over the booths. The total project area would be approximately 10.28 acres, including the utility routes along both sides of US Route 11. The new facility would impact approximately six (6) acres of the main project area. The proposed facility would house the Federal inspection operations and would include new inspection lanes and a rail inspection platform. The existing LPOE building is not part of the proposed alternative, and the Government has yet to determine the end use of the existing historic LPOE.

## Purpose and Need

The purpose of the project is to construct a modernized and expanded LPOE at Rouses Point. The new facility would co-locate several Federal program areas including vehicle processing, Trusted Traveler Programs and rail inspection program be served by the same Federal personnel in one location, close to the U.S.–Canadian border.

The Proposed Action is needed to bring the LPOE into compliance with Federal infrastructure and security requirements and support the Government's mission. The proposed project would bring the building up to current GSA *Facility Standards for the Public Buildings Service (P100)* requirements. The existing facility does not meet Government's needs because of its space constraints, its distance from the U.S.–Canadian border and limitations associated with its aging infrastructure.

## Public Involvement

GSA held virtual community engagement meetings on July 11, 2022; December 14, 2022; and January 17, 2023. The meetings were attended by individuals representing American Federal, state, and local

government agencies; Canadian federal and provincial government agencies; and members of the local business community. Meeting attendees included representatives from the U.S. Department of Homeland Security – Customs and Border Protection, the U.S. Department of Transportation - Federal Highway Administration, New York State Department of Transportation, New York State Department of Environmental Conservation, Canada Border Services Agency, Province of Quebec Government Relations, North Country Chamber of Commerce, Town of Champlain, Clinton County, Amtrak, Vinumport Duty Free store, and Lakeside Coffee Roasters.

GSA made the Draft EA available for a 30-day review period. A Notice of Availability for the Draft EA was published in the *Press-Republican* (https://marketplace.pressrepublican.com/plattsburgh-ny/public-notices/notice-of-availability-and-not/AC1E055D163f416543kTovC64484) and the *Sun Community News* (https://suncommunitynews.com/news/110535/notice-of-availability-and-notice-of-public-meeting-proposed-new-land-port-of-entry-rouses-point-ny/) on June 8, 2024, announcing the availability of the document and initiation of the 30-day comment period. A paper copy was made available at the Rouses Point Dodge Memorial Library and at the Plattsburgh Public Library during the public comment period. The Draft EA was posted online at http://gsa.gov/rousespointea. GSA emailed a notice of availability letter in June 2024 announcing the availability of the Draft EA and soliciting comments from Federal, state, and local government agencies and individuals with a known or potential interest in the proposed action and its environmental impacts.

In addition, a virtual public meeting regarding the proposed project was held at 6:00 p.m. on June 26, 2024. Interested parties were invited to attend to learn about the project and submit questions and comments. Attendees were provided the opportunity to comment on the proposed project during the public meeting. During the review period, comments on the Draft EA were accepted during the virtual public meeting and via email and the U.S. Postal Service. No public comments were received during the public review period. GSA has prepared and made available this Finding of No Significant Impact and Final EA at the Rouses Point Dodge Memorial Library, at the Plattsburgh Public Library and online at http://gsa.gov/rousespointea.

## Alternatives Considered

The EA analyzes the potential impacts of two alternatives: the No-Action Alternative and the Proposed Action Alternative. Under the No-Action Alternative, GSA would not construct a new Rouses Point LPOE facility. The existing facility would continue to operate in its current condition. Other alternatives that were developed and evaluated but that were ultimately eliminated from consideration include constructing a new LPOE at the current location, building an addition to the existing LPOE, and constructing a new LPOE on the east side of US Route 11. However, the analysis identified the Proposed Action as the most feasible option because it would best satisfy all the programmatic requirements identified in the study while minimizing impacts on the environment. Therefore, no other alternatives were carried forward for analysis in the EA.

## Environmental Impacts

The EA examines the potential effects on geology and soils; water resources; wildlife and habitat; cultural resources; socioeconomics and environmental justice; land use; and traffic, transportation, and parking.

The Proposed Action will result in long-term, adverse impacts on soils requiring up to 10.28 acres of ground-disturbing activities, such as excavation, grading, and clearing during construction. The Proposed Action would permanently convert a total of 5.53 acres of farmland soils. GSA consulted with the U.S.

Department of Agriculture Natural Resource Conservation Service in accordance with the Farm Policy Protection Act. Construction of the proposed LPOE facility is not expected to affect geology.

Short-term and long-term, direct and indirect, adverse impacts on surface water resources, including wetlands and streams, will occur from ground-disturbing activities associated with clearing and grading. Constructing the new LPOE facility would permanently remove up to approximately 5.16 acres of wetland, resulting in direct, long-term, adverse impacts. The Proposed Action would also affect an additional approximate 1.37 acres of wetland buffer in an area that is located within 100 feet of the wetland boundary, which is regulated by the New York State Department of Environmental Conservation. Adverse impacts on wetlands would be unavoidable. GSA would mitigate all permanent wetland impacts in accordance with federal and state requirements.

Under the Proposed Action, up to 5.2 acres of the total 10.28-acre project area would be developed and permanently impacted, resulting in a loss of wildlife habitat. However, this would not represent a loss of high-quality habitat given its frequent exposure to noise and visual disturbances associated with the Canadian National Railway and US Route 11. Short-term, direct, adverse impacts on wildlife could range from temporary disturbance or displacement of species. Implementation of the Proposed Action would not affect any species at the population level because of the limited quality of wildlife habitat that the site provides and the fragmented nature of habitat in the surrounding vicinity.

The Proposed Action is anticipated to result in short- and long-term beneficial impacts to local employment and income through potential increases in temporary employment during construction and through potential permanent employment at the new LPOE facility.

The Proposed Action Alternative would be compatible with existing land uses on and surrounding the site. No impacts to cultural resources will occur under the Proposed Action.

The Proposed Action will result in long-term, beneficial impacts on public transit, the regional train network, parking, and vehicular traffic. Short-term, adverse impacts on traffic are anticipated during construction of the proposed LPOE, and beneficial impacts are expected in the long term through simpler traffic patterns and a more streamlined system for vehicles passing through the LPOE.

Many of these impacts will be associated with construction activities and will be temporary and relatively minor. All impacts, short and long term, will be less than significant. The EA identifies impact mitigation measures (e.g., avoidance, best management practices, and environmental compliance) to minimize potential environmental impacts.

## Mitigation Measures

The following mitigation measures will be implemented to ensure the Proposed Action will have no significant impact on the human and natural environment. GSA and construction contractors will implement best management practices and satisfy all applicable Federal, state and local regulatory requirements in association with the design, construction, and operation of the proposed LPOE at the selected site. GSA will oversee the design and monitoring of the site development, including the use of any required mitigation measures.

| Resource | Measure |
|---|---|
| **Air Quality** | Use appropriate dust suppression methods (such as the use of water, dust palliatives, covers, and suspension of earth moving in high wind conditions) during on-site construction activities.<br>Stabilize disturbed area through revegetation or mulching if the area is inactive for several weeks or longer.<br>Implement measures to reduce diesel particulate matter emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls.<br>Comply with the applicable New York State Department of Environmental Conservation air quality regulations. Secure any required minor air emissions permits from New York State Department of Environmental Conservation prior to construction. Positive impacts due to installation of an all-electric heating, ventilation and air conditioning systems, powered by geothermal ground source heat pumps and photovoltaic panels. |
| **Noise** | Limit construction and associated heavy truck traffic to daytime hours.<br>Shut down noise-generating heavy equipment when it is not needed.<br>Maintain equipment per manufacturer's recommendations to minimize noise generation.<br>Encourage construction personnel to operate equipment in the quietest manner practicable (such as speed restrictions, retarder brake restrictions, engine speed restrictions).<br>Conduct all construction activities in compliance with local noise ordinances. |
| **Solid Waste and Hazardous Materials** | Comply with applicable Federal and state laws governing the use, generation, storage, transportation and disposal of solid and hazardous materials. |
| **Utilities** | Comply with applicable guidance in accordance with U.S. Department of Defense - Army Corps of Engineers and New York State Department of Environmental Conservation permit conditions pertaining to trenching activities along electrical and telecommunications utility lines, and utility line activities for water and other substances. |
| **Geology and Soils** | Control soil erosion impacts during construction by implementing erosion prevention measures and complying with the conditions specified in the Army Corps of Engineers Section 404 permit and in accordance with New York State Department of Environmental Conservation guidance. Measures could include the use of earth berms, vegetative buffers and filter strips, and spill prevention and management techniques. |
| **Water Resources (Surface Waters and Wetlands)** | Control soil erosion and sedimentation impacts during construction by implementing erosion prevention and stormwater management measures and complying with the conditions specified in the Army Corps of Engineers Section 404 permit and in accordance with the New York State Department of Environmental Conservation Section 401 Water Quality Certification and Article 24 guidance.<br>Control any discharge of pollutants into surrounding water bodies by complying with the conditions specified in the U.S. Environmental Protection Agency Section 402 of the Clean Water Act and obtaining a National Pollutant Discharge Elimination System permit prior to construction as needed. |

| Resource | Measure |
|---|---|
| | Ensure that the design of the LPOE includes sufficient stormwater management so water quantity/quality in receiving waters and/or off-site areas are not adversely affected.<br>Conduct compensatory mitigation for impacts on wetlands and streams. Mitigation would be provided in consultation with the Army Corps of Engineers and New York State Department of Environmental Conservation pursuant to Clean Water Act Section 404 and in accordance with Executive Order 11990, Protection of Wetlands. |
| **Wildlife and Habitat** | Management and mitigation measures that would be implemented to minimize or mitigate impacts to surface waters and wetlands would also minimize or mitigate impacts on wildlife habitat. |
| **Cultural Resources** | Should potentially historic or culturally significant items be discovered during project construction, immediately cease work in the area until GSA, a qualified archaeologist, and the State Historic Preservation Office are contacted to properly identify and appropriately treat discovered items in accordance with applicable Federal laws. |
| **Socioeconomics and Environmental Justice** | Secure the construction area to prevent unauthorized access. |
| **Land Use** | GSA will obtain the necessary permit for construction within the New York State Department of Transportation right-of-way. GSA will consider all zoning regulations prior to design and construction. |
| **Traffic, Transportation, and Parking** | The selected design/construction contractor, in consultation with GSA and New York State Department of Transportation, would determine final, reasonable mitigation measures. |

GSA has adhered to the maximum extent practicable to the Clean Water Act and Council on Environmental Quality goals to protect wetlands and achieve a goal of no overall net loss of wetlands functions and values through avoidance, minimization and mitigation of impacts to wetlands. Compensatory mitigation is required under Clean Water Act to offset any unavoidable adverse impacts that remain after all appropriate and practicable avoidance and minimization has been achieved. GSA explored mitigation options to compensate for the proposed impacts resulting from the Project, such as wetland banking and in-lieu fee credits, but these were not available in the watershed of the Project, and on-site mitigation activities were determined to be infeasible due to existing site conditions. As a result, GSA selected a site for off-site wetlands creation to mitigate impacts. GSA would provide compensatory mitigation in consultation with the Army Corps of Engineers and New York State Department of Environmental Conservation pursuant to the Clean Water Act Section 404 and in accordance with Executive Order 11990, Protection of Wetlands.

## Finding of No Significant Impact

GSA has completed the environmental review process for the proposed Project and, with GSA's commitment to implementing the above measures to mitigate any potential impacts, finds there is no significant impact to the quality of the human environment associated with the construction of a new LPOE at the town of Rouses Point, New York.

In accordance with the National Environmental Policy Act of 1969, 42 U.S.C. 432 et seq., the Council on Environmental Quality Regulations for Implementing NEPA (40 CFR 1500-1508), and the U.S. General Services Administration Public Buildings Service NEPA Desk Guide, I find that the project described in

the Environmental Assessment for the Rouses Point Land Port of Entry in Rouses Point, New York, dated November 2024, is not a major Federal action significantly affecting the quality of the natural and human-made environment. Therefore, issuance of a Finding of No Significant Impact is warranted, and no Environmental Impact Statement will be prepared.

RECOMMENDED: DocuSigned by: Thomas W Burke 766DA1CD658D4C3... 11/7/2024

Thomas W. Burke
NEPA Program Manger
GSA Public Buildings Service

Date

RECOMMENDED: DocuSigned by: Maureen Lennon 1CB6E722C49A4CC... 11/7/2024

Maureen Lennon
Director Facilities Management Division
GSA Public Buildings Service

Date

APPROVED: DocuSigned by: Michael Gelber A9A8532427E646A... 11/7/2024

Michael Gelber
Regional Commissioner
Northeast and Caribbean Region
GSA Public Buildings Service

Date

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# ACRONYMS AND ABBREVIATIONS

| | |
|---|---|
| ABA | Architectural Barriers Act |
| APE | Area of Potential Effect |
| CBP | U.S. Department of Homeland Security - Customs and Border Protection |
| CCPT | Clinton County Public Transit |
| CDC | Centers for Disease Control |
| CEQ | U.S. Council on Environmental Quality |
| CFR | Code of Federal Regulations |
| CN | Canadian National Railway Company, commonly known as Canadian National |
| CRIS | Cultural Resource Information System |
| CWA | Clean Water Act |
| EA | Environmental Assessment |
| EISA | Energy Independence and Security Act of 2007 |
| ESA | Endangered Species Act |
| EPA | U.S. Environmental Protection Agency |
| GSA | U.S. General Services Administration |
| HVAC | Heating, Ventilation and Air Conditioning |
| IPaC | Information for Planning and Consultation |
| JD | Jurisdictional Determination |
| LEED | Leadership in Energy and Environmental Design |
| LPOE | Land Port of Entry |
| NEPA | National Environmental Policy Act |
| NYSDEC | New York State Department of Environmental Conservation |
| NYSDOT | New York State Department of Transportation |
| ROW | Right-of-Way |
| SHPO | State Historic Preservation Office |
| USACE | U.S. Department of Defense - Army Corps of Engineers |
| USC | United States Code |
| NRCS | U.S. Department of Agriculture - Natural Resource Conservation Service |
| FWS | U.S. Department of the Interior - Fish and Wildlife Service |

# EXECUTIVE SUMMARY

The U.S. General Services Administration (GSA) proposes to design and construct a new Land Port of Entry (LPOE) located north of the town of Rouses Point, New York. This Environmental Assessment (EA) has been prepared as required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations 1500–1508) (CEQ 1978), and GSA Public Building Services NEPA Desk Guide (GSA 1999). This EA is required to determine whether the Proposed Action would have significant environmental impacts.

## Purpose and Need for the Proposed Action

The purpose of the project is to construct a modernized and expanded LPOE at Rouses Point to house additional support staff, provide functional program areas, expand parking, and increase efficiency. The new facility would co-locate program areas (U.S. Department of Homeland Security - Customs and Border Protection [CBP] vehicle processing, Trusted Traveler Programs, and rail inspection program) to allow all program areas to be served by the same CBP personnel in one location, close to the U.S.–Canadian border.

The Proposed Action would improve efficiency and security for travelers and for Federal agencies, and ensure that the CBP has the facilities necessary to carry out its mission successfully. The Proposed Action is needed to bring the LPOE into compliance with Federal infrastructure and security requirements and support the Government's mission. The proposed project would bring the building up to current GSA *Facility Standards for the Public Buildings Service (P100).* The existing facility does not meet the Government's needs because of to its space constraints, its distance from the U.S.–Canadian border, and limitations associated with its aging infrastructure.

## Description of the Proposed Action and Alternatives

Under the Proposed Action, GSA would award a contract to construct a new LPOE in immediate proximity to the U.S.–Canadian border. The new facility would house the Government's processing of vehicles, pedestrians, bicyclists and train passengers, as well as Trusted Traveler Programs. Under the Proposed Action, the newly constructed facility would bring the LPOE into compliance with current Federal infrastructure and security requirements and support additional staff offices and space.

The EA analyzes two alternatives—the Proposed Action Alternative and the No-Action Alternative. Under the No-Action Alternative, GSA would not construct a new Rouses Point LPOE facility. The existing facility would continue to operate in its current condition.

## Environmental Impacts

The affected environment of the Proposed Action Alternative site and its immediate surroundings is discussed in Section 3 of this EA. The potential direct and indirect effects of implementing the Proposed Action and the No-Action Alternative are also identified in Section 3. Resource areas evaluated in this EA are geology and soils; water resources; wildlife and habitat; cultural resources; socioeconomics and environmental justice; land use; and traffic, transportation and parking. No significant impacts on these resources were identified.

# 1.0 INTRODUCTION

The U.S. General Services Administration (GSA) proposes to design and construct a new Land Port of Entry (LPOE) located north of the town of Rouses Point, New York. The existing Rouses Point LPOE building does not satisfy the mission requirements of the Government because the building does not provide adequate space for additional support staff, provide functional program areas or accommodate adequate parking. The existing LPOE also does not meet current Federal security and infrastructure requirements. The Proposed Action would construct a new LPOE at the U.S.–Canadian border (approximately 0.65 miles north of the existing facility) that would include additional inspection lanes and a rail platform. The inspection of rail passengers coming into the United States from Canada would be moved from its current location at a railroad station approximately one mile south in the Village of Rouses Point to the new LPOE. The proposed facility would house U.S. Department of Homeland Security – Customs and Border Protection (CBP) operations, Trusted Traveler Programs and the passenger rail inspection program in a single facility. The proposed Rouses Point LPOE would comply with current Federal facility requirements for LPOEs and support the Government's mission.

This environmental assessment (EA) has been prepared as required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500–1508) (CEQ 1978), and GSA's Public Building Services NEPA Desk Guide (GSA 1999). This EA is required to determine whether the Proposed Action would have significant environmental impacts.

## 1.1 Proposed Action

Under the Proposed Action, GSA would award a contract to construct a new LPOE in immediate proximity to the U.S.–Canadian border. The new facility would house the CBP Trusted Traveler Programs and rail inspection program, allowing these programs to operate from a single facility. Under the Proposed Action, the newly constructed facility would comply with current Federal infrastructure and security requirements, and support additional staff offices and space.

## 1.2 Background

The existing Rouses Point LPOE is situated in a rural area in the northeastern corner of New York State at 19 St. John's Highway (US Route 11) (Figure 1). It is located approximately 0.65 miles south of the U.S.–Canadian border. Rouses Point is a small LPOE by classification due to traffic volume through the port; however, it is within a one-hour drive of Montreal, a major Canadian city in the province of Quebec. The LPOE is open 24 hours per day, 365 days per year. The port processes various forms of cross-border traffic, including vehicular, pedestrian, marine boat (Lake Champlain) and train traffic (Amtrak passenger train and freight train).

The proposed future Rouses Point LPOE project site is 10.28 acres (including the utility rights-of-way along both sides of US Route 11) connecting the U.S. town of Rouses Point, New York, to the Canadian town of Lacolle, Quebec (Figure 2). The Canadian National Railway Company (CN) owns the parcel to the north of the proposed site, while Ammex Warehouse Company owns the parcels to the south and west. The parcel to the east (on the east side of US Route 11) is a commercial property operating as Vinumport Duty Free. The project area that would be disturbed during construction and permanently impacted would total approximately six acres.

The existing Rouses Point LPOE consists of a two-story brick main building with a one-story brick north wing and a one-story, four-bay brick south wing, plus a one-story brick, eight-bay garage wing. The main building also has a one-story wood portico or porte cochere for three lanes of vehicle drive-through with one small booth for the CBP officer on duty. The building was constructed in 1933 in the Georgian Revival style and is 19,640 gross square feet.

The existing Rouses Point LPOE building does not satisfy the mission requirements of CBP due to space constraints and issues associated with the aging infrastructure. The building is not adequate to house additional support staff, provide functional program areas, or accommodate additional parking. The Rouses Point LPOE does not meet current Federal infrastructure or security requirements. There are floor loading concerns associated with the dated infrastructure. Additionally, the facility does not meet Architectural Barriers Act (ABA) Accessibility Standards (available at: https://www.access-board.gov/aba/).

In April 2020, GSA commissioned a feasibility study for modernizing and expanding the Rouses Point LPOE. The feasibility study assessed programmatic needs and considered a variety of options to make the aging facility more suitable for the mission and operation of CBP. The feasibility study took an iterative approach to identify potential solutions, evaluate them based on various aspects of feasibility, and identify a preferred alternative. Results of the feasibility study informed the development of a Proposed Action Alternative (preferred alternative), as described in Chapter 2. Alternatives that were evaluated in the feasibility study but not selected as the preferred alternative based on inefficiencies, logistical drawbacks or other considerations are described in Section 2.3, Alternatives Considered but Not Carried Forward.

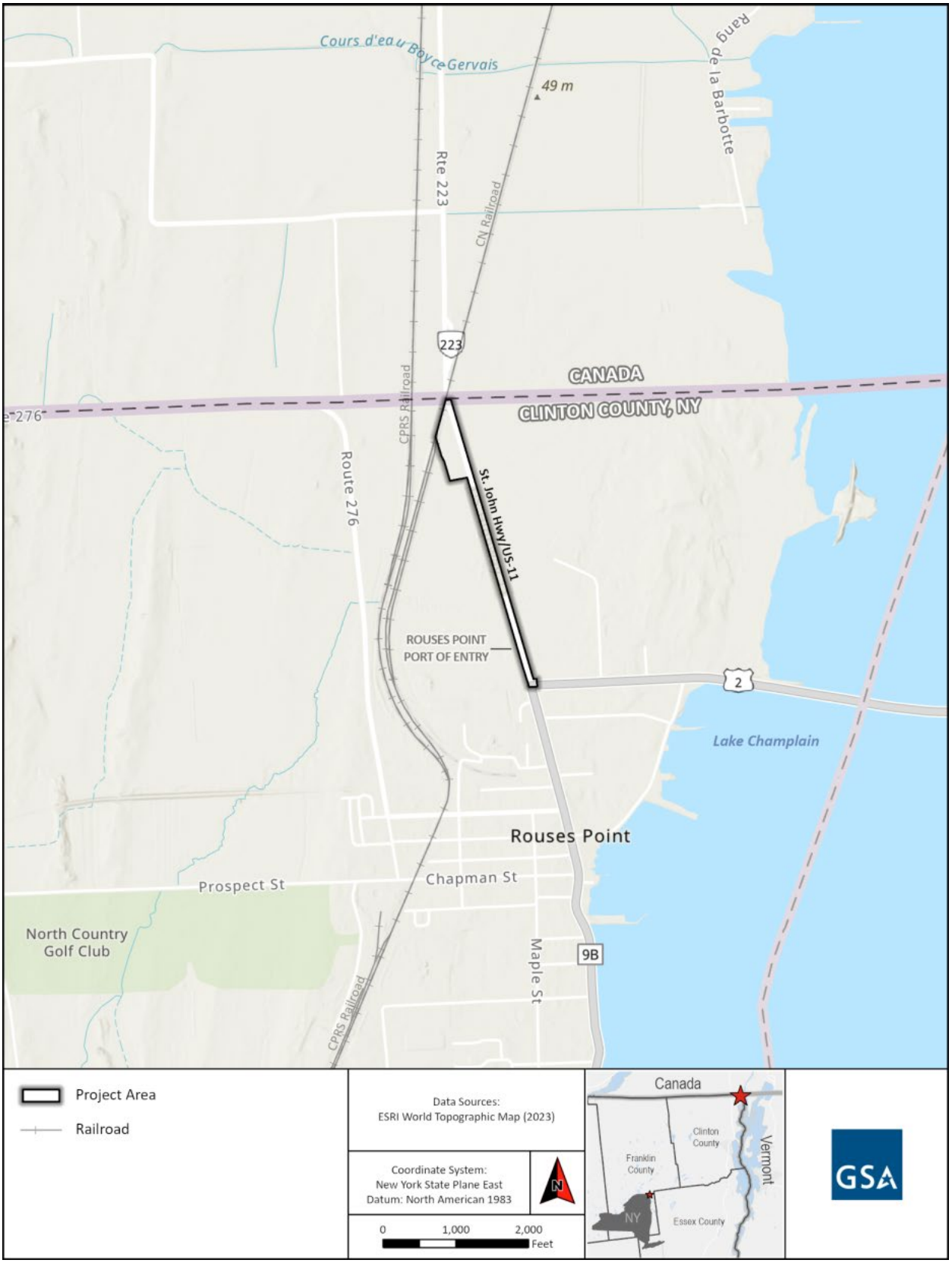


**Figure 1. Project Area Vicinity**


**Figure 2. Existing and Proposed Future LPOE Sites and Parcel Ownership**

## 1.3 Purpose and Need for Proposed Action

The purpose of the project is to construct a modernized and expanded LPOE at Rouses Point to house additional support staff, provide functional program areas, expand parking and increase efficiency. The new facility would co-locate program areas (the CBP Trusted Traveler Programs and rail inspection program) to allow all program areas to be served by the same CBP personnel in a single location close to the U.S.–Canadian border. The Proposed Action would improve efficiency and security for travelers and for Federal agencies. The Proposed Action would ensure that CBP has the facilities necessary to carry out its mission.

The Proposed Action is needed to bring the LPOE into compliance with Federal infrastructure and security requirements and support the mission needs of CBP. The existing facility cannot meet these needs due to its space constraints, its distance from the U.S.–Canadian border and limitations associated with its aging infrastructure.

## 1.4 Section 106 Consultation

Section 106 of the National Historic Preservation Act of 1966, 16 USC §§ 470 et seq., requires Federal agencies to consider the effects of their undertakings on cultural resources, including historic and archaeological resources, and to consult with the State Historic Preservation Office (SHPO) and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on ways to avoid, minimize, or mitigate adverse effects on cultural resources. The Rouses Point LPOE is listed on the National Register of Historic Places. GSA performed an archaeological assessment of the project area in 2018. Because the Proposed Action has the potential to affect historic and/or archaeological resources, GSA must consult with the SHPO and other consulting parties as defined by the National Historic Preservation Act. GSA held an initial meeting with the SHPO on May 20, 2022, to provide an overview of the Proposed Action. Subsequent to the meeting, GSA provided the SHPO with additional information about the Proposed Action site, including an Area of Potential Effect (APE) map for the project, a draft geotechnical boring plan, property maps, site photos and preliminary project figures. The SHPO provided GSA with a list of Tribes and other potentially interested parties to be included for Section 106 consultation.

The existing LPOE building is not part of the proposed alternative, which is the construction of a new LPOE, and the end use of the existing historic LPOE has not yet been determined. When the status of the existing LPOE has been determined, GSA will notify the SHPO. If no use for the historic LPOE is found, GSA will provide SHPO with specific steps that will be taken to maintain the building.

Additionally, GSA consulted the SHPO regarding the potential mitigation site. The SHPO determined that no historic properties, including archaeological and/or historic resources, would be affected by the wetland mitigation project (GSA 2024).

## 1.5 Tribal Consultation

GSA contacted the Saint Regis Mohawk Tribal Council via email on March 6, 2023, to propose a meeting to inform the Tribe of the Proposed Action and gain an understanding of Tribal perspectives, considerations or concerns related to the proposed improvements to the Rouses Point LPOE. The Tribe responded that their members do not use the Rouses Point LPOE, are not concerned about potential impacts of the Proposed Action on Tribal resources and do not wish to have further involvement in the NEPA process.

## 1.6 Section 404 Consultation and Jurisdictional Determination

GSA has adhered to the maximum extent practicable to the Clean Water Act (CWA) and Council on Environmental Quality (CEQ) goals to protect wetlands and achieve a goal of no overall net loss of wetlands functions and values through avoidance, minimization and mitigation of impacts to wetlands.

Due to the very nature and function of an LPOE the only practical alternative available to GSA was locating the new LPOE as close to the border as possible. The U.S.–Canadian border area along US Route 11 is nearly all wetlands, and therefore wetlands could not be avoided. Construction of a new LPOE further away from the border was not practical and no other location could reasonably or practically meet the Government's mission requirements.

Regarding minimizing impacts to wetlands, the original layout for the building and inspection plaza had a larger footprint and did not take advantage of efficiencies later found in locating the inspection plaza onto the existing US Route 11 roadway. The original facility layout and configuration would have required additional paved areas and roadways to provide vehicular access off and back onto US Route 11, resulting in greater impacts to the wetlands. To minimize the construction of new roadways in wetlands, the project design was changed to locate the inspection plaza directly onto US Route 11. The building and paved areas are now located as close to the existing road as practicable, minimizing impacts to wetlands and minimizing paved areas within existing wetlands. The facility footprint was minimized to the maximum extent practicable, thereby reducing the amount of fill brought to the site. Grading changes were minimized, keeping the overall site grade as close to original grades as possible.

The construction of a new LPOE Project will result in impacts to Federal- and State-regulated wetlands. Therefore, wetland mitigation will be provided to offset all impacts to Federal- and State-regulated wetlands associated with the Project and will satisfy the requirements set forth by New York State Department of Environmental Conservation (NYSDEC) and U.S. Department of Defense - Army Corps of Engineers (USACE).

GSA explored mitigation options to compensate for the proposed impacts resulting from the Project, such as wetland banking and in-lieu fee credits, but these were not available in the

watershed of the Project. GSA determined that on-site mitigation activities were infeasible due to existing site conditions.

In accordance with the applicable Federal and State of New York requirements, the site selection for the off-site mitigation location prioritized the long-term, self-sustaining ecological suitability of the site. GSA conducted a land search, property and owner investigation from July 2023 to November 2023, resulting in only one location that could meet site requirements and restoration objectives at a single location.

Some key requirements and objectives for site review included:

- compatibility with adjacent land uses and watershed management plans
- watershed-scale features, such as aquatic habitat diversity, habitat connectivity and other landscape-scale functions
- the size and location of the compensatory mitigation site relative to hydrologic sources and other ecological features
- headwater location within the sub-watershed
- continuity with NYSDEC mapped wetlands
- fulfilling all mitigation needs within a singular, ecologically beneficial site

As a result of the above search and evaluation, GSA has selected a potential site for off-site wetlands creation to mitigate impacts from disturbance of the wetlands at the project. The potential off-site mitigation site would be used for approximately six acres of wetlands creation and is located approximately two miles south of the project site within the Town of Champlain adjacent to Hayford Road and south of US Route 11. The site resides in the St. Lawrence Valley physiographic province, which exhibits a mix of land uses from forestry to agriculture (Figure 3).

The off-site wetlands mitigation needs to be approved by both the USACE and NYSDEC. A Joint Application for Permit was submitted to USACE and NYSDEC for review and approval. The approval process will include a public notice and review of the proposed project.


**Figure 3. Potential Off-Site Mitigation Area**

Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged or fill material into waters of the United States, including wetlands and streams. Proposed activities are regulated through a permit review process. GSA will obtain the applicable Section 404 Permit, Section 401 Water Quality Certification, and Article 24 Freshwater Wetlands Permit required for the wetland and stream impacts. The USACE reviews and evaluates permits. The USACE reviews individual permits and evaluates applications under a public interest review, as well as the environmental criteria set forth in the CWA Section 404(b)(1) Guidelines. USACE also conducts or verifies Jurisdictional Determinations (JD) to determine or confirm the presence of wetlands and streams. Because the Proposed Action has the potential to affect wetlands and streams, GSA consulted with USACE and NYSDEC. GSA submitted a request for a Preliminary JD to the USACE New York District on August 21, 2023.

Compensatory mitigation is required under CWA Section 404 to offset any unavoidable adverse impacts that remain after all appropriate and practicable avoidance and minimization has been achieved. Under the regulations, three mechanisms provide compensatory mitigation (listed in order of preference as established by the regulations): mitigation banks, in-lieu fee programs and permittee-responsible mitigation. Wetland and stream mitigation would be provided in consultation with USACE and NYSDEC pursuant to CWA Section 404 and in accordance with Executive Order 11990, *Protection of Wetlands*. Certain activities that may impact waters of the United States require authorization under Sections 404 and 401 of the CWA. Waters of the United States, including Federal jurisdictional wetlands and streams, are defined by 33 CFR Section 328, Part 328.3. The USACE New York District is the agency responsible for issuing Section 404 permits in the Project Area.

Section 401 of the CWA requires State water quality certification or waiver for any federally permitted action involving discharges into waters of the United States to ensure the permitted action will not violate a State's water quality standards or impair designated uses. The NYSDEC is the agency responsible for administering New York's Section 401 program, as well as the Article 24 – Freshwater Wetlands Permit.

## 1.7 Endangered Species Act Section 7 Consultation

Section 7 of the Endangered Species Act (ESA) requires Federal agencies to consult with the U.S. Department of the Interior - Fish and Wildlife Service (FWS) when any project or action it authorizes, funds or carries out may affect a species listed as threatened or endangered under the ESA, species that are candidates for listing or designated critical habitat. GSA held a virtual meeting with FWS on September 30, 2022, to provide an overview of the Proposed Action and solicit feedback and consultation.

The proposed action was reviewed for potential impacts to existing threatened and endangered species by consultation with the FWS via its Information for Planning and Consultation (IPaC) system. Information obtained from the FWS IPaC system's official species list indicated that

there are no listed species at the project site, and therefore formal consultation is not required. The only ESA-listed or candidate species potentially occurring in the project area is monarch butterfly (*Danaus plexippus*). The monarch butterfly is a candidate for listing under the ESA but is not currently a listed species.

GSA reviewed the off-site mitigation location for potential impacts to existing threatened and endangered species by consultation with the FWS via its IPaC system. Information obtained from the FWS IPaC system indicated that there are no ESA-listed species at the mitigation site.

FWS noted the Proposed Action does not require further consultation under ESA Section 7 and is "not likely to adversely affect" ESA-listed species. FWS provided letters and email communications (included in Appendix A) to document completion of ESA Section 7 consultation.

## 1.8 Other Agency Consultation

GSA held a virtual meeting with NYSDEC on September 16, 2022, to inform the agency of the Proposed Action and gather any concerns or information regarding wildlife and wildlife habitat that should be considered in the environmental analysis. During the meeting, NYSDEC indicated that there are no known State-listed species of concern within the project area. NYSDEC confirmed that the project area is outside the range of protected bats, and therefore would not provide roosting or foraging habitat. Consequently, NYSDEC did not recommend surveys in the project area.

The project will disturb more than 5,000 square feet of land and will therefore need to meet the requirements of Section 438 of the Energy Independence and Security Act (EISA) of 2007. Under Section 438, Federal agencies are required to reduce stormwater runoff from Federal development and redevelopment projects to protect water resources and to restore the redevelopment hydrology to the maximum extent possible regarding temperature, rate, volume and duration of flow.

To meet the requirements of EISA Section 438 and the NYSDEC Stormwater Design Manual requirements, GSA will use various stormwater management systems. These will include bioretention devices, vegetated swales, grass filter strips, rainwater harvesting/cistern and tree plantings. The proposed project area is not located within the New York State Coastal Zone Management boundary.

Because the action would permanently convert soils designated as prime farmland and farmland of statewide importance, GSA consulted with the U.S. Department of Agriculture - Natural Resource Conservation Service (NRCS) in accordance with the Farmland Protection Policy Act (FPPA). For the purposes of compliance with the FPPA, NRCS determined that the lands in question were not subject to the FPPA.

## 1.9 Public Participation

GSA held virtual community engagement meetings on July 11, 2022; December 14, 2022 and January 17, 2023. GSA announced the meetings via email. Fifteen people attended the July meeting. Thirty-seven people attended the December meeting. The meetings were attended by a diversity of stakeholders representing Federal, State, and local government agencies; Canadian federal and provincial government agencies; and members of the business community. Meeting attendees included representatives from CBP, the U.S. Department of Transportation - Federal Highway Administration, New York State Department of Transportation (NYSDOT), NYSDEC, Canada Border Services Agency, Province of Quebec Government Relations, North Country Chamber of Commerce, Town of Champlain, Clinton County, Amtrak, Vinumport Duty Free store and Lakeside Coffee Roasters. Many of the attendees from the July meeting also attended the December meeting. During the meetings, GSA staff gave a presentation on the project background and goals, shared preliminary site plans, and described plans for community engagement and communication. The presentation covered the NEPA process and noted key issues that will be considered, including environmental justice. GSA staff described its proposed measures to minimize impacts on wetlands and streams.

Comments (and responses, if any) made during the open discussion portion of the July 11, 2022, meeting are summarized below:

- One attendee requested integration of a new NEXUS[1] center with the project.
- An attendee shared concerns about the integration of new proposed railway inspections closer to the border because of potential cargo traffic impacts. The attendee wanted to ensure that traffic flow would be unimpeded by the project or by changes in inspection operations.
- An attendee asked if the existing port would remain open during construction, noting that it would be important for local commerce. GSA replied that the port would remain open.
- The North Country Chamber of Commerce asked to be included in public engagement related to the planned construction project for the Rouses Point LPOE.
- The NYSDEC noted the importance of strategizing to minimize disturbances to wetlands and streams rather than mitigating disturbances. GSA indicated that the agency is sensitive to avoiding wetland and stream disturbances and noted GSA's SITES[2] certification goal.
- The Town of Champlain asked about the existing LPOE facility and whether it would be marketed. GSA described the due diligence its follows relating to the disposal process

[1] NEXUS is a cooperatively administered program between the United States and Canada that allows pre-screened travelers expedited processing when entering either of the two countries at designated ports of entry.
[2] The Sustainable Sites Initiative (SITES) certification program is a rating system that guides, evaluates, and certifies sustainability and resilience in the design, development, and management of landscapes and other outdoor spaces.

and noted that the existing building could house another Government operation. GSA asked local stakeholders for input on potential reuse of the existing facility. The Town of Champlain asked to remain involved in the process.

- An attendee stated that they looked forward to learning more about the community in future engagements related to the GSA Fine Arts Program.

A summary of comments (and responses, if any) received during the December 14, 2022, meeting is provided below:

- Several commenters expressed concern about the length of the proposed rail platform walkway and potential implications for individuals with disabilities or limited mobility.
- Several commenters requested that the rail platform walkway be covered or enclosed to shelter waiting passengers during inclement weather. GSA replied that options to cover all or a portion of the walkway are being considered, but the final design has not yet been completed. GSA noted that construction costs and property maintenance would be factors in the decision.

At the third virtual community engagement meeting held on January 17, 2023, GSA presented a redesign of the rail platform walkway to address comments previously received. The redesign included reducing the length of the rail walkway platform and covering it to protect passengers during inclement weather. The comments received were positive on the redesign.

### 1.9.1 Draft EA Review

GSA made the draft EA available to the public at the GSA website (http://gsa.gov/rousespointea); at the Rouses Point Dodge Memorial Library located at 144 Lake Street in Rouses Point, NY (12979); and at the Plattsburgh Public Library located at 19 Oak Street in Plattsburgh, NY (12901). The draft EA was available for a 30-calendar-day public review period, from June 8, 2024, through July 7, 2024. GSA published a Notice of Availability for the draft EA in the *Press-Republican* and the *Sun Community News* announcing the availability of the document and initiation of the 30-day comment period.

GSA held a virtual public meeting regarding the proposed project at 6:00 p.m. on June 26, 2024, and was accessible from the GSA website at http://gsa.gov/rousespointea. A transcript of the meeting is provided in Appendix A of this Final EA. Interested parties were invited to attend to learn about the project and submit questions and comments. Attendees were provided the opportunity to comment on the proposed project during the public meeting. During the review period, comments on the Draft EA were accepted during the virtual public meeting as well as via email and the U.S. Postal Service. No comments from the general public were received during the public review period. Comments from Canadian National Railway Company as well as interagency and intergovernmental coordination/consultation response letters were reviewed and incorporated into the EA analysis of potential environmental impacts, where applicable, and are included in Appendix A.

# 2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

## 2.1 Description of the Proposed Action

In April 2020, GSA commissioned a feasibility study for the Rouses Point LPOE to develop a solution to satisfy the current and long-term Federal asset and program needs. GSA identified the Proposed Action based on the results of the feasibility study as described in Section 1.3, Background. Alternatives that were evaluated in the feasibility study but ultimately eliminated from consideration are described in Section 2.3, Alternatives Considered but Not Carried Forward. The proposed building is 12,399 gross square feet in size without accounting for the rail platform, and primary inspection booths and booth canopy. The Proposed Action would construct a new facility in immediate proximity to the U.S.–Canadian border, approximately 0.65 miles north of the existing LPOE, to allow for effective implementation of the CBP mission (Figure 4, a Proposal Action site plan, and Figure 5, an artist's rendition). The total project area would be approximately 10.28 acres, including the utility routes along both sides of US Route 11. The new facility would impact approximately six  acres of the main project area. The proposed facility would house the CBP Trusted Traveler Programs, and rail inspection program and would include new inspection lanes and a rail inspection platform.

The program areas would be co-located so the same CBP personnel could serve the unified program area in one location. GSA would acquire a portion of the CN property located adjacent to the new proposed Rouses Point LPOE parcel on the north side to accommodate rail inspections at the new unified LPOE facility (Figure 2).

Under the Proposed Action, the vehicular canopy would be located 206 feet from the U.S.–Canadian border. The rail walkway platform and canopy adjacent to the passenger rail track would be located 100 feet from the border. The new LPOE will be constructed on property currently owned by the U.S. Government, CN and the NYSDOT right-of-way (ROW).Use of 1.56 acres of the NYSDOT US Route 11 ROW is required for construction of new LPOE vehicle inspection lanes and infrastructure. In addition, the NYSDOT ROW will be used for utility extensions to the new LPOE. Electrical and sewer service will be installed on the west side of NYSDOT US Route 11, and the potable water service will be installed along the east side of NYSDOT US Route 11.

For construction of the new LPOE, acquisition of 2.16 acres of property owned by CN would be required.

The project is pursuing a Leadership in Energy and Environment Design (LEED) v4 Gold-level certification and a 30 percent energy reduction in energy compared to the ASHRAE 90.1 2019 for the new LPOE.

The new facility will reduce its carbon emission using an all-electric heating, ventilation and air conditioning (HVAC) system, which will use high-efficiency ground source heat pumps and on-site renewable energy (photovoltaic panels).

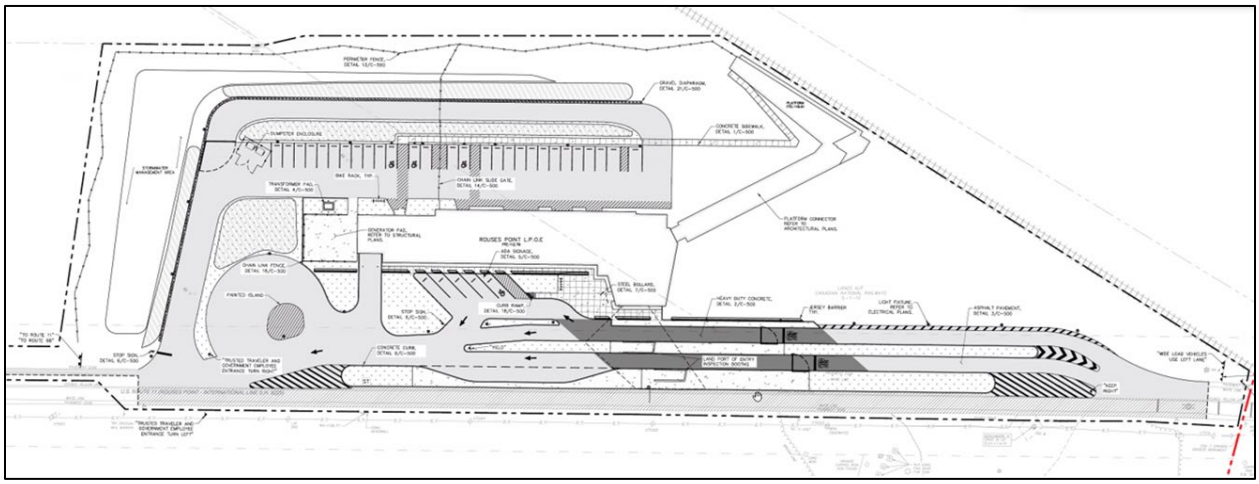

**Figure 4. Proposed Action Site Plan**

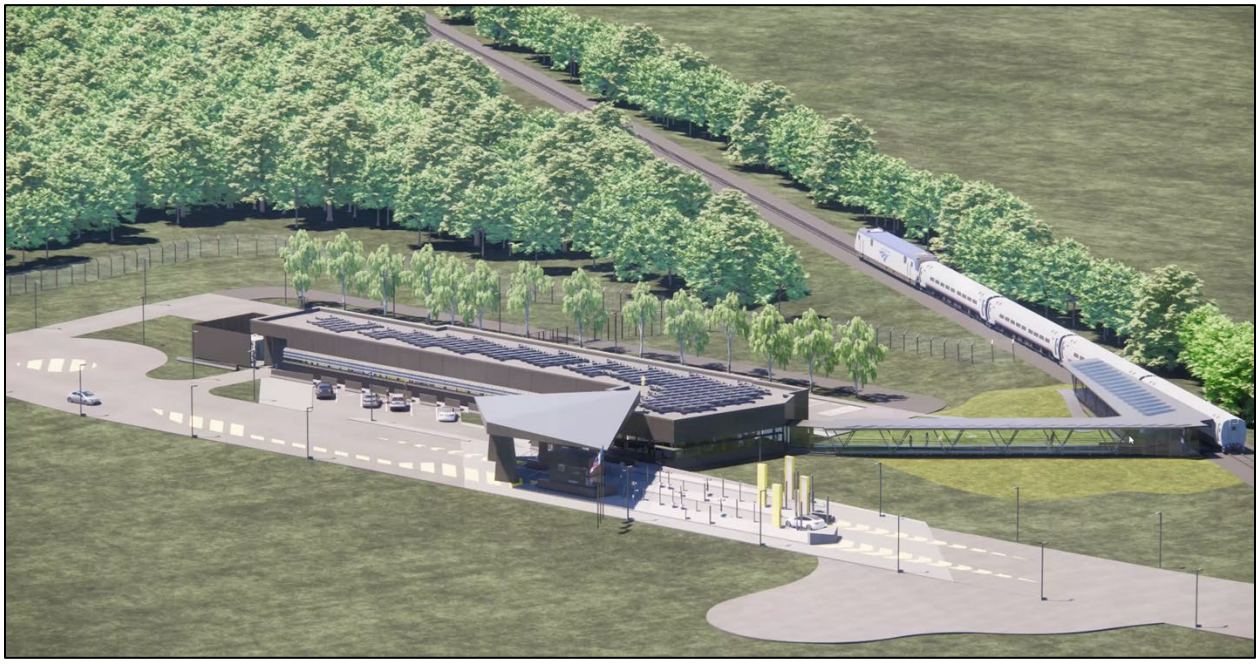

**Figure 5. Artist's Rendition of Proposed Action**

## 2.2 Alternatives

This EA analyzes the potential impacts of two alternatives: the No-Action Alternative and the Proposed Action Alternative.

### 2.2.1 No-Action Alternative

Under the No-Action Alternative, GSA would not construct a new Rouses Point LPOE facility. The existing facility would continue to operate in its current condition.

The No-Action Alternative would not meet GSA's purpose and need because the existing facility does not provide functional program areas or accommodate adequate parking required to support the Government's mission. Additionally, the existing facility does not comply with Federal infrastructure and security requirements for LPOEs. Rail inspections would continue to be performed at the railroad station located approximately one mile south in the Village of Rouses Point.

### 2.2.2 Proposed Action Alternative (Preferred Alternative)

Under the Proposed Action Alternative, the Proposed Action as described in Section 2.1 would be implemented. GSA would construct a new LPOE facility at Rouses Point located close to the U.S.–Canadian border, approximately 0.65 miles north of the existing facility (Figure 4).

## 2.3 Alternatives Considered but Not Carried Forward

The Proposed Action was developed based on the findings of the 2020 feasibility study. The feasibility study considered several options to bring the Rouses Point LPOE into compliance with current Federal standards and to better support the Government's mission. Alternatives that were developed and evaluated in the feasibility study but that were ultimately eliminated from consideration include constructing a new LPOE at the current location, building an addition to the existing LPOE, and constructing a new LPOE on the east side of US Route 11. However, the study identified the Proposed Action (preferred alternative) as the most feasible option because it would best satisfy all the programmatic requirements identified in the study while minimizing impacts on resources. Therefore, no other alternatives were carried forward for analysis in this EA.

## 2.4 Summary and Comparison of Potential Impacts

Summary and comparison of potential impacts from the two alternatives are provided in Table 1.

**Table 1. Summary of Potential Impacts**

| Resource | No-Action | Proposed Action |
|---|---|---|
| Geology and Soils | No Impacts | Permanent loss at the proposed LPOE site of up to 10.28 acres of soils, including 5.53 acres of prime farmland soils/farmland of statewide importance.<br>GSA consulted with NRCS in accordance with the Farmland Protection Policy Act.<br>No impacts on geology. |
| Water Resources | No Impacts | Direct and indirect, short- and long-term, adverse impacts on surface waters, wetlands and streams (up to approximately 5.2 acres of wetland. Impacts would be minimized by implementing appropriate erosion control and stormwater management best management practices, and mitigation for unavoidable impacts would be provided in consultation with USACE and NYSDEC pursuant to CWA Section 404 and in accordance with Executive Order 11990, *Protection of Wetlands*. Upon completion of mitigation, no significant adverse impacts are anticipated. |
| Wildlife and Habitat | No Impacts | Short-term, direct, adverse impacts on wildlife could range from temporary disturbance or displacement of species to possible mortality of some animals. Permanent loss of up to 5.2 acres of predominantly wetland habitat.<br>No impacts to federally listed threatened or endangered species. |
| Cultural Resources | No Impacts | No adverse impacts on cultural resources. |
| Socioeconomics and Environmental Justice | No Impacts | Short- and long-term, beneficial impacts on local employment and income.<br>No/negligible impacts on children and environmental justice populations. |
| Land Use | No Impacts | Compatible with existing land uses. No adverse impacts. |
| Traffic, Transportation, and Parking | No Impacts | Long-term benefits for traffic with minimal to no adverse short-term, adverse impacts.<br>Long-term benefits for the regional train network.<br>Long-term benefits for parking.<br>No adverse impacts on transit operations and availability. |

# 3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This section describes the existing environment that may be affected by implementing the Proposed Action and serves as a baseline from which to identify and evaluate potential impacts. The description of the affected environment focuses on those resource areas that are potentially subject to impacts resulting from the Proposed Action.

## 3.1 Resources Dismissed from Full Analysis in this Environmental Assessment

CEQ regulations emphasize that NEPA documents should focus on issues of critical importance and only discuss insignificant issues briefly (CFR 1502.2(b)) (CEQ 1978). Consistent with this guidance, the following resources have been dismissed from full analysis in this EA.

### 3.1.1 Aesthetics

The proposed LPOE would construct a single-story building that would consider all zoning requirements, including massing and setbacks. The Proposed Action would alter the existing visual landscape on an undeveloped site. However, the visual impact would be consistent with other modernized LPOE facilities in the area, as well with as the Canadian Port of Entry located immediately north of the project area in Lacolle, Quebec, which is visible from the site. The only visual receptor in the immediate vicinity of the Proposed Action area on the U.S. side is the Vinumport Duty Free store, located on the opposite side of US Route 11. Setbacks and vegetative buffers would further reduce the effect of potential visual impacts. Therefore, this topic was dismissed from further analysis.

### 3.1.2 Air Quality

The proposed project area is located in an attainment area for all national ambient air quality standards. Construction of the proposed new LPOE would result in temporary emissions of criteria pollutants through fugitive dust and exhaust from vehicles and equipment. Construction equipment would generate fugitive dust on disturbed soils, including during grading and filling activities. Air quality impacts during construction would be minimized by including standard construction dust control best management practices; see Section 4. Emissions during the construction period would be temporary and are not anticipated to have a noticeable effect on air quality. Operation of the proposed new facility would not result in increased emissions compared to existing conditions because traffic volume through the LPOE is not expected to increase. Therefore, the Proposed Action would not affect air quality over the long term. Overall, the Proposed Action would not result in significant impacts on air quality; therefore, this topic was dismissed from further analysis.

### 3.1.3 Noise

The Proposed Action would result in temporary increases in noise levels associated with construction (e.g., clearing, demolition and construction vehicle traffic). However, the only noise-sensitive receptor in the immediate vicinity of the proposed project area is the Vinumport Duty Free store. No residences, schools, or other public or private facilities are located in the vicinity of the proposed project area on the U.S. side. Increased noise would be limited to the construction period, and noise levels would return to baseline conditions after construction is complete. The project area receives frequent noise disturbances under baseline conditions because it is located next to railroad tracks that receive daily railroad traffic. The Proposed Action would not noticeably alter the existing acoustic environment over the long term because traffic volume through the LPOE is not expected to increase. Therefore, this topic was dismissed from further analysis.

### 3.1.4 Solid Waste and Hazardous Materials

GSA conducted a Phase 1 Environmental Site Assessment for the proposed project site. The Phase 1 Environmental Site Assessment assessed the likelihood of site contamination through visual observations, historical use reviews and regulatory records. One Recognized Environmental Condition (REC) was identified at the location of the existing Rouses Point LPOE located approximately .65 miles south from the proposed new LPOE. The REC identified was a fuel oil spill into a secondary containment tank on GSA property on October 26, 2007. GSA completed the cleanup of the spill on November 15, 2007, and the NYSDEC spill report was closed. The Phase I report recommended that funds to pay for future remediation and disposal cost be set aside in the event impacted soils are encountered during utility installation along US Route 11. Any soil contamination would be addressed in compliance with all applicable laws and regulations. Therefore, this topic was dismissed from further analysis.

### 3.1.5 Utilities

Under the Proposed Action, the same utilities (municipal water, sewer and electric) that serve the existing facility, all of which are provided by the Village of Rouses Point, would serve the new facility. However, all utilities would need to be extended from their current locations to the proposed site.

Under the Proposed Action, the municipal water main that serves the existing LPOE would need to be extended approximately 3,200 linear feet along US Route 11 and would require the installation of five or six fire hydrants to meet current New York State Department of Health regulations for municipal water distribution systems. The existing municipal system has sufficient pressure and supply to meet the needs of the new LPOE if it is constructed at the proposed location.

Because the proposed project area is predominantly wetlands, the soils in the area are unlikely to support an on-site wastewater treatment system. Therefore, the Proposed Action would also require an extension of the municipal sewer main that serves the existing facility into the proposed project area. The main would be extended to the site without the need for a pump station or force main. Three-phase electrical service would also need to be extended to the site. The Vinumport Duty Free store across the street from the project is currently served by a single-phase line.

Overall, the Proposed Action would not result in significant impacts on utilities. Rerouting the existing utility infrastructure and connections would be coordinated with the Village of Rouses Point. The Proposed Action would not require connection to new utility services. The potential for increased energy demand associated with the expanded LPOE would be partially offset by improved efficiency associated with the new LEED-certified facility. Therefore, this impact topic was dismissed from full EA analysis.

## 3.2 Resources Carried Forward for Full Analysis in this Environmental Assessment

### 3.2.1 Geology and Soils

*Affected Environment*

The proposed project area is located in the St. Lawrence Valley Physiographic Province. The area is relatively flat with elevations ranging from approximately 107 to 117 feet above mean sea level. Soils in the proposed project area are mostly classified as Muskellunge silty clay loam, 0 to 3 percent slopes (53 percent) and Adjidaumo silty clay, 0 to 3 percent slopes (32 percent). The remainder of the proposed project area is composed of Roundabout silt loam (12 percent) and Fluvaquents-Udifluvents complex, frequently flooded (2 percent) soils (Figure 6). Soils in the proposed project area are poorly or somewhat poorly drained, except for the Fluvaquents-Udifluvents complex soils. Adjidaumo silty clay soils are considered farmland of statewide importance. Muskellunge silty clay loam and Roundabout silt loam soils are considered prime farmland. All soils in the proposed project area are classified as hydric.

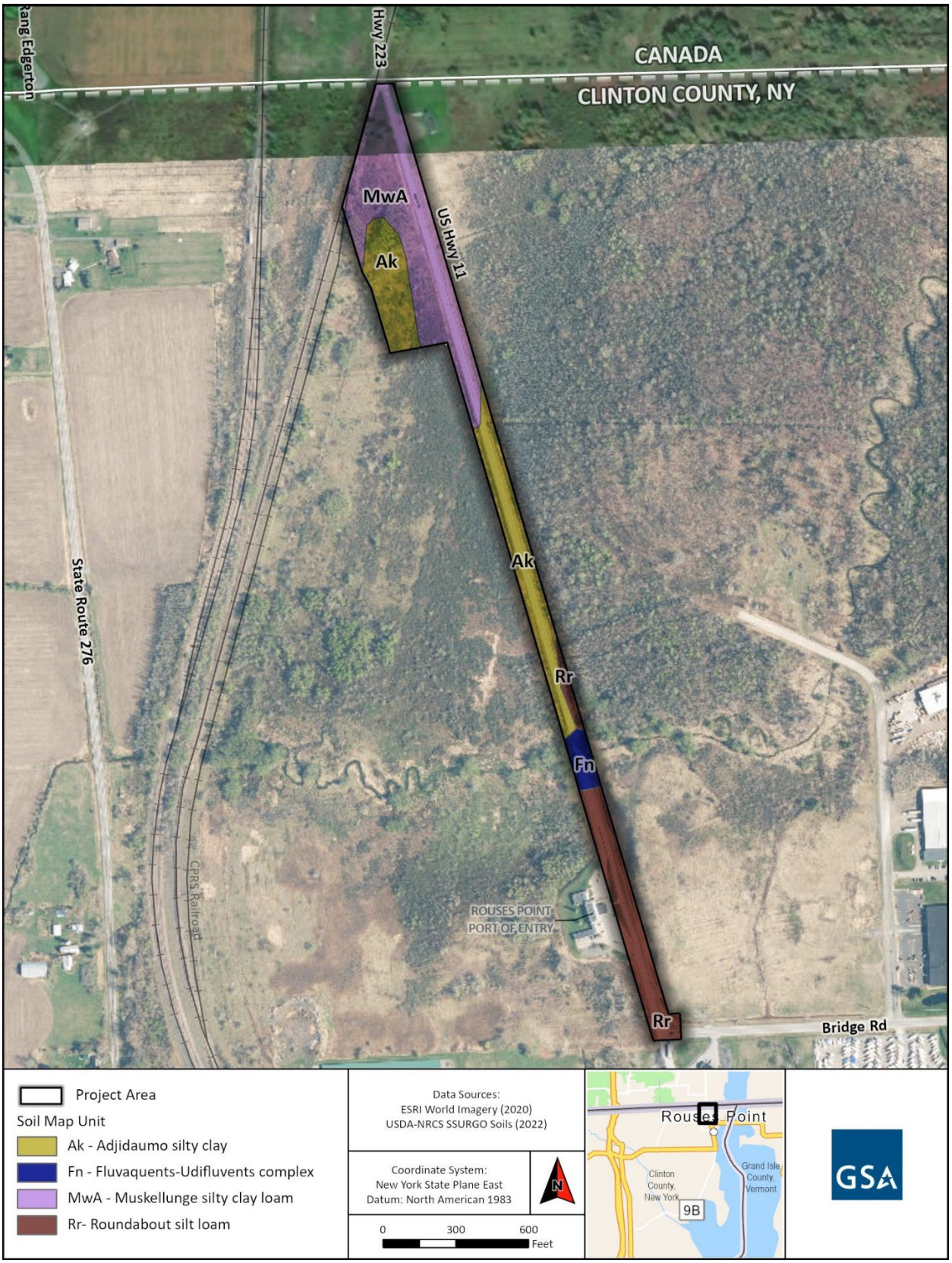


**Figure 6. Soils**

*Environmental Consequences*

**Proposed Action Alternative**

The Proposed Action would require up to 10.28 acres of ground-disturbing activities, such as excavation, grading and clearing during construction, which would affect soils. Construction of the new LPOE facility, including the inspection lanes, parking and other paved areas, would result in the permanent loss of up to 10.28 acres of soils (Table 2). All soils inside the project area were included as permanently impacted, except for soils already in the roadway, but the actual acreage could be less. Because the Proposed Action would permanently convert soils designated as prime farmland and farmland of statewide importance, GSA consulted with the NRCS in accordance with the FPPA (Appendix A). For the purposes of compliance with the FPPA,NRCS determined that a total of 5.53 acres of farmland soils would be permanently lost (Table 2). Soils within transportation ROW are exempt from FPPA requirements. FPPA compliance was completed on March 29, 2024 (Appendix A).

GSA would develop and implement erosion and sediment control measuresprior to and during construction to minimize adverse impacts on soils. After construction is completed, disturbed areas would be revegetated to reduce the potential for erosion. Construction of the proposed LPOE facility is not expected to affect geology.

**Table 2. Permanent Impacts to Soils**

| Soil Type | Permanent Loss (Acres) | Acres Subject to FPPA |
|---|---|---|
| Muskellunge silty clay loam, 0 to 3% slopes | 4.86 | 3.67 |
| Adjidaumo silty clay, 0 to 3% slopes | 3.49 | 1.86 |
| Roundabout silt loam | 1.63 | 0 |
| Fluvaquents-Udifluvents complex | 0.30 | N/A |

**No-Action Alternative**

A new Rouses Point LPOE facility would not be constructed under the No-Action Alternative. There would be no change to the existing conditions in the proposed project area. No impacts on geology and soils would occur.

### 3.2.2 Water Resources (Surface Waters and Wetlands)

*Affected Environment*

The proposed project area is situated in the Lake Champlain Watershed (Hydrologic Unit Code 04150408). The Lake Champlain Watershed drains the 8,234-square-mile area between the Adirondack Mountains in northeastern New York State and the Green Mountains in northwestern Vermont (NYSDEC 2023).

GSA performed a wetland delineation in September 2022 (Appendix C) to determine the Federal-jurisdictional boundaries of wetlands identified within the project area. The wetland delineation covered an area of approximately 23.8 acres of which 15.26 acres were classified as wetland. Three wetland complexes were identified. Wetland types present in the proposed project area include palustrine emergent wetland (PEM), palustrine shrub wetland (PSS), and palustrine forested wetland (PFO). Wetlands were identified east and west of US Route 11 (Figure 7).

Other water features in the proposed project area include one perennial stream, one intermittent stream, and two ditches. The intermittent stream originates in the proposed project area and flows south into a perennial stream outside the project area that flows east, passing through a culvert under US Route 11 and continuing into Lake Champlain. Both streams are jurisdictional to USACE. The two ditches flow intermittently, passing beneath US Route 11 and connecting wetlands on either side of the road. Both appear to be the result of human intervention and are not jurisdictional to the USACE or NYSDEC.

A summary of wetlands and water features identified in the proposed project area during the field delineation is provided in Table 3. The 2022 delineation remains subject to USACE verification. As noted above, GSA submitted a request for a Preliminary JD to the USACE New York District on August 21, 2023.

**Table 3. Summary of Aquatic Resources in Proposed Action Area**

| Feature | Classification | Area/Length in the Project Area | Jurisdiction |
|---|---|---|---|
| Wetland A | Palustrine Emergent | 0.06 acres | USACE |
| Wetland B | Palustrine Forested | 1.0 acres | NYSDEC/USACE |
| Wetland B | Palustrine Emergent | 4.2 acres | NYSDEC/USACE |
| Wetland C | Palustrine Shrub Scrub | 5.17 acres | NYSDEC/USACE |
| Wetland C | Palustrine Forested | 1.05 acres | NYSDEC/USACE |
| Wetland C | Palustrine Emergent | 3.38 acres | NYSDEC/USACE |
| Stream 1 | Perennial | 121 linear feet | USACE |
| Stream 2 | Intermittent | 38 linear feet | USACE |
| Ditch 1 | Intermittent | 261 linear feet | N/A |
| Ditch 2 | Intermittent | 101 linear feet | N/A |

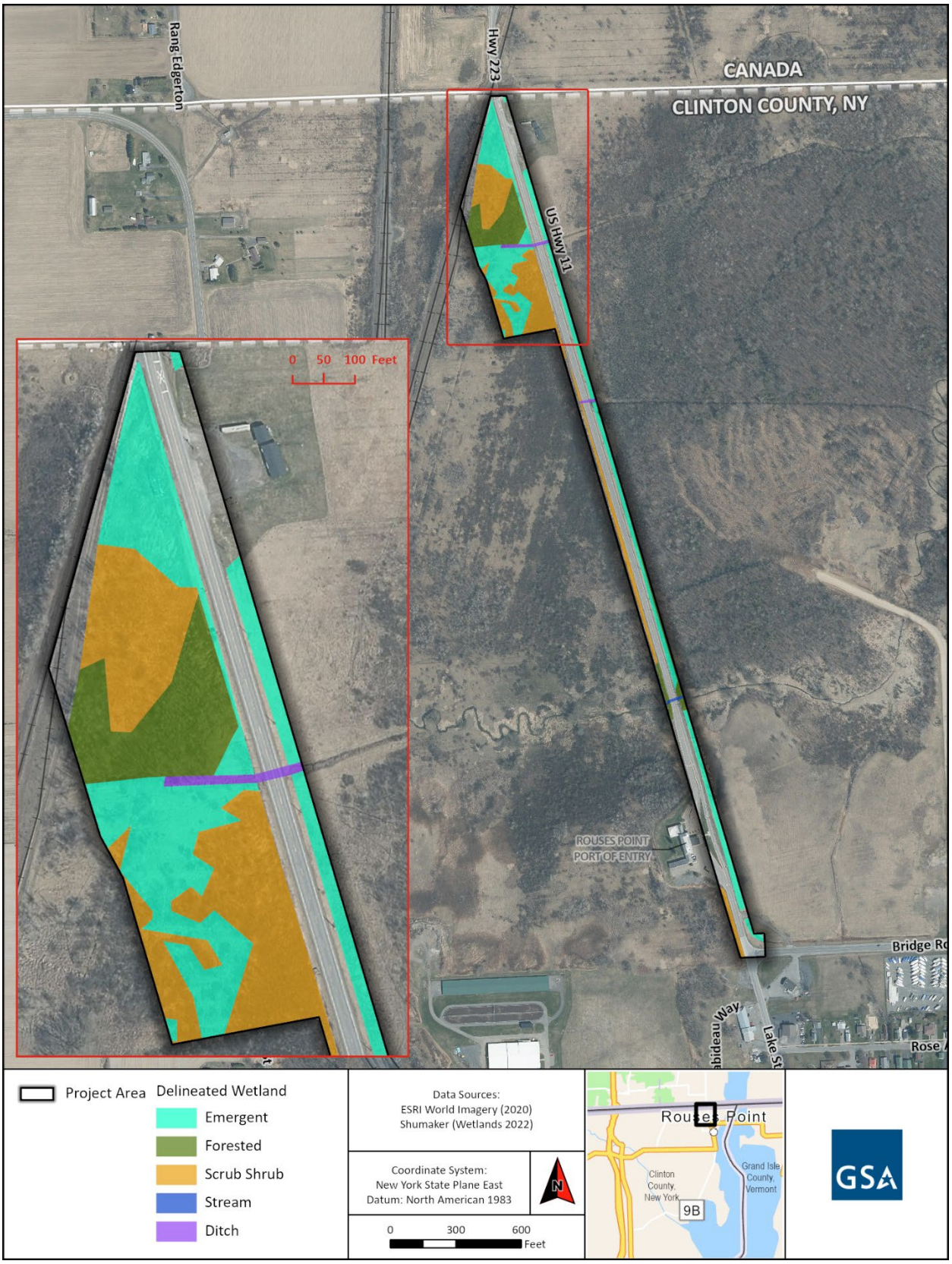


**Figure 7. Wetlands**

*Environmental Consequences*

**Proposed Action Alternative**

Under the Proposed Action, ground-disturbing activities, such as clearing, excavating, grading and adding impervious surface for the new LPOE facility, would result in direct and indirect, adverse impacts on surface water resources, including wetlands and streams. Constructing the new LPOE facility would permanently remove up to approximately 5.16 acres of wetland resulting in direct, long-term, adverse impacts. The Proposed Action would also affect an additional approximately 1.37 acres of wetland buffer in an area that is located within 100 feet of the wetland boundary, which is regulated by NYSDEC. Adverse impacts on wetlands would be unavoidable. Permanent impacts on wetlands by wetland type are shown in Table 4. All wetlands and streams inside the project area were included as permanently impacted. However based on final design, it is anticipated that actual impacts would be less. GSA would mitigate all permanent wetland impacts in accordance with Federal and State requirements. Temporary disturbance to wetlands and streams from sewer, water and electrical work are shown in Table 5.

**Table 4. Permanent Impacts on Wetlands and Streams**

| Wetland Type | Permanent Loss (Acres) |
|---|---|
| Palustrine Emergent Wetland | 1.93 |
| Palustrine Shrub Scrub Wetland | 2.35 |
| Palustrine Forested Wetland | 0.88 |

**Table 5. Temporary Disturbance to Wetlands and Streams**

| Temporary Disturbance | Disturbance (SF) | Disturbance (Acres) |
|---|---|---|
| Utility - Water | 4,490 | 0.10 |
| Utility - Sewer | 3,000 | 0.07 |
| Utility - Overhead Electric | 12,348 | 0.28 |

Due to Federal security requirements that the port be located as close to the border as possible and adjacent to the rail line, the Rouses Point LPOE site is located in Federal, and New York State mapped wetlands. Given extensive wetland conditions surrounding the US Route 11 and rail border crossings, there is not a more sustainable site alternative for this port project. The proposed design for the new LPOE has, to the maximum extent practicable, reduced the site footprint to minimize wetland and stream impacts by locating the primary inspection plaza and canopy on the existing US Route 11 roadbed and the port building adjacent to the existing US Route 11 embankment. Site and building designs have been configured to minimize the overall area of impact.

GSA conducted a meeting and site visit with USACE and NYSDEC on October 3, 2022, to discuss wetland and stream impacts and mitigation issues. GSA is pursuing a compensatory mitigation strategy to offset unavoidable adverse impacts. GSA is pursuing the creation of off-

site wetlands to offset impacts to wetlands due to the construction of the new LPOE. GSA is continuing its coordination of mitigation activities with the USACE and the NYSDEC. GSA has submitted a joint application to the USACE and NYSDEC. GSA will obtain all necessary permits and approvals as required prior to the start of construction activities.

**Floodplains**

The proposed project area is designated as a "Zone X" flood area. This designation indicates an area of minimal flooding (see Appendix B). The area is outside of the 100-year flood zone and the 500-year flood zone; thus no significant adverse impacts are anticipated. The proposed project area is not located within the New York State Coastal Zone Management boundary. Ground disturbance during construction would disturb soils and increase the potential for erosion and the transport of sediment into surrounding surface waters and wetlands via overland stormwater runoff, which could result in temporary adverse impacts on surface waters. Additional temporary, indirect, adverse impacts could result from the operation of construction equipment, which would increase the potential for accidental leaks or spills of fuel, lubricants or other materials that could contaminate nearby surface water. Implementation of erosion and sediment control best management practices would minimize these impacts.

The area of impervious surfaces would be greater after construction is complete. Impervious surfaces would include the footprint of the LPOE main building, inspection lanes, parking and other paved areas. This increase could result in direct and indirect, long-term, adverse impacts from increased stormwater runoff, although implementation of stormwater best management practices would avoid or minimize these impacts on surface water resources.

As noted above, the 2022 delineation remains subject to USACE verification and GSA has requested a Preliminary JD. The Proposed Action would result in direct and indirect, short- and long-term, potentially significant adverse impacts on surface waters and wetlands, these impacts would be minimized by implementing appropriate erosion control and stormwater management best management practices. Mitigation for unavoidable impacts would be provided in consultation with USACE and NYSDEC pursuant to CWA Section 404 and in accordance with Executive Order 11990, *Protection of Wetlands*. Therefore, based on completion of mitigation, no significant adverse impacts are anticipated.

### No-Action Alternative

A new Rouses Point LPOE facility would not be constructed under the No-Action Alternative. There would be no change to the existing conditions in the proposed project area, and no impacts on water resources would occur.

### 3.2.3 Wildlife and Habitat

*Affected Environment*

As described above, the proposed project area is predominantly wetland habitat. Dominant herbaceous vegetation species include common reed (*Phragmites australis*), cattails (*Typha* spp.), bluejoint (*Calamagrostis canadensis*) and purple loosestrife (*Lythrum salicaria*). Trees and shrubs include eastern cottonwood (*Populus deltoides*) and red-twigged dogwood (*Cornus sericea*). Wetland habitats in the proposed project area provide suitable stopover or nesting habitat for a variety of resident and migratory birds. Migratory birds are protected under the Migratory Bird Treaty Act. Because of its proximity to Lake Champlain, shorebirds, marsh birds and water birds may be present seasonally or occasionally. According to the FWS IPaC system, migratory bird species that could be seasonally present in the proposed project area include bald eagle (*Haliaeetus leucocephalus*), belted kingfisher (*Megaceryle alcyon*), bobolink (*Dolichonyx oryzivorus*), chimney swift (*Chaetura pelagica*) and eastern meadowlark (*Sturnella magna*) (FWS 2023). FWS considers all these species to be Birds of Conservation Concern except bald eagle, which is protected under the Bald and Golden Eagle Protection Act (FWS 2021).

The proposed project area may provide suitable habitat for a variety of mammals, including raccoons, muskrats, beavers, foxes, skunks, mice and voles. Wetland and stream habitats may also support amphibians and small fish.

As noted in Section 1.9, Endangered Species Act Section 7 Consultation, monarch butterfly is the only federally listed species that may occur in the project area. Monarch butterfly is a candidate species for listing under the ESA. The proposed project area is outside the range of protected bats. There are no known State-listed species of concern within the project area.

Most of the proposed project area lies between the CN railroad tracks and US Route 11 and is subject to frequent noise and visual disturbances associated with railway and vehicular traffic. The presence of the railroad tracks and US Route 11, as well as commercial development to the south and agricultural development to the west, have resulted in fragmentation and degradation of habitat quality in the proposed project area.

*Environmental Consequences*

**Proposed Action Alternative**

Under the Proposed Action, GSA would develop and permanently impact up to 5.2 acres of the total 10.28-acre project area, resulting in a loss of wildlife habitat. However, this action would not represent a loss of high-quality habitat given its frequent exposure to noise and visual disturbances associated with the CN railway and US Route 11, and the high degree of fragmentation from surrounding commercial and agricultural development. Because the proposed project area consists primarily of wetland habitat, short- and long-term, direct and indirect, adverse impacts on wildlife habitat would be commensurate with impacts on surface waters and wetlands, described above in

Section 3.2.2. Impacts would be minimized by implementing erosion control and stormwater management best management practices. GSA would provide mitigation for unavoidable impacts in consultation with USACE and NYSDEC as described above.

Short-term, direct, adverse impacts on wildlife could range from temporary disturbance or displacement of species to possible mortality of some animals. Displaced species would likely use similar habitats east of US Route 11 and north of US Route 2, which extend east to the western shore of Lake Champlain. GSA would incorporate measures to avoid or minimize impacts to migratory birds, bald eagles, and Birds of Conservation Concern, to the extent practical. These measures could include time-of-year restrictions to avoid times when species are most likely to be present. Implementation of the Proposed Action would not affect any species at the population level because of the limited quality of wildlife habitat that the site provides and the fragmented nature of habitat in the surrounding vicinity. Therefore, the Proposed Action would not have significant adverse impacts on wildlife and wildlife habitat.

#### No-Action Alternative

A new Rouses Point LPOE facility would not be constructed under the No-Action Alternative. There would be no change to the existing conditions in the proposed project area, and no impacts on wildlife or wildlife habitat would occur.

### 3.2.4 Cultural Resources (Archaeology, Historical Resources)

*Affected Environment*

**Archaeology**

Section 106 of the National Historic Preservation Act of 1966 requires Federal agencies to consider the effects of their undertakings on cultural resources, including historic and archaeological resources, and to consult with the SHPO and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on ways to avoid, minimize or mitigate adverse effects on cultural resources.

The environment of an area is significant for determining the sensitivity of the APE for archeological resources. The APE includes all portions of the property that will be directly altered by the proposed undertaking. The APE encompasses 10.28 acres (main project area and the utility ROWs along US Route 11).

Precontact and historic groups often favored level, well-drained areas near wetlands and waterways. Therefore, topography, proximity to wetlands, and soils are examined to determine if there are landforms in the APE that are more likely to contain archeological resources. In addition, bedrock formations may contain chert or other resources that may have been quarried by precontact groups.

Soil conditions can provide a clue to past climatic conditions, as well as changes in local hydrography. There are no alluvial, colluvial, aeolian or fill soils present. Therefore, any archeological deposits present are likely to be located at shallow depths. Shovel testing is an appropriate survey methodology.

The length of the APE that runs along the shoulders of US Route 9B/US Route 11 is non-sensitive due to observed standing water, wetland soils or disturbance caused by the modern construction of the highway. However, at the northern end of the APE, one area was observed to have dry soils and no vegetation typical of wetlands. As soil cores could not be taken to assess the integrity of the strata in this area, subsurface testing is recommended if planned subsurface disturbance of the area cannot be avoided.

Shovel tests were excavated at a standard interval of 15 meters. Each shovel test was 40 centimeters in diameter. All excavated soil was passed through 0.25-inch hardware mesh and examined for both precontact (Native American) and historic artifacts. No precontact or historic artifacts were found, and no features were discovered.

#### Historic Resources

Research was conducted using the New York State Cultural Resource Information System (CRIS), which is maintained by the New York SHPO and the Division for Historic Preservation within the Office of Parks, Recreation and Historic Preservation. CRIS contains a comprehensive inventory of archeological sites, state and national register properties, properties determined eligible for the national register and previous cultural resource surveys.

The existing Rouses Point LPOE is listed on the National Register of Historic Places. The existing building is not part of the proposed alternative, which is the construction of a new LPOE, and the end use of the existing historic LPOE has not yet been determined. When the status of the existing LPOE has been determined, GSA will notify the SHPO. If no use for the historic LPOE is found, GSA will provide SHPO with specific steps that will be taken to maintain the building.

### *Environmental Consequences*

#### Proposed Action Alternative

#### Archaeology

The Proposed Action would require ground-disturbing activities, such as excavation, grading and clearing during construction, which would affect any potential archaeological or historic resources within the APE. GSA conducted a Phase IA Archaeological Sensitivity Assessment and a Phase IB Archaeological Investigation at the project area. The Phase IB archeological field reconnaissance was conducted from September 21 through September 22, 2023. No precontact or historic artifacts were found, and no features were discovered. Due to the absence of any precontact or historic archeological finds, no further archeological work is recommended. As a

result, no adverse effects on archaeological resources are anticipated from the development of the Proposed Action.

### Historic Resources

Cultural resource professionals meeting the U.S. Secretary of Interior's Standards for History/Architectural History/Archaeology reviewed the records in CRIS and identified no significant cultural resources within the APE, including historic properties (those listed or eligible for listing in the National Register of Historic Places). As a result, no adverse effects on historic properties are anticipated from the development of the Proposed Action.

### No-Action Alternative

A new Rouses Point LPOE facility would not be constructed under the No-Action Alternative. There would be no change to the existing conditions in the proposed project area, and no impacts to archaeological or historic resources would occur.

## 3.2.5 Socioeconomics and Environmental Justice

*Affected Environment*

The following subsections describe the socioeconomic environment and identify potential environmental justice communities in the vicinity of the proposed project area in Clinton County and in New York State. Socioeconomic areas of discussion include local and county demographic and employment information. Environmental justice areas of discussion include minority, low-income, public health and limited-English proficiency communities.

### Demographics

Demographic characteristics of Clinton County and New York State are provided in Table 6. High school graduation rates and the percentage of the population over age 65 are similar between Clinton County and New York State. Clinton County has a slightly lower percentage of individuals under age 18 than New York State. The percentage of veterans is higher in Clinton County than in New York State. Clinton County has a significantly lower minority population percentage than New York State. Minority populations are discussed in further detail under Environmental Justice.

**Table 6. Demographics for Clinton County and New York State**

| Area | All Individuals | Population Under 18 Years of Age | Population Over 65 Years of Age | Minority* | High School Graduates (25 Years and Over) | Veterans |
|---|---|---|---|---|---|---|
| Clinton County, New York | 80,095 | 18.1% | 17.0% | 10.3% | 87.5% | 7.6% |
| New York State | 20,114,745 | 21.0% | 16.6% | 45.3% | 87.4% | 4.2% |

Source: U.S. Census Bureau 2021a–d
* Minority populations include all races that are non-White and Hispanic populations that are White.

### Employment and Income

Clinton County and New York State employment and income characteristics are detailed in Table 7. Clinton County has a lower median household income than New York State. However, a slightly smaller percentage of the population in Clinton County is below the poverty level than in New York State. Additionally, the unemployment rate in Clinton County is slightly lower than the unemployment rate in New York State.

**Table 7. Employment and Income for Clinton County and New York State**

| Area | Number of Households | Median Household Income | Population Below Poverty Level | Unemployment Rate (2021 Average) |
|---|---|---|---|---|
| Clinton County | 32,379 | $62,470 | 12.7% | 4.3% |
| New York State | 7,530,150 | $75,157 | 13.5% | 6.2% |

Source: U.S. Census Bureau 2021e

### Commuting Patterns

A high percentage (89.1 percent) of workers in Clinton County use private vehicles for commuting to work, either driving alone or in a carpool. The average commuting time in Clinton County is approximately 20 minutes (U.S. Census Bureau 2021e).

### Protection of Children

Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, requires that Federal actions be assessed for health impacts to children. No residences, schools, or other public or private facilities are in the vicinity of the proposed project area on the U.S. side.

### Environmental Justice

As a result of Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, an evaluation of minority and low-income populations must be conducted to identify whether the Proposed Action would have a disproportionate adverse impact regarding environmental quality and health on minority and low-income populations.

GSA analyzed data from the 2017–2021 Five-year American Community Survey to determine whether notable minority and/or low-income populations are present and if limited-English proficiency thresholds are met for the Proposed Action. Census data were analyzed at the block group level for this analysis. The Proposed Action would occur within Census Tract 1001.02, Block Group 1 (U.S. Census Bureau 2021a).

Block groups were found to have a notable environmental justice population if the minority or low-income population in the block group exceeds 50 percent or if the percentage of a minority or low-income population in the affected area is greater than the average percentage in the respective county.

Minority populations include all races that are non-White and include Hispanic populations that are White; low-income populations are defined as populations with a ratio of income to poverty level of 0–1.49 (150 percent).

Table 8 indicates that the block group where the Proposed Action would occur does not meet the environmental justice threshold for minority populations because the percentage of minority populations is lower than both the Clinton County and New York State percentage.

Table 9 indicates that the block group where the Proposed Action would occur meets the environmental justice threshold for low-income populations because the percentage of low-income populations in the affected area, Block Group 1 in Census Tract 1001.02, is greater than the Clinton County average.

Table 10 indicates that the block group where the Proposed Action would occur also has a significantly lower percentage of limited English proficiency populations than Clinton County and New York State.

**Table 8. Presence of Minority Populations**

| Geography | Total Population | Minority Population* | |
|---|---|---|---|
| | | Number | Percent |
| **Census Tract 1001.02, Block Group 1** | 1,028 | 30 | 2.9% |
| **Clinton County** | 80,095 | 8,226 | 10.3% |
| **New York State** | 20,114,745 | 9,121,569 | 45.3% |

Source: U.S. Census Bureau, 2021b
* Minority populations include all races that are non-White and Hispanic populations that are White.

**Table 9. Presence of Low-Income Populations**

| Geography | Total Population* | Below 150% Poverty Level | |
|---|---|---|---|
| | | Number | Percent |
| **Census Tract 1001.02, Block Group 1** | 1,028 | 513 | **49.9%** |
| **Clinton County** | 72,505 | 15,605 | 21.5% |
| **New York State** | 19,604,130 | 4,116,789 | 21.0% |

Source: U.S. Census Bureau 2021f
* Population for whom poverty status is determined.

**Table 10. Presence of Limited-English Proficiency Populations**

| Geography | Adult Population | Primary Language Group of Adults Who Speak English Less than Very Well* | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Spanish | | Other Indo-European | | Asian/Pacific Island | | Other | |
| **Census Tract 1001.02, Block Group 1** | 834 | 10 | 1.2% | 6 | 0.7% | 0 | 0% | 0 | 0% |
| **Clinton County** | 65,613 | 389 | 0.6% | 281 | 0.4% | 113 | 0.2% | 43 | 0.1% |
| **New York State** | 15,897,349 | 1,104,766 | 6.9% | 560,150 | 3.5% | 502,998 | 3.2% | 92,135 | 0.6% |

Source: U.S. Census Bureau 2021g

### New York State Potential Environmental Justice Areas

New York State has its own criteria for identifying environmental justice communities (NYSDEC n.d.). Potential environmental justice areas in New York are U.S. Census block groups with populations that meet or exceed the following thresholds:

- At least 52.42 percent of the population in an urban area reported themselves to be members of minority groups.
- At least 26.28 percent of the population in a rural area reported themselves to be members of minority groups.
- At least 22.82 percent of the population in an urban or rural area had household incomes below the Federal poverty level.

Block Group 1, Census Tract 1001.02 is not identified as a potential environmental justice area. As a rural area, only 2.9 percent of the block group are members of minority groups, and 11.7 percent of the block group had household incomes less than the Federal poverty level (U.S. Census Bureau 2021h).

### Climate and Economic Justice

The Climate and Economic Justice Screening Tool identifies Census Tract 1001.02 as a disadvantaged community. Communities are considered overburdened and underserved, and thus disadvantaged, if they are at or above the threshold for one or more environmental, climate or other burdens and are also at or above the threshold for an associated socioeconomic burden. Census Tract 1001.02 is considered disadvantaged because it is above the 65th percentile for low income and meets the legacy pollution burden threshold because of the presence of one or more Formerly Used Defense Sites within the tract (CEQ 2023).

### Environmental Justice Screening and Environmental Public Health

The U.S. Environmental Protection Agency's Environmental Justice Screening Tool was used to identify any other environmental justice concerns in the vicinity of the Proposed Action. Block Group 1 in Census Tract 1001.02, where the Proposed Action would occur, exceeds the 50th percentile in New York State for lead paint, hazardous waste proximity and wastewater discharge (EPA 2023).

The U.S. Department of Health and Human Services - Centers for Disease Control and Prevention's Environmental Public Health Tracking Report provides public health information at the county level. Clinton County had zero days of unhealthy exposure to ozone in 2019 and had lower concentrations of fine particulate matter than the national standard (CDC 2023).

*Environmental Consequences*

### Proposed Action Alternative

The Proposed Action is anticipated to result in short- and long-term, beneficial impacts to local employment and income through increases in temporary employment during construction and through permanent employment at the new LPOE facility. Also, increased vehicle and rail passenger inspection efficiencies and processing times at new facility would have a beneficial economic impact. The existing LPOE would remain open during construction of the new LPOE facility to avoid impacts on local commerce.

Although the block group containing the proposed project area meets the environmental justice thresholds for low-income populations, legacy pollution burden, lead paint, hazardous waste and wastewater discharge, the Proposed Action would not contribute to these environmental justice burdens. The Proposed Action is not likely to further affect residents in the community. During construction, effects on any nearby communities, such as from noise and dust, would be limited and controlled through best management practices that would minimize adverse effects on all adjacent populations.

### No-Action Alternative

A new Rouses Point LPOE facility would not be constructed under the No-Action Alternative. As a result, there would be no change in employment and income because neither temporary nor permanent jobs would be created. There would be no impacts on environmental justice communities or limited-English proficient populations as a result of the No-Action Alternative.

## 3.2.6 Land Use

*Affected Environment*

As noted above, the Proposed Action Alternative site covers approximately 10.28 acres and includes at least a portion of three existing parcels (Figures 7 through 9). Parcel information from the Clinton County Planning Department indicates that the proposed site consists of parcels

zoned as Road, Vacant Commercial and Government Buildings (Clinton County Planning Department 2023). Parcels adjacent to the proposed site are zoned as Single Use – Small Building, Vacant Commercial and Ceiling Railroad. Town of Champlain Zoning designates the proposed site as IC1: Industrial District (Town of Champlain 2013). A small duty-free store (Vinumport Duty Free) is located just east of the proposed site, in a parcel zoned as Single Use – Small Building. The proposed site is located just north of the intersection of US Route 2 (Bridge Street) and US Route 11 (St. John's Highway). A diner, an auto repair shop and other small businesses are located near the intersection. The new LPOE will be constructed on property currently owned by the U.S. Government, CN and the NYSDOT ROW.

Use of 1.56 acres of the NYSDOT US Route 11 ROW is required for construction of new LPOE vehicle inspection lanes and infrastructure. In addition, the NYSDOT ROW will be used for utility extensions to the new LPOE. Electrical and sewer service will be installed on the west side of NYSDOT US Route 11 and the potable water service will be installed along the east side of NYSDOT US Route 11.

For construction of the new LPOE, 2.16 acres of property owned by CN would be required. The acreage would be purchased from CN and owned by the U.S. Government (Figure 8).

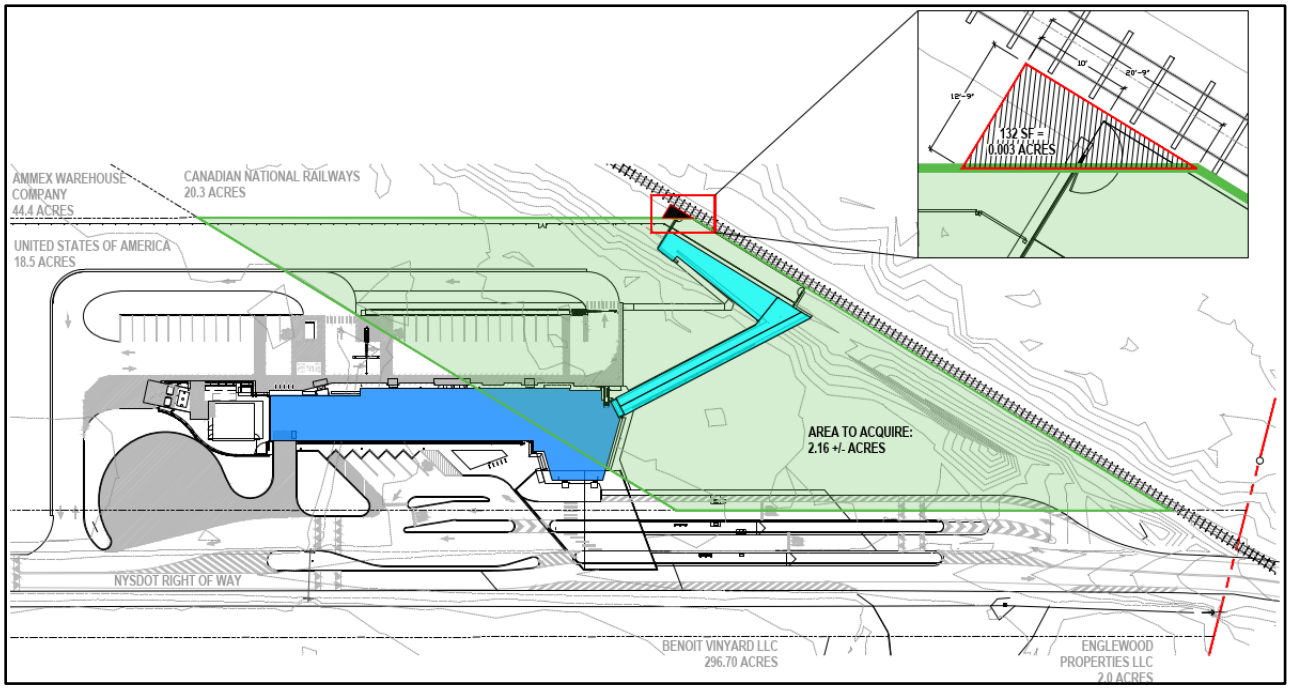


**Figure 8. Land Use and Acquisition of Canadian National Railroad Property**

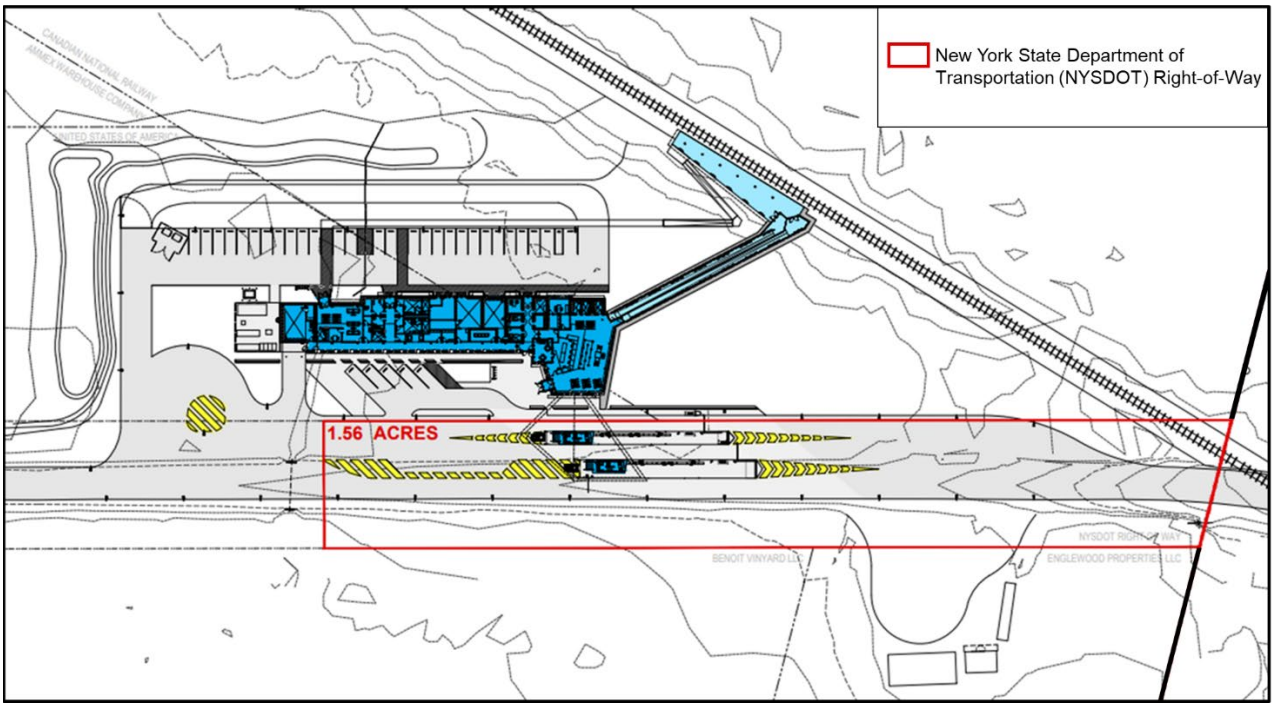


**Figure 9. New York State Department of Transportation (NYSDOT) Right-of-Way**


**Figure 10. Land Use**

*Environmental Consequences*

**Proposed Action Alternative**

The Proposed Action Alternative would be compatible with existing land uses on and surrounding the site. The parcel zoned as Road would remain a road and would not require rezoning. During construction, GSA would obtain a highway work permit from NYSDOT. The other parcels, zoned as Vacant Commercial and Government Buildings, are both in the Town of Champlain's IC1: Industrial District. Since the new LPOE will be constructed under jurisdiction of the Federal Government and on federally owned property, GSA is only required to consider local zoning regulations during the design and construction. The site of the current LPOE is already in the IC1: Industrial District. As a result, there would be no significant impacts on land use as a result of this alternative.

**No-Action Alternative**

There would be no impacts on or significant changes in land use as a result of the No-Action Alternative.

### 3.2.7 Traffic, Transportation, and Parking

*Affected Environment*

The following sections discuss impacts on the transportation system that could occur as a result of the Proposed Action Alternative. The discussion of transportation for the proposed LPOE includes public transit, the regional train network, parking and vehicular traffic.

**Transit Network**

The proposed site is located in a rural community where transit service is minimal. Clinton County Public Transit (CCPT) operates some public transit in the area and throughout Clinton County. One of its routes, Champlain/Rouses Point, serves the Village of Rouses Point (CCPT n.d.). The closest stop is located approximately 0.5 miles south of the proposed LPOE site.

**Regional Train Network**

Rouses Point is one of three Amtrak passenger train crossings between Canada and the United States. Two scheduled Amtrak trains cross the border each day at regularly scheduled times, resulting in approximately 730 annual passenger train inspections. Each train typically carries 200 to 300 people, meaning that approximately 146,000 to 219,000 people undergo inspections on passenger trains in Rouses Point each year. Current passenger train rail inspections occur at the train station in Rouses Point, New York, located approximately 0.75 miles from the existing LPOE. The passenger train inspection process requires two CBP vehicles to transport one CBP Supervisor, one CBP Chief, four CBP Officers, and one canine to the local train station. The inspection process occurs on the train and frequently takes up to two hours per passenger train. Additionally, freight trains queue on the same track as passenger trains, adding time to the

inspection process. The proposed action has been planned by CBP to reduce inspection time and improve passenger experience.

### Parking

Nineteen striped parking spaces are located on the south side of the existing LPOE with additional parking available on a gravel parking lot located along the southern portion of the site. There is no separation between parking areas and the driving lanes that exit the inspection booths, which can create unclear traffic patterns. An additional ten parking spaces are situated on the north side of the site, but southbound vehicles are kept from parking in those spaces by barricades and channeled into the inspection booths. The existing quantity and configuration of parking are not optimal for LPOE operations. CBP has determined that adequate parking would include 33 spaces, including one secure, two restricted, ten employee, and 20 visitor spaces.

### Traffic

Rouses Point LPOE is relatively small and quiet. The port sees the expected vehicular traffic for a small LPOE, especially given the proximity of the Overton and Champlain border crossings. An average of 42,000 non-commercial privately owned vehicles, 85,000 commercial vehicles and 2,000 pedestrians cross the border at Rouses Point annually (GSA 2023). Traffic in the vicinity of the proposed site is rare given the rural setting. CBP personnel commute primarily via passenger vehicle. Motorcycle groups and vehicles with boat and trailer configurations are common. Occasional traffic occurs at the border when entertainment events occur in the region. Vehicles pass through the existing LPOE one at a time, with an average of one vehicle screened per minute. Up to two hours of wait time is possible, and vehicles queue northward along US Route 11 toward the border with Canada.

#### *Environmental Consequences*

### Proposed Action Alternative

### Transit Network

The Proposed Action Alternative would be compatible with the limited existing local transit network in Clinton County, New York. Construction and operation of the proposed LPOE would not affect transit operations or availability in the area.

### Regional Train Network

Under the Proposed Action Alternative, passenger train rail inspections would be conducted at the proposed LPOE, rather than at the train station in Rouses Point. The new configuration would lead to a more efficient inspection process. The Proposed Action Alternative would result in a faster, more thorough, and less-crowded inspection process.

### Parking

Under the Proposed Action Alternative, parking access would be expanded and improved for employees and visitors. A public visitor parking lot would be provided toward the southeastern side of the site. A secure, fenced-in parking lot would be provided for employees toward the southwestern side of the site with a paved area giving access from the secure lot to the building services space. These changes would meet the need for expanded employee and visitor parking, as well as the need for clearer line of sight and more secure parking circulation.

### Traffic

Under the Proposed Action Alternative, the LPOE would be able to maintain or improve current traffic conditions. Construction could occur without impacts to northbound traffic. For construction of the inspection booth, a highway work permit would need to be obtained from NYSDOT. US Route 11 would not have to be temporarily re-aligned, and construction of driveway exits and entrances could occur without affecting southbound traffic to the existing LPOE inspection booth. Because the proposed site is located farther north, southbound vehicle traffic may queue into Canada rather than along US Route 11 on the New York side. GSA anticipates that a railroad crossing gate will be installed by others at the railroad crossing at US Route 11 located immediately north of the proposed LPOE to ensure vehicles do not stop on tracks during queuing. As a result, minimal, if any, adverse impacts on traffic are anticipated during construction of the proposed LPOE, and beneficial impacts are expected in the long term through simpler traffic patterns and a more streamlined system for vehicles passing through the LPOE.

#### *No-Action Alternative*

Under the No-Action Alternative, there would be no change to the existing transit network, regional train network, parking or traffic in the area. Passenger train inspections would continue to occur as they do now; parking would remain inadequate to meet Federal needs; and vehicular traffic and transit would remain unchanged.

# 4.0 REASONABLY FORESEEABLE ACTIONS AND CUMULATIVE IMPACTS

According to CEQ regulations, the cumulative effects analysis of an EA should consider the potential environmental impacts resulting from "the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-federal) or person undertakes such other actions." (40 CFR 1508.1(g)(3)). Cumulative effects can "result from individually minor but collectively significant actions taking place over a period of time." Cumulative effects may occur when there is a relationship between a proposed action or alternative and other actions expected to occur in a similar location or during a similar timeframe. The effects may then be incremental and may result in cumulative impacts. Actions overlapping with or in proximity to the proposed action or alternatives can reasonably be expected to have more potential for cumulative effects on "shared resources" than actions that may be geographically separated. Similarly, actions that coincide in the same timeframe tend to offer a higher potential for cumulative effects.

## 4.1 Cumulative Impacts Analysis

The effects of the Proposed Action would be localized in the vicinity of the proposed LPOE site and largely temporary, with most environmental effects ending once construction is completed. The scope of the cumulative effects analysis involves both the geographic extent of the effects and the timeframe in which the effects could be expected to occur, as well as a description of what resources could potentially be cumulatively affected. GSA has attempted to identify actions on or near the affected areas that are under consideration and in the planning stage at this time to assess the incremental contribution of the alternative to impacts on affected resources from all factors.

GSA identified two potential actions within the project area: (1) redevelopment of Fort Montgomery and (2) possible construction of a new Vinumport Duty Free building. However, the level of detail available for those future actions was not adequate to properly assess potential cumulative impacts. The projects were determined not to be reasonably foreseeable actions. There were no other planned developments or other projects adjacent to the Action Alternative site identified. Thus, there were no cumulative impacts identified.

# 5.0 MANAGEMENT AND MITIGATION MEASURES

This section summarizes the proposed management and mitigation measures to avoid, minimize or mitigate potential adverse effects of the Proposed Action. Under the Proposed Action Alternative, construction contractors would implement the best management practices listed in Table 11 and satisfy all applicable Federal, State and local regulatory requirements associated with the design, construction and operation of the proposed LPOE. Additional management and mitigation measures may be adopted or required through ongoing agency consultations and public engagement.

**Table 11. Management and Mitigation Measures**

| Resource | Measure |
|---|---|
| **Air Quality** | Use appropriate dust suppression methods (such as the use of water, dust palliatives, covers, and suspension of earth moving in high wind conditions) during on-site construction activities.<br>Stabilize disturbed area through revegetation or mulching if the area is inactive for several weeks or longer.<br>Implement measures to reduce diesel particulate matter emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls.<br>Comply with the applicable NYSDEC air quality regulations. Secure any required minor air emissions permits from NYSDEC prior to construction. Positive impacts due to installation of an all-electric HVAC system, using geothermal ground source heat pumps and photovoltaic panels. |
| **Noise** | Limit construction and associated heavy truck traffic to daytime hours.<br>Shut down noise-generating heavy equipment when it is not needed.<br>Maintain equipment per manufacturer's recommendations to minimize noise generation.<br>Encourage construction personnel to operate equipment in the quietest manner practicable (such as speed restrictions, retarder brake restrictions, engine speed restrictions).<br>Conduct all construction activities in compliance with local noise ordinances. |
| **Solid Waste and Hazardous Materials** | Comply with applicable Federal and State laws governing the use, generation, storage, transportation and disposal of solid and hazardous materials and medical wastes. |
| **Utilities** | Comply with applicable guidance in accordance with USACE and NYSDEC permit conditions pertaining to trenching activities along electrical and telecommunications utility lines, and utility line activities for water and other substances. |
| **Geology and Soils** | Control soil erosion impacts during construction by implementing erosion prevention measures and complying with the conditions specified in the USACE Section 404 permit and in accordance with NYSDEC guidance. Measures could include the use of earth berms, vegetative buffers and filter strips, and spill prevention and management techniques. |

| Resource | Measure |
|---|---|
| **Water Resources (Surface Waters and Wetlands)** | Control soil erosion and sedimentation impacts during construction by implementing erosion prevention and stormwater management measures and complying with the conditions specified in the USACE Section 404 permit and in accordance with the NYSDEC Section 401 Water Quality Certification and Article 24 guidance.<br>Control any discharge of pollutants into surrounding water bodies by complying with the conditions specified in the EPA Section 402 of the CWA and obtaining a NPDES permit prior to construction as needed.<br>Ensure that the design of the LPOE includes sufficient stormwater management so water quantity/quality in receiving waters and/or off-site areas are not adversely affected.<br>Conduct compensatory mitigation for impacts on wetlands and streams. Mitigation would be provided in consultation with USACE and NYSDEC pursuant to CWA Section 404 and in accordance with Executive Order 11990, *Protection of Wetlands*. |
| **Wildlife and Habitat** | Management and mitigation measures that would be implemented to minimize or mitigate impacts to surface waters and wetlands would also minimize or mitigate impacts on wildlife habitat. |
| **Cultural Resources** | Should potentially historic or culturally significant items be discovered during project construction, immediately cease work in the area until GSA, a qualified archaeologist, and the SHPO are contacted to properly identify and appropriately treat discovered items in accordance with applicable Federal and State laws. |
| **Socioeconomics and Environmental Justice** | Secure the construction area to prevent unauthorized access. |
| **Land Use** | GSA will obtain the necessary permit for construction within the NYSDOT right-of-way. GSA will consider all zoning regulations prior to design and construction. |
| **Traffic, Transportation, and Parking** | GSA's design/construction contractor, in consultation with the NYSDOT and GSA, would determine final, reasonable mitigation measures. |

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# 7.0 LIST OF PREPARERS

## U.S. General Services Administration – Region 2

Thomas Burke, Project Manager

Amanda Foley, Environmental Protection Specialist

## WSP USA Inc.

William Huber, Project Manager

Joe Dalrymple, Deputy Project Manager

Margaret Stover, Environmental Planner

Doug Pierson, Quality Control Lead

Craig Hanlon, Wetland Specialist

Lauren Hayden, Senior Archaeologist

Nora Bretana, Editor

# APPENDIX A—AGENCY CONSULTATION

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To: 08/16/2024 14:08:58 UTC
Project Code: 2024-0016328
Project Name: Rouses Point, Land Port of Entry

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

**Migratory Birds**: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service (fws.gov).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

# OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

# PROJECT SUMMARY

Project Code: 2024-0016328
Project Name: Rouses Point, Land Port of Entry
Project Type: Mitigation Development/Review - Mitigation or Conservation Bank
Project Description: Wetland Permit Required Mitigation Project
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@44.9783559,-73.39174714693596,14z

Counties: Clinton County, New York

# ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## MAMMALS

| NAME | STATUS |
|---|---|
| Tricolored Bat *Perimyotis subflavus*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/10515 | Proposed Endangered |

## INSECTS

| NAME | STATUS |
|---|---|
| Monarch Butterfly *Danaus plexippus*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/9743 | Candidate |

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

# IPAC USER CONTACT INFORMATION

Agency: General Services Administration
Name: Thomas Burke
Address: One World Trade Center
City: New York
State: NY
Zip: 10007
Email twb55@optonline.net
Phone: 9172322423

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)
- INFLATION REDUCTION ACT (IRA) (OTHER)

[redacted]

**From:** Gordon, Andrew B [redacted]
**Sent:** Friday, August 16, 2024 1:18 PM
**To:** Thomas W Burke - 2PMT
**Cc:** Kendrot, Stephen R; Amanda Foley; Craig Kozikowski - 2PPU; Kevin Gregory; Huber, William; Shawyn Yeamans; Giovanni Pambianchi
**Subject:** RE: [EXTERNAL] Rouses Point Land Port of Entry (LPOE) Project

Hi Tom,

Thanks for updating the OSL. In this case, you can keep this OSL and this email as a confirmation record. GSA is all set for Section 7 consultation. We appreciate your patience and coordination.

Best,
Andrew

---

**From:** Thomas W Burke - 2PMT [redacted]
**Sent:** Friday, August 16, 2024 10:43 AM
**To:** Gordon, Andrew B [redacted]
[redacted]
**Subject:** Re: [EXTERNAL] Rouses Point Land Port of Entry (LPOE) Project

Hello Andrew,

Thanks for your email. We reran our Official Species List (OSL) which is attached and since the northern long-eared bat is not on the OSL further consultation with FWS would not be required. Based on the attached is there any confirmation we receive back from FWS ? In the past on other projects we have received what I take to be a form generated letter from FWS.

If there's anything else that's required from GSA please let me know.
Thanks for your help.

Tom Burke
[redacted]

On Fri, Aug 16, 2024 at 9:56 AM Gordon, Andrew B [redacted] wrote:

> Hi all,
>
> I just ran this project through IPaC Beta. For anyone unfamiliar, this website lets you test projects and Dkeys without creating official documents.

The last OSL for this project was ran on November 11, 2023. Since then, our maps and records have been updated. I reran the OSL for this project which only identified the tricolored bat (proposed endangered) and the monarch butterfly (candidate). Consultation is not required for either of these species at this time.

I also completed our draft Northern Long-eared Bat and Tricolored Bat Range-wide DKey which is currently available for testing through IPaC Beta. Based on the answers to the original Dkey submission, I received a NLAA determination. This doesn't count as an official letter, but it is informative. I double-checked through our GIS records and did not find the action area to be close to any known TCB records.

For this reason, I would suggest rerunning this project's OSL. Since the northern long-eared bat would not be on the OSL anymore, I believe consultation would no longer be needed for this project.

Andrew

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**From:** Thomas W Burke - 2PMT [redacted]
**Sent:** Thursday, August 15, 2024 6:35 PM
**To:** Kendrot, Stephen R [redacted]
**Subject:** Re: [EXTERNAL] Rouses Point Land Port of Entry (LPOE) Project

Steve,

Thanks for your help on this. We will have our consultant (RES contractor Giovanni Pombinchi) add GSA personnel to the IPaC project (Project Code 2024-0016328) so we can fill out the DKey.

The Army Corps (USACE) hasn't issued their public notice yet, they were waiting for confirmation from us as to the No Effect determination on the mitigation site.

Thanks again !!

Tom

On Thu, Aug 15, 2024 at 6:02 PM Kendrot, Stephen R [redacted]> wrote:

Thanks Tom. We have reviewed the Determination Key results obtained by RES contractor Giovanni Pombinchi and believe that he was unnecessarily conservative in answering Question 2

> *The proposed action does not intersect an area where the northern long-eared bat is likely to occur, based on the information available to U.S. Fish and Wildlife Service as of the most recent update of this key. If you have data that indicates that northern long-eared bats are likely to be present in the action area, answer "NO" and continue through the key.*
>
> *Do you want to make a no effect determination?* ***No***

You may want to consider making a No Effect determination based on the information highlighted above. Because you have not to my knowledge designated RES as a Non-Federal Representative, they cannot obtain an assisted determination letter on your behalf. I recommendation you ask Giovanni to add you or one of your staff to the IPaC project (Project Code 2024-0016328) so that one of you can fill out the DKey. In that case, you should get an assisted determination letter from IPAC that will serve as your official correspondence from our office.

I have forwarded this to Andrew Gordon. Andrew is coordinating the review if you have any further questions or if you need assistance with IPaC.

On another note, you mentioned that you'd submitted your joint application to the corps. Have they issued a public notice yet? I don't believe we've received any correspondence from them yet.

Steve

Steve Kendrot

Deputy Field Supervisor

U.S. Fish and Wildlife Service

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045

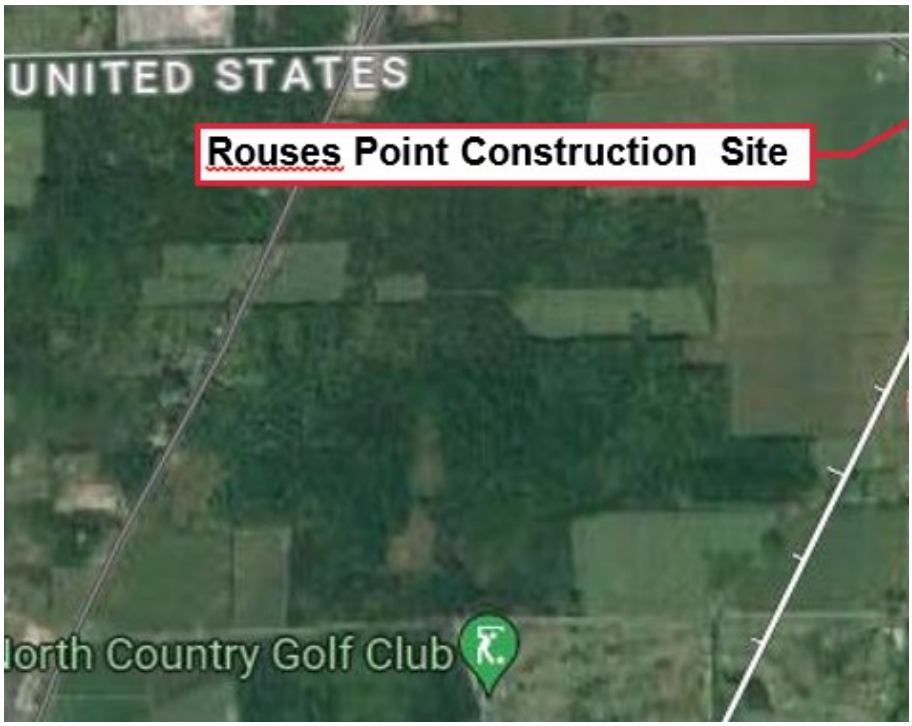
[redacted]

**From:** Thomas W Burke - 2PMT [redacted]
**Sent:** Thursday, August 15, 2024 4:47 PM
**To:** Kendrot, Stephen R [redacted]
**Subject:** Re: [EXTERNAL] Rouses Point Land Port of Entry (LPOE) Project

Steve,

As a follow up to our call yesterday, I checked with the project team concerning the presence of any trees located on the proposed wetlands mitigation site. A small portion of the site, approximately 0.40 acres, contains a sparsely wooded area which historic and current agricultural practices have left in a degraded state (photos attached). This small area would be cleared under our proposed wetlands mitigation plan.

The creation of new wetlands is compensatory mitigation for unavoidable impacts to wetlands at the Rouses Point Land Port of Entry construction site which is located approximately 2.3 miles northeast of the mitigation site.




Included below and attached are the results and conclusions from a Phase 1 Bat Habitat Assessment that was conducted in December 2023 at the mitigation site. Based on the results no suitable bat habitat was identified within the proposed clearing area.

From the Phase 1 Bat Habitat Assessment (also attached)

Results
A professional biologist performed a Phase 1 Habitat Assessment within the proposed clearing area on December 14th,
2023. Potential habitat was assessed using the parameters outlined in the Range-wide Indiana Bat and Northern Longeared
Bat Survey Guidelines. NLEB habitat includes forested/wooded habitats, emergent wetlands and adjacent edges of
agricultural fields, old fields, and pastures. Potential roost trees are either live and/or dead trees greater than or equal to
three (3) inches diameter at breast height (DBH) that have exfoliating bark, cracks, crevices, and/or cavities. Individual trees
may be considered suitable habitat when they exhibit characteristics of suitable roost trees and are within 1,000 feet of
another forested/wooded habitat.

During the Phase 1 Habitat Assessment, professional biologists inspected the entire 0.40-acre wooded area proposed for clearing. The area surveyed was consistent with the desktop review and no suitable habitat (potential roost trees) was observed. The dominant tree species consisted of live mature cottonwood (Populus deltoides) and green ash (Fraxinus pennsylvanica). No individuals observed exhibited characteristics needed for NLEB roosting. Historic and current agricultural practices have left the proposed clearing area in a degraded state. Some snags were observed outside the proposed clearing area, but these will not be impacted by the restoration efforts. Furthermore, the restoration activities will create valuable foraging habitat and at maturity, roosting habitat for bat species.
Photos are provided in Attachment B and data sheets are provided in Attachment C.

**Conclusions**
Based on the results of the assessment, no suitable habitat was identified within the proposed clearing area. As the clearing minimal, landcover within 5 miles of the PRM Site will not result in a material landcover change. Rather, the PRM Site will likely benefit bat species over the current ecological conditions (agriculture) by improving aquatic resource functions and the planting of deciduous tree species. In summary, the PRM Site is not likely to adversely affect the NLEB.

If there's anything further needed please let me know.

Thanks for your help

Tom

[redacted]

On Wed, Aug 7, 2024 at 10:56 AM Thomas W Burke - 2PMT [redacted] wrote:

> Hi Steve,
>
> I think you're out in the field today, but just wanted to touch base and see if there are any updates from our last emails on our Rouses Point wetlands mitigation site.

Thanks,Tom

(917) 232-2423

On Tue, Mar 19, 2024 at 3:12 PM Kendrot, Stephen R [redacted] wrote:

> Hi Tom,
>
> Thanks for reaching out. I am new to my position, and we have had some turnover in our office so the backstory is very helpful. Noelle has moved on to a regional position, but I will connect with her to find out what I can about the original consultation for the LPOE.
>
> Can you confirm the project status for me? Is it still in the design phase or is construction underway/complete? Have the wetland impacts already occurred? We do have information submitted by Giovanni in regard to the mitigation site. We also received an email from Shawyn Yeamans at RES on 3/1/24 indicating that a Joint Permit Application would be submitted soon, which lead me to believe the project hadn't started yet.
>
> Normally we conduct our section 7 review of the mitigation site as part of the review of the main project. Given the separation in time between the original consult and the review request for the mitigation site, we lost track of earlier correspondence. Also, the Northern Long-Eared Bat was uplisted from Threatened to Endangered since the original consultation was completed. We may need to revisit that original determination if the LPOE project hasn't been completed. I'll check with one of our SME biologists and get back to you.
>
> Thanks again for reaching out. I'll be in touch.
>
> Steve
>
> Steve Kendrot
>
> Deputy Field Supervisor
>
> U.S. Fish and Wildlife Service

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045

---

**From:** Thomas W Burke - 2PMT [redacted]
**Sent:** Tuesday, March 19, 2024 1:14 PM
**To:** Kendrot, Stephen R [redacted]
**Subject:** [EXTERNAL] Rouses Point Land Port of Entry (LPOE) Project

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Dear Mr. Stephen Kendrot,

Record Locator Reference 492-134657643

Project Code 2024-0016328

I am the NEPA Program Manager with the U.S. General Services Administration (GSA) and I'm emailing in connection with a Bipartisan Infrastructure (BIL) design and construction project GSA has for the construction of a new Land Port of Entry (LOPE), a broder station, located in Rouses Point New York.

The construction of the proposed border station in Rouses Point will unavoidably disturb wetlands and therefore will require wetlands mitigation through the creation of wetlands at an offsite location approximately 2 miles from the proposed new LPOE construction site.

One of our environmental consultants, Resource Environmental Solutions - RES, a Giovanno Pambianchi, I believe, has initiated consultation with the FWS concerning the wetlands mitigation site. I had asked our consultants to convert the "not likely to adversely affect" consistency letter to a concurrence letter as mentioned in the FWS correspondence dated November 14, 2023 (attached). I think our consultants were reluctant with moving ahead with obtaining the concurrence letter for the mitigation site because of FWS concerns with the LPOE construction site itself.

Some background information I think would help clear things up. The LPOE design and construction project began some time before the wetlands impacts were fully evaluated and a long before a potential wetlands mitigation site had been identified. GSA began its consultation with the FWS for the LPOE construction site on 9/30/22 with Noelle Rayman-Metcalf of the FWS and I have attached our concurrence letter from FWS for the LPOE construction site. GSA has several consultants working on this project and RES was unaware of all the previous work GSA had done for the LPOE construction site.

I have also attached the "no adverse affects" letters from the New York SHPO for the LPOE construction sirte and the wetlands mitigation site. I hope with this additional information our consultant (RES) could proceed with converting the "not likely to adversely affect" consistency letter to a concurrence letter for the mitigation site.

If you would like to discuss further or have any questions,etc., please feel free to call or email whichever is easiest.

Thank you for your help.

Tom Burke

[redacted]

--

Thomas W. Burke, P.E., LEED AP, CEM

NEPA & Sustainability Program Manager

Energy & Sustainability Branch, Facilities Management Division

Public Building Service (PBS), Northeast and Caribbean Region

General Services Administration GSA

One World Trade Center, 55th Floor, Room 55W09

New York, NY 10007

[redacted]

[redacted]

[redacted]

[redacted]

**From:** Thomas W Burke - 2PMT [redacted]
**Sent:** Friday, August 16, 2024 6:26 PM
**To:** Kevin Gregory - 2PPU
**Cc:** Amanda Foley - 2PMS; Craig Kozikowski - 2PPU; Andrew Woodring - 2PPU; Zahid Jamil - 2PPU; Huber, William; Shawyn Yeamans; Giovanni Pambianchi
**Subject:** Re: ESA and Section 106
**Attachments:** Rouses Point Table for USACE 8-16-24.docx; Rouses Point - Agency Correspondence for Construction Site a.pdf; Rouses Point - Agency Corrsepondence for Mitigation Site a.pdf

Kevin,

I have attached a table with our current determinations for USFWS-Endangered Species Act (ESA), NY SHPO-Section 106, and the USDA -Farm Protection Policy Act (FPPA) for both the Rouses Point construction and for the wetlands migration sites. Also below is a paragraph we can provide along with the table to the Army Corps regarding how we received no comments during the public meeting or any comments during the 30-day review period either by email or via the U.S. Postal service.

In addition, to avoid confusion between the construction and the mitigation sites, attached are 2 files of agency correspondence, one file for the construction site and one for the mitigation site.

The Draft Environmental Assessment (EA) for the Rouses Point project was made available to the public, regulatory agencies, and elected officials at the GSA website (http://gsa.gov/rousespointea); at the Rouses Point Dodge Memorial Library located at 144 Lake Street, Rouses Point, NY (12979); and at the Plattsburgh Public Library located at 19 Oak Street, Plattsburgh, NY (12901). The public review and comment period was from June 8, 2024, through July 7, 2024.

A Notice of Availability for the Draft EA was published in the *Press-Republican* and the *Sun New York Post* announcing the availability of the document and initiation of the 30-day comment period.

The Draft EA and an invite to GSA's virtual public meeting for the Rouses Point proposed project was provided in separate emails to interested stakeholders, regulatory agencies, and elected officials.

The virtual public meeting regarding the proposed project was held at 6:00 p.m. on June 26, 2024, and no comments were received during the public meeting. In addition, no comments were received either by email or by the U.S. Postal Service (USPS) during or after the end of the 30-day comment period.

Tom

On Tue, Aug 13, 2024 at 8:10 AM Kevin Gregory - 2PPU [redacted] wrote:

> Good Morning Thomas and Amanda,
> I am following up to see if you have had time to develop a response to the USACE providing clarification for the ESA and Section 106.

Kevin Gregory
Project Manager
Upstate Project Management Division (2PPU)
GSA Public Buildings Service - Region 2
100 S. Clinton St. Room 1452, Syracuse NY 13261
[redacted]

--

Thomas W. Burke, PE, CEM, LEED AP
Branch Chief, NEPA & Sustainability Program Manager
Energy & Sustainability Branch, Facilities Management Division
Public Building Service (PBS), Northeast and Caribbean Region
General Services Administration GSA
One World Trade Center, 55th Floor, Room 55W09
New York, NY 10007

[redacted]

USDA

United States Department of Agriculture

March 27, 2024

Thomas Burke, P.E.
NEPA & Sustainability Program Manager
General Services Administration
One World Trade Center, 55th Floor, Room 55W09
New York, NY 10007

**RE: NRCS FPPA Review – Rouses Point LPOE, Clinton County, NY**

Mr. Burke,

The Natural Resources Conservation Service (NRCS) under Part 523 of the Farmland Protection Policy Act has reviewed the proposed project described above. This review was conducted with respect to the effect(s) that the proposal may have on prime and/or unique farmland. Since there are prime and/or unique farmed lands in the proposed project extent the enclosed Farmland Conversion Impact Rating Form (AD-1006) needs to be completed to rate the land being converted. If the Total Points in part VII (Relative Value from Part V plus the Total Site Assessment from Part VI) is greater than or equal to 160, please propose an alternative site and fill out the AD-1006 again. If no alternative for the project is practical, please state this in the **Reason for Selection** block at the bottom of the form. Please complete Parts VI and VII and submit a copy to the address below or e-mail to daniel.ufnar@usda.gov.

USDA/NRCS
Daniel Ufnar
441 S. Salina St
Suite 354
Syracuse, NY 13202

Thank you for this opportunity to review and comment on this proposal.

Respectfully,

DANIEL UFNAR

Digitally signed by DANIEL UFNAR
Date: 2024.03.27 08:33:49 -04'00'

Daniel Ufnar
State Soil Scientist

Enc.

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, New York 13045

Dear Federal Agency, non-federal representative or project sponsor:

Thank you for completing the Service's New York and Long Island Ecological Services Field Office online project review process[1]. The U.S. Fish and Wildlife Service (Service) appreciates this opportunity to provide comments on species under our jurisdiction pursuant to the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

This letter is intended to support the review of projects[2] with Federal agency involvement (e.g, funding, permitting or authorizing, carrying out). As you are aware, Federal agencies have responsibilities under section 7 of the ESA to consult with the Service regarding projects that may affect federally listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally proposed species or adversely modify proposed critical habitat.

If you[3] have determined that the proposed action will result in "no effect" to any listed or proposed species and/or designated or proposed critical habitat because the Information for Planning and Consultation official species list provided for your project confirms that there are no federally listed or proposed species and no federally designated or proposed critical habitat (see example language below), then this letter, and your project review package, completes the review of your project in accordance with the ESA.

*Example language from IPaC Official Species List.*
"There is a total of 0 threatened, endangered, or candidate species on this species list."
and
"There are no critical habitats within your project area under this office's jurisdiction."

This letter in conjunction with your project review package, confirms that you have completed the online project review process in accordance with all instructions provided, using the best available information we provided to reach your conclusions. Please print this letter, your official species list, and all other associated documentation for your files. No further coordination with the Service is required pursuant to the ESA for this project. We will not be providing any additional correspondence.

[1] https://www.fws.gov/northeast/nyfo/es/section7.htm

[2] Except for wind power projects, coordinate with our office directly regarding potential effects to migrating birds or bats regardless of results of IPaC official species list.

[3] If you are not staff from a Federal agency or an officially designated non-federal representative of a Federal agency (in writing), please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Until the proposed project is complete, we recommend that you check our website regularly to ensure that listed species presence/absence information for the proposed project is current. Should additional information on listed or proposed species or critical habitat become available, please contact us for additional assistance.

Any new information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for coordinating with us. Depending on the location of your project, if you require additional information or assistance please contact the New York Field Office at fw5es_nyfo@fws.gov or the Long Island Field Office at 631-286-0485.

Sincerely,

David A. Stilwell

David A. Stilwell
Field Supervisor

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To: October 06, 2022
Project Code: 2023-0001964
Project Name: Rouses Point Land Port of Entry

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

**Migratory Birds**: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

# Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

# Project Summary

Project Code: 2023-0001964
Project Name: Rouses Point Land Port of Entry
Project Type: Port Development
Project Description: Construction of a new Port of Entry at the US / Canadian boarder to replace the exiting facility.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@45.00801305,-73.37097561748678,14z


Counties: Clinton County, New York

## Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## IPaC User Contact Information

Agency: WSP USA, Inc.
Name: Craig Hanlon
Address: 350 Mount Kemble Ave
City: Morristown
State: NJ
Zip: 07962
Email craig.hanlon@wsp.com
Phone: 9734071462

## Lead Agency Contact Information

Lead Agency: General Services Administration

New York State
Parks, Recreation and
Historic Preservation

**KATHY HOCHUL**
Governor

**ERIK KULLESEID**
Commissioner

November 10, 2023

Jennifer Geraghty
Hartgen Archeological Associates
1744 Washington Avenue Ext.
Rensselaer, NY 12144

Re: GSA
Rouses Point Land Port of Entry – New Facility
Town of Champlain, Clinton County, NY
23PR07462

Dear Jennifer Geraghty:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation 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 other environmental impacts to New York State Parkland that may be involved in or near your project.

SHPO has reviewed the Phase IB Archaeological Survey Report prepared for this project (October 2023; 23SR00594). No archaeological sites were identified by the survey. Therefore, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be adversely affected by this undertaking with the conditions listed in Sloane Bullough's letter dated 9/29/23.

If you have any questions, I can be reached at Jessica.Schreyer@parks.ny.gov.

Sincerely,

Jessica E. Schreyer

Jessica Schreyer
Historic Preservation Program Analyst - Archaeologist

New York State
Parks, Recreation and
Historic Preservation

**KATHY HOCHUL**
Governor

**ERIK KULLESEID**
Commissioner

February 27, 2024

Jennifer Geraghty
Hartgen Archeological Associates
1744 Washington Avenue Ext.
Rensselaer, NY 12144

Re: GSA
Rouses Point Land Port of Entry – New Facility
Town of Champlain, Clinton County, NY
23PR07462

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SHPO has reviewed the updated Phase IA Archaeological Survey Report prepared for this project (February 2024; 24SR00084). We concur with the report recommendation that no additional archaeological work is warranted. Therefore, it continues to be the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be adversely affected by this undertaking with the conditions listed in Sloane Bullough's letter dated 9/29/23.

If you have any questions, I can be reached at Jessica.Schreyer@parks.ny.gov.

Sincerely,

Jessica E. Schreyer

Jessica Schreyer
Archaeology Unit Program Coordinator

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, New York 13045

Dear Federal Agency, non-federal representative or project sponsor:

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*Example language from IPaC Official Species List.*
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and
"There are no critical habitats within your project area under this office's jurisdiction."

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[1] https://www.fws.gov/northeast/nyfo/es/section7.htm

[2] Except for wind power projects, coordinate with our office directly regarding potential effects to migrating birds or bats regardless of results of IPaC official species list.

[3] If you are not staff from a Federal agency or an officially designated non-federal representative of a Federal agency (in writing), please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Until the proposed project is complete, we recommend that you check our website regularly to ensure that listed species presence/absence information for the proposed project is current. Should additional information on listed or proposed species or critical habitat become available, please contact us for additional assistance.

Any new information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for coordinating with us. Depending on the location of your project, if you require additional information or assistance please contact the New York Field Office at fw5es_nyfo@fws.gov or the Long Island Field Office at 631-286-0485.

Sincerely,

David A. Stilwell

David A. Stilwell
Field Supervisor

New York State
Parks, Recreation and
Historic Preservation

**KATHY HOCHUL**
Governor

**ERIK KULLESEID**
Commissioner

January 18, 2024

Carol Tyrer
Project Manager
Circa~ Cultural Resource Management, LLC
453 MCLAWS CIRCLE
Suite 3
Williamsburg, VA 23185

Re: USACE
Rouse Point Wetland Creation Site
24PR00457

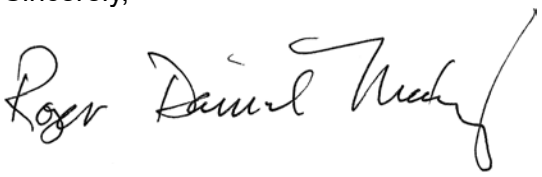
Dear Carol Tyrer:

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 opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

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

Sincerely,



R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation

rev: J. Vavrasek

New York State
Parks, Recreation and
Historic Preservation

**KATHY HOCHUL**
Governor

**ERIK KULLESEID**
Commissioner

January 18, 2024

Carol Tyrer
Project Manager
Circa~ Cultural Resource Management, LLC
453 MCLAWS CIRCLE
Suite 3
Williamsburg, VA 23185

Re: USACE
Rouse Point Wetland Creation Site
24PR00457

Dear Carol Tyrer:

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).

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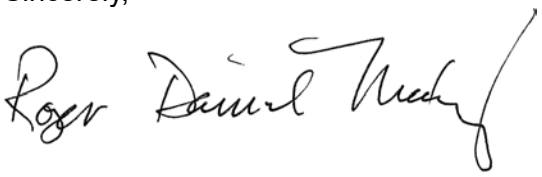
If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,



R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation

rev: J. Vavrasek

New York State
Parks, Recreation and
Historic Preservation

**KATHY HOCHUL**
Governor

**ERIK KULLESEID**
Commissioner

November 10, 2023

Jennifer Geraghty
Hartgen Archeological Associates
1744 Washington Avenue Ext.
Rensselaer, NY 12144

Re: GSA
Rouses Point Land Port of Entry – New Facility
Town of Champlain, Clinton County, NY
23PR07462

Dear Jennifer Geraghty:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation 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 other environmental impacts to New York State Parkland that may be involved in or near your project.

SHPO has reviewed the Phase IB Archaeological Survey Report prepared for this project (October 2023; 23SR00594). No archaeological sites were identified by the survey. Therefore, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be adversely affected by this undertaking with the conditions listed in Sloane Bullough's letter dated 9/29/23.

If you have any questions, I can be reached at Jessica.Schreyer@parks.ny.gov.

Sincerely,

Jessica E. Schreyer

Jessica Schreyer
Historic Preservation Program Analyst - Archaeologist

From: Thomas W Burke - 2PMT <thomas.w.burke@gsa.gov>
Sent: Monday, March 27, 2023 2:35 PM
To: Huber, William; Dalrymple, Joe
Cc: Amanda Foley
Subject: Email for a Meeting Request to Mohawk Tribal Council

Follow Up Flag: Follow up
Flag Status: Flagged

Will,

Below is the email Craig sent out (3/6/23) asking for a meeting with the St. Regis Mohawk Tribal Council. Furh below I also included the emails of the invitees.

Tom
(917) 232-2423

Craig Kozikowski - 2PPU Mon, Mar 6, 6:07 PM

to beverly.cook, michael.conners, ron.lafrance, benjamin.herne, derrickking, agnesm.jacobs, dale.white, jori.rourke, abero, Deborah, Julie, m
e, David

Dear St. Regis Mohawk Tribal Council,
The US General Services Administration (GSA) is currently working on behalf of US Customs and Border Protection (CBP), to improve US Land Ports of Entry at Rouses Point and Trout River, New York. I am GSA's project manager for both projects. We would like to propose meeting with you, so that we can introduce you to these projects and gain an understanding of your perspectives. The duration of the meeting would be approximately one hour, and would likely include the following topics.

1. Scope overview of both projects and current status.
2. Review of other community engagement activities including NHPA/Section 106 and the National Environmental Policy Act.
3. Gaining an understanding of any unique Tribal considerations in terms of how the Port is used, and any construction phase impacts.
4. GSA's Art in Architecture Program.
5. Disposition of the existing Rouses Point facility following construction of the new Rouses Point LPOE. Potential reuse recommendations from the Tribe.

Would any of the following date/time options work for most of your schedules?
April 4. Between 9:30am - 11:00am.
April 5. Between 10:00am - 11:30am.
April 18. Between 9:30am - 11:00am.

Thank you and best regards,

GSA
Craig Kozikowski, PMP, AIA, NCARB
GSA Public Buildings Service, Region 2. 2PPU
130 S. Elmwood Ave,
Suite 420, Buffalo NY 14202
(216) 903-8703

Email Invitees:

from: **Craig Kozikowski - 2PPU** <craig.kozikowski@gsa.gov>
to: beverly.cook@srmt-nsn.gov, michael.conners@srmt-nsn.gov, ron.lafrance@srmt-nsn.gov, benjamin.herne@srmt-nsn.gov, derrickking@srmt-nsn.gov, agnesm.jacobs@srmt-nsn.gov, dale.white@srmt-nsn.gov, jori.rourke@srmt-nsn.gov, abero@srmt-nsn.gov
cc: Deborah Croft - ZC1 <deborah.croft@gsa.gov>, Julie Ramey - QF0B1EC <julie.ramey@gsa.gov>, Thomas W Burke - 2PMT <thomas.w.burke@gsa.gov>, David Anthone - 2PCA <david.anthone@gsa.gov>
date: Mar 6, 2023, 6:07 PM
subject: US Land Ports of Entry Northern New York Projects Introduction. Invitation to Tribal Council.

--
Thomas W. Burke, P.E., LEED AP, CEM
NEPA & Sustainability Program Manager
Energy & Sustainability Branch, Facilities Management Division
Public Building Service (PBS), Northeast and Caribbean Region
General Services Administration GSA
One World Trade Center, 55th Floor, Room 55W09
New York, NY 10007

Phone: (212) 264-0800
Cell: (917) 232-2423

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To: November 14, 2023
Project code: 2024-0016328
Project Name: Rouses Point, Land Port of Entry

Federal Nexus: yes
Federal Action Agency (if applicable):

**Subject:** Technical assistance for 'Rouses Point, Land Port of Entry'

Dear Giovanni Pambianchi:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on November 14, 2023, for 'Rouses Point, Land Port of Entry' (here forward, Project). This project has been assigned Project Code 2024-0016328 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

**Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

**Determination for the Northern Long-Eared Bat**

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

**Other Species and Critical Habitat that May be Present in the Action Area**

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

**Next Step**

Consultation with the Service is necessary. The project has a federal nexus (e.g., Federal funds, permit, etc.), but you are not the federal action agency or its designated (in writing) non-federal representative. Therefore, the ESA consultation status is incomplete and no project activities should occur until consultation between the Service and the Federal action agency (or designated non-federal representative), is completed.

As the federal agency or designated non-federal representative deems appropriate, they should submit their determination of effects to the Service by doing the following.

1. Log into IPaC using an agency email account and click on My Projects, click "Search by record locator" to find this Project using **492-134657643**. (Alternatively, the originator of the project in IPaC can add the agency representative to the project by using the Add Member button on the project home page.)
2. Review the answers to the Northern Long-eared Bat Range-wide Determination Key to ensure that they are accurate.
3. Click on Review/Finalize to convert the ‘not likely to adversely affect’ consistency letter to a concurrence letter. Download the concurrence letter for your files if needed.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the New York Ecological Services Field Office and reference Project Code 2024-0016328 associated with this Project.

**Action Description**
You provided to IPaC the following name and description for the subject Action.

**1. Name**

Rouses Point, Land Port of Entry

**2. Description**

The following description was provided for the project 'Rouses Point, Land Port of Entry':

> Wetland Permit Required Mitigation Project

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@44.9789175,-73.39173859850058,14z

**Davon M. Collins**
**Environmental Counsel, Legal Affairs**

975 F Street NW, Suite 550
Washington, DC 20004
(202) 347-7196
Davon.Collins@cn.ca

June 27, 2024

**VIA ELECTRONIC MAIL**

Thomas Burke
GSA NEPA Program Manager
One World Trade Center
55th Floor
New York, NY 10007
Thomas.W.Burke@gsa.gov

**Re: Comment of Canadian National Railway Company re Draft Environmental Assessment for Rouses Point, NY Land Port of Entry**

Dear Mr. Burke:

Canadian National Railway Company ("CN") respectfully submits this comment in response to the General Service Administration's ("GSA") Draft Environmental Assessment for the Rouses Point, New York Land Port of Entry ("LPOE"), dated May 2024 (the "Draft EA"). For the reasons explained below, the Draft EA fails to comply with the requirements of the National Environmental Policy Act ("NEPA") and CN urges GSA to correct the deficiencies in an amended Draft EA.

1. **Failure to Consider Reasonable Alternatives.**

Section 102(2)(C) of NEPA requires federal agencies to prepare assessments that include "a reasonable range of alternatives to the proposed agency action, including an analysis of any negative environmental impacts of not implementing the proposed agency action in the case of a no action alternative, that are technically and economically feasible, and meet the purpose and need of the proposal." An agency must "[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." *Natural Resources Defense Council v. FAA*, 564 F.3d 549, 556 (2d Cir. 2009). "The purpose of this requirement is to provide evidence that the agency considered different methods for obtaining its goal and to give the agency the ability to balance and weigh factors related to the different alternatives before making its choice to proceed with the project." *Natural Resources Defense Council v. U.S. Army Corps of Eng'rs*, 457 F. Supp. 2d 198, 219 (S.D.N.Y. 2006).

However, the Draft EA contains no alternatives to the Proposed Action other than the No Action Alternative. Instead, Section 2.3 briefly lists three potential courses of action that were "evaluated" in a 2020 feasibility study (not included in the Draft EA or available for

Davon M. Collins
Environmental Counsel, Legal Affairs

975 F Street NW, Suite 550
Washington, DC 20004
(202) 347-7196
Davon.Collins@cn.ca

download on GSA's Rouses Point project website[1]) that were "ultimately eliminated from consideration . . . [as the feasibility] study identified the Proposed Action as the most feasible option because it would best satisfy all the programmatic requirements identified in the study while minimizing impacts on resources."

This explanation is entirely insufficient for multiple reasons. First, the feasibility study is not incorporated into the Draft EA[2] and the Draft EA fails to inform the public and stakeholders as to which criteria were used in determining feasibility and how precisely the Proposed Action compared in terms of minimizing impacts on resources. The Draft EA therefore fails to adequately explain, and provide an opportunity for the public to comment on, the reasons for eliminating the alternatives that were considered in the feasibility study.

The decision in *National Audubon Society v. U.S. Fish & Wildlife Service*,[3] where the court *upheld* an Environmental Assessment for a dune restoration project that contained only a Proposed Action and No Action Alternative, is instructive. There, the court found that the U.S. Army Corps of Engineers had adequately explained its reasons for dismissing certain alternatives from consideration – for example, by explaining how the dune height of one dismissed alternative would have "compromised coastal storm risk management."[4] Moreover, the court found that the Army Corps had modified its proposed action in response to alternatives proposed by the U.S. Fish & Wildlife Service, further indicating that the "Army Corps [had] rigorously explored and objectively evaluated the alternatives proposed to it by FWS and provided rational reasons for its elimination of those alternatives."[5]

In contrast, the Draft EA merely asserts that the other alternatives were eliminated for consideration because the Proposed Action "would best satisfy all the programmatic requirements" without even a brief explanation as to how that determination was reached. For example, was the "Build an Addition to Existing LPOE" alternative eliminated because it was too costly or because it would not allow for efficient passenger processing or because it would constitute a national security risk? On these important questions, the Draft EA is silent. This dismissal of alternatives without explanation does not satisfy GSA's obligation to consider reasonable alternatives.

Secondly, and relatedly, while the Draft EA also asserts that the Proposed Action was determined to be "the most feasible option," it does not state whether the rejected

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1 https://www.gsa.gov/about-us/gsa-regions/region-2-northeast-and-caribbean/buildings-and-facilities/project-information/rouses-point-land-port-of-entry (as of June 27, 2024).

2 See 40 CFR § 1501.12 ("Agencies shall not incorporate material by reference unless it is reasonably available for review, such as on a publicly available website, by potentially interested persons throughout the time allowed for comment or public review.").

3 55 F. Supp.3d 316 (E.D.N.Y. 2014).

4 Id. at 359-60.

5 Id. at 360.

Davon M. Collins
Environmental Counsel, Legal Affairs

975 F Street NW, Suite 550
Washington, DC 20004
(202) 347-7196
Davon.Collins@cn.ca

alternatives were determined to be technically or economically *in*feasible. In short, the Draft EA appears to have not considered alternatives that *were* technically and economically feasible, and then compounded this error by also asserting that the Proposed Action would "minimize impacts on resources." If the alternatives eliminated from consideration were technically and economically feasible, the comparison of environmental impacts should have occurred *in* the Environmental Assessment.

Finally, the Draft EA failed to consider two alternatives raised in March 2023 during consultations between GSA and CN for this project: (1) the construction of a new LPOE adjacent to a new rail siding off CN's mainline ("Siding Alternative"), and (2) the incorporation of shiftable rail platforms at the new LPOE ("Shiftable Platform Alternative"). Additionally, neither of these two alternatives is included among the alternatives eliminated from consideration. These alternatives would meet the Purpose and Need identified in the EA and are technically and economically feasible. To comply with its obligation to consider reasonable alternatives,[6] the agency should therefore evaluate and address these two alternatives in a revised EA.

## 2. Failure to Consider Transportation Impacts

In Section 3.2.7 (Traffic, Transportation, and Parking), the Draft EA asserts that the Proposed Action's impact on the Regional Train Network would be a "faster, more thorough, and less-crowded inspection process." Thus, in Section 2.4 (Summary and Comparison of Potential Impacts), the Draft EA claims that the Proposed Action would have "long-term benefits for the regional train network" and "no adverse impacts on transit operations and availability." This conclusion is unsupported in the Draft EA.

Although the Draft EA states that one purpose of the action is efficiency, under the Proposed Action, passenger trains would be stopped for processing on a single freight rail main line without any means of bypass. However, the Draft EA contains no discussion or analysis of the transportation-related impacts resulting from freight trains needing to queue or idle pending passenger inspections or the extent to which blockage of the rail line would interfere with routine and emergency track inspections.[7] The Draft EA also contains no discussion of the long-term impacts resulting from the placement of a new LPOE in an existing rail right-of-way – in particular, the need to allow for growth in freight through double-tracking. Because the EA fails to address these important impacts, it fails to take the requisite "hard look" at the changes to the human environment from the proposed action.[8]

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[6] *See, e.g., Natural Resources Defense Council v. U.S. Army Corps*, 457 F. Supp. 2d at 233 (Corps EA inadequate because it failed to evaluate reasonable alternative methods of dredging contaminated harbor).
[7] CN has conducted over sixty track inspections in the Rouses Point, NY vicinity since January 1, 2024.
[8] *See Robertson v. Methow Valley Citizens Council*, 490 U.S. 332,350 (1989).

**Davon M. Collins**
**Environmental Counsel, Legal Affairs**

975 F Street NW, Suite 550
Washington, DC 20004
(202) 347-7196
Davon.Collins@cn.ca

Additionally, due to the Draft EA's lack of reasonable alternatives, there is no comparison of impacts or mitigation options among alternatives. In particular, there is no analysis as to whether impacts to efficient freight rail operations could be avoided or minimized through the construction of a siding (Siding Alternative), rail platforms capable of being moved to accommodate future rail growth (Shiftable Platform Alternative), or selection of alternate location (Alternatives Eliminated from Consideration).

# # #

In summary, because the Draft EA fails to include a reasonable range of alternatives and completely omits any analysis of the Proposed Action's effects on the regional transport of passengers and freight, it is incapable of assessing whether the Proposed Action would have any significant effects. As such, the Draft EA should be amended to bring it into compliance with NEPA.

Respectfully submitted,

Davon M. Collins
Environmental Counsel

cc: Jacques Luce, Manager, Passenger Operations
Kathryn Gainey, Senior Director, Head of Global Regulatory Affairs

General Services Administration's Response to Canadian National Railway Company comment letter dated June 27, 2024.

1. **Failure to Consider Reasonable Alternatives.**

The feasibility study was not incorporated into the draft EA since the feasibility study is considered an internal GSA document. Also, the options evaluated in the feasibility study were mentioned in the draft EA and the reason they were not carried forward was contained in the draft EA. Further explanation of the reasons those options were not carried forward are detailed further below. These additional details are now contained in the final EA.

Constructing a new LPOE at the location of the existing LPOE and/or building an addition to the existing LPOE were not carried forward since both would not meet the purpose and need of the project, namely not meeting the programmatic requirement of CBP for having the LPOE close to the border. These 2 options would have still been over ½ mile from the U.S./Canadian border. The other option, constructing a new LPOE on the east side of the U.S. Route 11 was not carried forward in the draft EA since it was impractical to have a vehicle inspection facility on the east side and then have the rail passenger inspection facility on the west side of U.S. Route 11 where the railroad tracks are located. A LPOE facility on both sides of U.S. Route 11, one on the east side for vehicles and one on the west side for rail passenger inspections is impractical. In addition, having the vehicle inspection facility on the east side of U.S. Route 11, on the wrong side of the road, would cause additional traffic complications. For these reasons the above options contained in the feasibility study were not carried forward for analysis in the draft EA.

The construction of a new rail siding is outside the scope of GSA's proposed action. A new rail siding is not required to accomplish the project objectives, namely being able to conduct rail passenger inspection adjacent to vehicle inspections thereby increasing CBP's operational efficiency.

The construction of a new rail siding was not included in the draft EA because such an action falls within the responsibility and preview of Canadian National and/or Amtrak and as stated above is outside the scope of GSA's proposed action. In addition, there was no alternative analysis or cumulative impacts analysis for a new bypass rail siding since the details and certainty of such an activity was not a reasonably foreseeable future action.

2. **Failure to Consider Transportation Impacts**

Current rail passenger inspections occur at the Amtrak station located in the village of Rouses Point. Currently there is no bypass rail siding at this location that would allow a freight train to bypass a rail passenger train during inspection. Therefore, there is little or no significant difference between the current condition and the proposed action as regards delaying a freight train. A freight train would still be delayed whether it was behind a passenger train located in the village of Rouses Point or behind a passenger train located at the U.S./ Canadian border.

It is expected that the proposed action with rail passenger inspections located at the U.S./

Canadian border will increase and enhance CBP efficiency and reduce rail passenger inspections times and reduce any potential delay times to freight trains.

As regards the placement of a LPOE in an existing rail right-of-way and the need to allow for growth for freight trains through double-tracking, this CN concern was a GSA project management priority during project development. A flexible solution for the rail platform has been incorporated into the design that allows for the LPOE to be constructed today addressing rail passenger inspections on the current track but can be easily modified in the future with minimal disruption to the LPOE should Amtrak or CN later decide to construct a rail siding to be used by Amtrak. This project feature was developed to address CN concerns.

# APPENDIX B— WETLAND ASSESSMENT AND DELINEATION REPORT

# WETLAND DELINEATION REPORT
# ROUSES POINT BORDER CROSSING

Town of Champlain, Clinton County, New York 12979

Prepared for:


Lindsay Smith
**Smith-Miller + Hawkinson Architects LLP**
305 Canal Street, Floor 4, New York, NY 10013
smith@smharch.com
(917) 375-4990


Prepared by:


HUNT ENGINEERS | ARCHITECTS | SURVEYORS
143 Court Street, Binghamton, NY 135901
Telephone No.: (607) 798-8081, Fax No.: (607) 798-8181



SCE Project No. 22225
October 2022
Revised March 2024

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## FIGURES



## APPENDICES

## 1. INTRODUCTION

The General Services Administration (GSA) is planning to develop a new port of entry for US Customs and Border Protection in the Village of Rouses Point, Town of Champlain, Clinton County, New York. Shumaker Consulting, Engineering, & Land Surveying, D.P.C. (SCE) is performing environmental tasks as a subconsultant to Smith-Miller + Hawkinson Architects LLP and MJ Engineering and Land Surveying.

This wetland delineation effort was conducted to help facilitate a design that minimizes wetland impacts to the extent practicable. It will also serve as a supporting document to the anticipated Joint Application for Permit to the United States Army Corps of Engineers (USACE) and New York State Department of Environmental Conservation (NYSDEC).

Background information and methods used to determine the characteristics of wetlands delineated at the project site are described herein. The report also includes: a discussion of information relevant to the wetland delineation retrieved by reviewing agency resources; a description of the delineation methodology; a general site description; a discussion of hydrologic characteristics and connections; a description of site ecology; wetland descriptions; photographs keyed to figures; and a summary of findings. Wetland determination data forms that support the rationale for the positioning of wetland boundaries delineated by SCE are provided in Appendix C.

The wetland delineation effort encompassed an area of approximately 23.8 acres including 15.26 acres of wetlands and the remaining habitat comprised of upland habitat, Route 11, commercial structures, and border crossing facilities. The project study areas, which defined the delineation limits, is depicted on Figure 2, Project Boundaries Map.

The wetland delineation field investigation was conducted September 26th, 2022. A site walk with the USACE and NYSDEC to confirm wetland boundaries and determine jurisdiction was conducted on October 4, 2022. The locations of the wetland boundaries were flagged and recorded with a hand-held GPS unit.

## 2. AGENCY RESOURCE INFORMATION

Prior to the field survey effort, several resources were consulted to obtain background information including:

- NYSDEC Environmental Resource Mapper (ERM)
- United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) Map
- Clinton County Soil Survey Map
- Federal Emergency Management Agency (FEMA) floodplain mapping
- Aerial photography, and contour mapping.

## 3. METHODOLOGY

Wetland boundaries within the project study area were delineated using the federal criteria for wetland vegetation, wetland hydrology, and hydric soils (USACE 1987, USACE 2012 Regional Supplement). The selected delineation method depends on the characteristics of the site and the complexity of the required determination. The Routine On-Site Method is a simple rapidly applied method that results in sufficient data for making a wetland determination. All of the wetlands identified within the project Areas 1, 3, 4, and 6 were delineated using the Routine On-Site Method. Areas 2 and 5 were not able to be accessed onsite and were remotely delineated by use of desktop review and onsite observations from Area 1 and 4.

Test sites were established throughout the project corridor where indicators of a plant community dominated by hydrophytes, wetland hydrology, or hydric soils were present to determine whether or not a particular area met the criteria of a wetland. At each test site, data was collected and recorded on Wetland Determination Data Forms, provided in Appendix C.

Where a test site is positive for the presence of all three indicators, a corresponding test site was established in the corresponding upland, where one or more of the three indicators was absent, such that, the boundary along the wetland/upland interface would be between the two test sites. Vegetation data was collected at each test site. Absolute percent cover was visually estimated for each plant community stratum by the following plot sizes: herbaceous stratum (5-foot radius), sapling/shrub stratum (15-foot radius), tree stratum (30-foot radius) and vine stratum (30-foot radius). Sampling test plots were altered where a radius did not generate an appropriate representation (i.e., linear areas). At each test site, the dominant species for each stratum were

determined by ranking each species in order of percent cover (by way of the 50/20 Rule) and recording those species, that, when cumulatively totaled, exceeded 50 percent of the total cover of the respective stratum. Additionally, any species that comprised 20 percent or more of the total cover for each stratum was considered to be a dominant species.

The presence of wetland vegetation was determined by applying variations of a dominance test for positive indicators of a plant community dominated by hydrophytes. Determining positive indicators for a plant community dominated by hydrophytes are a "step-wise" procedure, carried out in a particular sequence. The first test applied is the Rapid Test, where all dominant species across all strata (each individual stratum had to comprise an absolute percent cover of at least five (5) percent to be considered a dominant species) had an indicator status of obligate (OBL) or facultative-wet (FACW). If the plant community passed the rapid test, it was dominated by hydrophytes and further vegetation analysis was not required. If the plant community failed the Rapid Test, the next test in the sequence was applied, which was the Dominance Test.

A plant community passed the Dominance Test when more than 50 percent of the dominant species at test site had an indicator status of OBL, FACW, or FAC. If the plant community failed the Dominance Test, but indicators of hydric soil and wetland hydrology were present, the Prevalence Index Test was applied.

A plant community passed the Prevalence Index Test when the weighted average of the wetland indicator status, which has been assigned numeric values, was determined to be less than or equal to 3.0 (assuming at least eighty percent of the total vegetation cover on the plot had been identified to species).

If the plant community failed the Prevalence Index Test, the Morphological Adaptations Test is applied. A plant community passed the Morphological Adaptations test when: (1) more than 50 percent of the individuals of a facultative-upland (FACU) plant species inhabiting an area where indicators of hydric soil and wetland hydrology are present have developed morphological adaptations that allow them to survive in an anaerobic soil environment, and (2) the plant community passed either the previously failed Dominance Test or the Prevalence Index Test after the indicator status of the FACU plant species that exhibits specific morphological adaptations were reassigned a FAC indicator status.

Hydrophytic vegetation was deemed present when the Rapid Test, Dominance Test, Prevalence Index or the morphological adaptations criteria have been satisfied. Deviations are noted on the wetland determination data forms (Appendix C).

The indicator status associated with each dominant species was determined using The National Wetland Plant List: 2020 Update of Wetland Ratings. For non-indicator (NI) species or species of no known occurrence in the region (NO), the indicator status assigned to the species in the nearest adjacent region (Region 2) was applied, if applicable. If an adjacent regional indicator is not assigned the species was not used to calculate hydrophytic vegetative criteria. For non-listed (NL) species, if the nomenclature for that particular species has not been recently changed along with its indicator status, the indicator status was assumed to be upland based on page nine (9) of Reed (1988), which states that: "If a species does not occur in wetlands in any region, it is not on the National List."

At each test site, a soil test pit was dug to gather evidence for the presence of indicators of hydric soils and evidence for subterranean indicators of wetland hydrology. The soil was visually inspected for characteristics indicative of hydric soils, as documented in the USACE Wetlands Delineation Manual, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0) (Regional Supplement) and Field Indicators for Identifying Hydric Soils in the United States (Version 8.2, 2018). Soil color was determined by comparing a ped of soil to the Munsell soil color chart. Indicators of hydric soils and wetland hydrology were analyzed to determine whether or not anaerobic conditions in the soil occur during the growing season. Anaerobic soil conditions develop when, during the growing season, soils are inundated for a week or more or are saturated in the upper 12 inches for more than two (2) weeks. At a minimum, wetlands are inundated or saturated at a frequency of five (5) years in ten (10) (i.e., a 50 percent or higher probability) as documented in the 1987 USACE Wetlands Delineation Manual and the Regional Supplement.

## 4. GENERAL SITE DESCRIPTION

The project area, totaling 23.8 acres is comprised of Area 1 (2.8 acres), Area 2 (3.5 acres), Area 3 (8.8 acres), Area 4 (3.7 acres), Area 5 (2.8), and Area 6 (2.2 acres). The site encompassing all areas is present along either side of Route 11, from Bridge Road, north to the United States/Canada border. The project area is primarily comprised of wetland habitats, one commercial property, and is used as a port of entry between the United States and Canada.

The county soil survey shows that the site contains the following mapped soils: Adjidaumo silty clay, 0 to 3 percent slopes (Ak), Fluvaquents-Udifluvents complex, frequently flooded (Fn), Muskellunge silty clay loam, 0 to 3 percent slopes (MwA), and Roundabout silt loam (Rr). Soil map unit Ak is characterized by poorly drained soils, soil map units MwA and Rr are characterized by somewhat poorly drained soils, and soil map unit Fn is characterized by well drained soils. Soil map unit Ak is considered a farmland of statewide importance and soil map units MwA and Rr are considered prime farmland if drained. All of these soil map units are characterized as hydric as seen in the NRCS Hydric Rating Soils Map attached (Appendix B).

## 5. AQUATIC RESOURCE DESCRIPTIONS

Several sites investigated within the project area met the criteria for regulated wetland areas. The National Wetlands Inventory (NWI) and Environmental Resource Mapper (ERM) indicate the presence of wetlands on the parcel (Figure 7). The ERM mapper indicates the presence of NYSDEC Freshwater Wetland RP-1 and its 100' buffer within areas along either side of Route 11. The NWI depicts five (5) freshwater forested/shrub wetland, and three (3) freshwater emergent wetlands.

The delineated wetlands are defined by the boundaries depicted on Figure 3, 4, 5, and 6. Wetlands were designated by a letter and streams were designated with a number for the purposes of this wetland delineation (Wetland A/Stream 1).

### *Wetlands*

Wetland A is a palustrine emergent marsh (PEM) that covers approximately 0.06 acres within Area 6, at the east end of Route 11 at the United States border. Wetland A is dominated by hydrophytic vegetation such as, common reed (*Phragmites australis*) and common cattail (*Typha latifolia*). Hydrology was observed as presence of reduced iron. Hydric clay loam soils were observed. Wetland A is connected to Wetland C by a culvert beneath the railway and Route 11, due to Wetland C's connection to WOTUS, Wetland A is jurisdictional to USACE.

Wetland A has several beneficial environmental functions and values. Ecological benefits may be provided as native vegetation is present within this community, it has the potential to provide shelter and foraging for native wildlife as well as promote continuing growth of a diversity of native plants. Additionally, it likely provides groundwater purification as well as sediment and pollutant trapping in relation to runoff from Route 11.

Wetland B is a mixed palustrine emergent marsh (PEM)/palustrine forested wetland (PFO) that covers approximately 5.2 acres within Area 3 and 6 along the east side of Route 11. Wetland B is dominated by hydrophytic vegetation such as bluejoint (*Calamagrostis canadensis*), narrow-leaf cattail (Typha angustifolia), and purple loosestrife (*Lythrum salicaria*). Several indicators of hydrology were observed such as high-water table and saturation. Hydric clay loam soils were observed. Wetland B is within the limits of NYSDEC Freshwater Wetland RP-1. Stream 1 and Ditches 1 and 2 are present within Wetland B and continue offsite to the east. Due to its connection to state wetlands and WOTUS, this wetland is jurisdictional to the USACE and NYSDEC.

Wetland B provides various environmental functions and values. Ecologically, this resource hosts a myriad of native vegetation which provides shelter and foraging opportunities for wildlife and promotes the continued growth of native plants. This resource is also providing benefits such as storm water retention, assisting in flood control especially in regard to offsite resources such as Stream 1, Ditch 1, and Ditch 2. This function also provides sustainable recharge to these tributaries which may be an important factor in dry years where drought can produce problematic conditions. Moreover, the dense hydric vegetation within this community functions as traps for sediment and pollutants that may run off Route 11. Similarly, vegetation in Wetland B provides water filtration which is imperative when offsite waters are present so that it may curb the potential for bioaccumulation of pollutants that can have a negative ecologic and economic effect on Lake Champlain.

Wetland C is a mixed palustrine scrub shrub wetland (PSS)/palustrine forested wetland (PFO)/palustrine emergent marsh (PEM) that covers approximately 10 acres within Area 1, 2, 3, 4, and 5 along the west side of Route 11. This wetland community was observed within the remote areas (Area 2 and 5) from the onsite limits of Area 1 and 4. Wetland C is dominated by hydrophytic vegetation such as eastern cottonwood (*Populus deltoides*), common reed, and red-twigged dogwood (*Cornus sericea*). Several indicators of hydrology were observed such as high-water table and saturation. Hydric clay loam soils were observed. Wetland C is partially within the limits of NYSDEC Wetland RP-1 and entirely within its 100’ adjacent area. Stream 1, 2 and, Ditches 1, and 2 are present within Wetland C. Due to its connection to state wetlands and WOTUS, this wetland is jurisdictional to the USACE and NYSDEC.

Wetland C provides various environmental functions and values. Ecologically, this resource hosts a myriad of native vegetation which provides shelter and foraging opportunities for wildlife and promotes the continued growth of native plants. This resource is also providing benefits such as storm water retention, assisting in flood control especially in regard to offsite resources such as Stream 1, Stream 2,

Ditch 1, and Ditch 2. This function also provides sustainable recharge to these tributaries which may be an important factor in dry years where drought can produce problematic conditions. Moreover, the dense hydric vegetation within this community functions as traps for sediment and pollutants that may run off Route 11. Similarly, the vegetation in Wetland C provides water filtration which is imperative when offsite waters are present so that it may curb the potential for bioaccumulation of pollutants that can have a negative ecologic and economic effect on Lake Champlain.

***Streams***

Stream 1 is a perennial stream that flows east for approximately 121 LF onsite from Wetland C under Route 11, through Wetland B and offsite. Stream 1 is approximately 6 feet wide 1 foot deep at the ordinary high-water mark with silt/muck substrate. Stream 1 is mapped concurrently with NYSDEC Class C stream and flows into Lake Champlain approximately 1.35 miles downstream. As such, Stream 1 is jurisdictional to the USACE.

Stream 1 has several beneficial functions and values associated with it. Stream 1 provides an effective drainage of wetland resources that may otherwise lead to flooding. As this resource is perennial, it provides nutrient transportation to all connected aquatic resources such as Lake Champlain, as well as riparian vegetation. Additionally, Stream 1 provides habitat for aquatic organisms and watering and foraging opportunities for fish and wildlife.

Stream 2 is an intermittent stream that begins within Wetland C and flows south for approximately 38 LF onsite just west of Route 11 and into Stream 1. Stream 2 is approximately 3 feet wide and 4 inches deep at the ordinary high-water mark with gravel and silt substrate. Stream 2 is jurisdictional to the USACE.

Stream 2 has several beneficial functions and values associated with it. Stream 2 provides an effective drainage of Wetland C into Stream 1 as observed onsite. This connection to additional resources aids in nutrient transportation between neighboring ecological communities.

Ditch 1 flows east for approximately 261 LF allowing Wetland C to drain under Route 11 and through Wetland B. Ditch 1 was approximately 3 feet wide and 4 inches deep and entirely vegetated. The ditch appears to be the result of human intervention and is not jurisdictional to the USACE or NYSDEC.

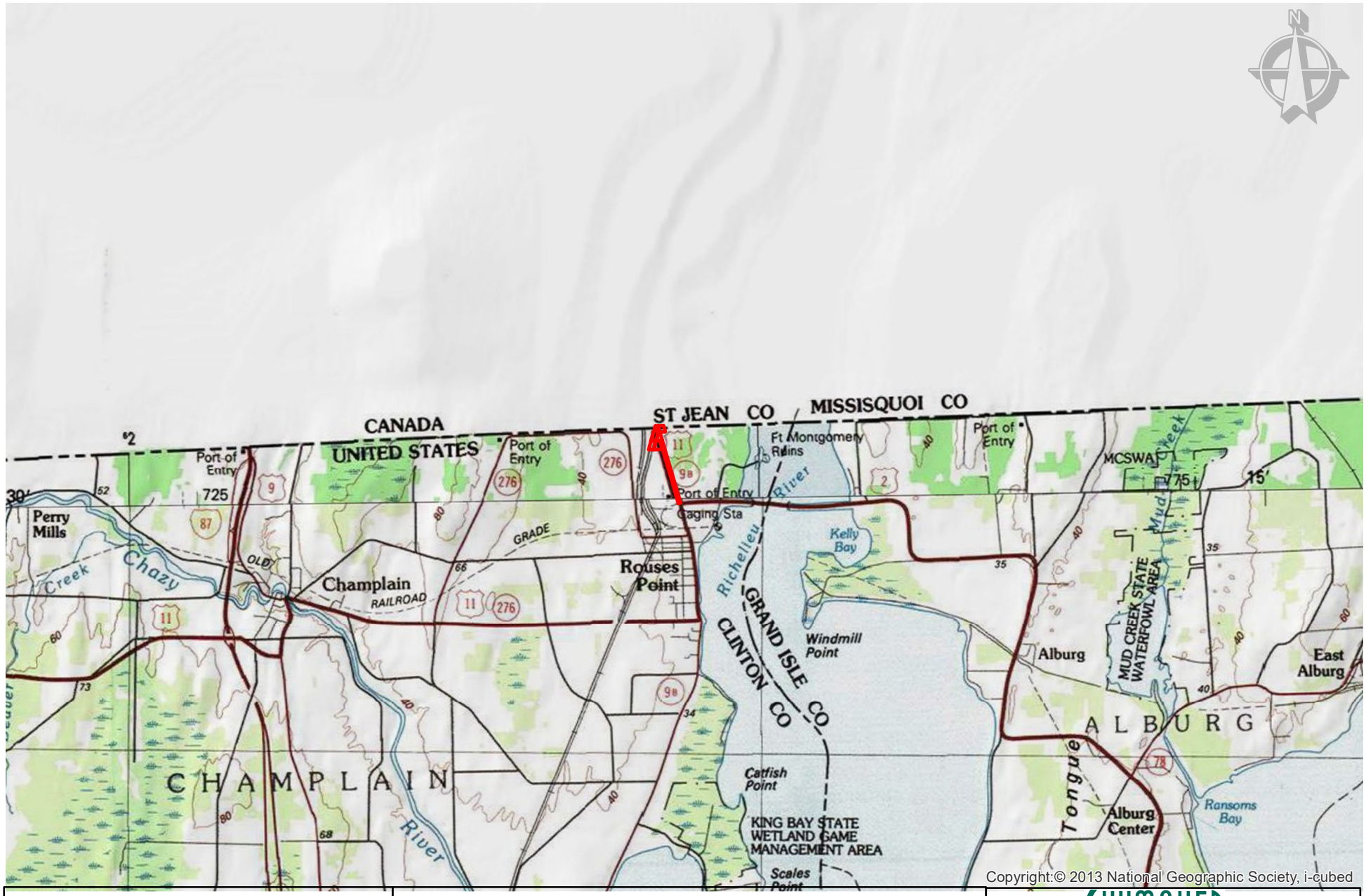
Ditch 2 flows east for approximately 101 LF allowing Wetland C to drain under Route 11 and through Wetland B. Ditch 2 was approximately 3 feet wide and 4 inches deep and entirely vegetated. The ditch appears to be the result of human intervention and is not jurisdictional to the USACE or NYSDEC.

## 6. SUMMARY OF FINDINGS

The project area includes approximately 23.8 acres including 15.26 acres of wetlands and the remaining habitat comprised of upland habitat, commercial structures, and border crossing facilities. Three (3) wetlands present within all designated Areas within the site met the criteria for USACE and NYSDEC regulated wetland areas. All three (3) mapped wetlands have hydrologic connection to Waters of the United States and two (2) mapped wetlands are within NYSDEC Freshwater Wetland RP-1 which designates them to be under the jurisdiction of USACE and NYSDEC. The cumulative area of delineated wetlands is 15.26 acres on site; several more acres of Wetland B and C continue off site.

**Table 1: Summary of Aquatic Resources on Site**

| Wetland ID | Classification | Acreage Onsite | Coordinates | Jurisdiction |
|---|---|---|---|---|
| Wetland A | PEM | 0.06 | 45.010319, -73.370727 | USACE |
| Wetland B | PFO | 1.0 | 45.009894, -73.369568 | NYSDEC/USACE |
| Wetland B | PEM | 4.2 | 45.009894, -73.369568 | NYSDEC/USACE |
| Wetland C | PSS | 5.17 | 45.008164, -73.370512 | NYSDEC/USACE |
| Wetland C | PFO | 1.05 | 45.008164, -73.370512 | NYSDEC/USACE |
| Wetland C | PEM | 3.38 | 45.008164, -73.370512 | NYSDEC/USACE |
| Stream 1 | Perennial | 121 LF | 45.002971, -73.367881 | USACE |
| Stream 2 | Intermittent | 38 LF | 45.002835, -73.368090 | USACE |
| Ditch 1 | N/A | 261 LF | 45.008487, -73.369998 | N/A |
| Ditch 2 | N/A | 101 LF | 45.006437, -73.369226 | N/A |




**Legend**

Project Boundary

**FIGURE 1**
**Project Location Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

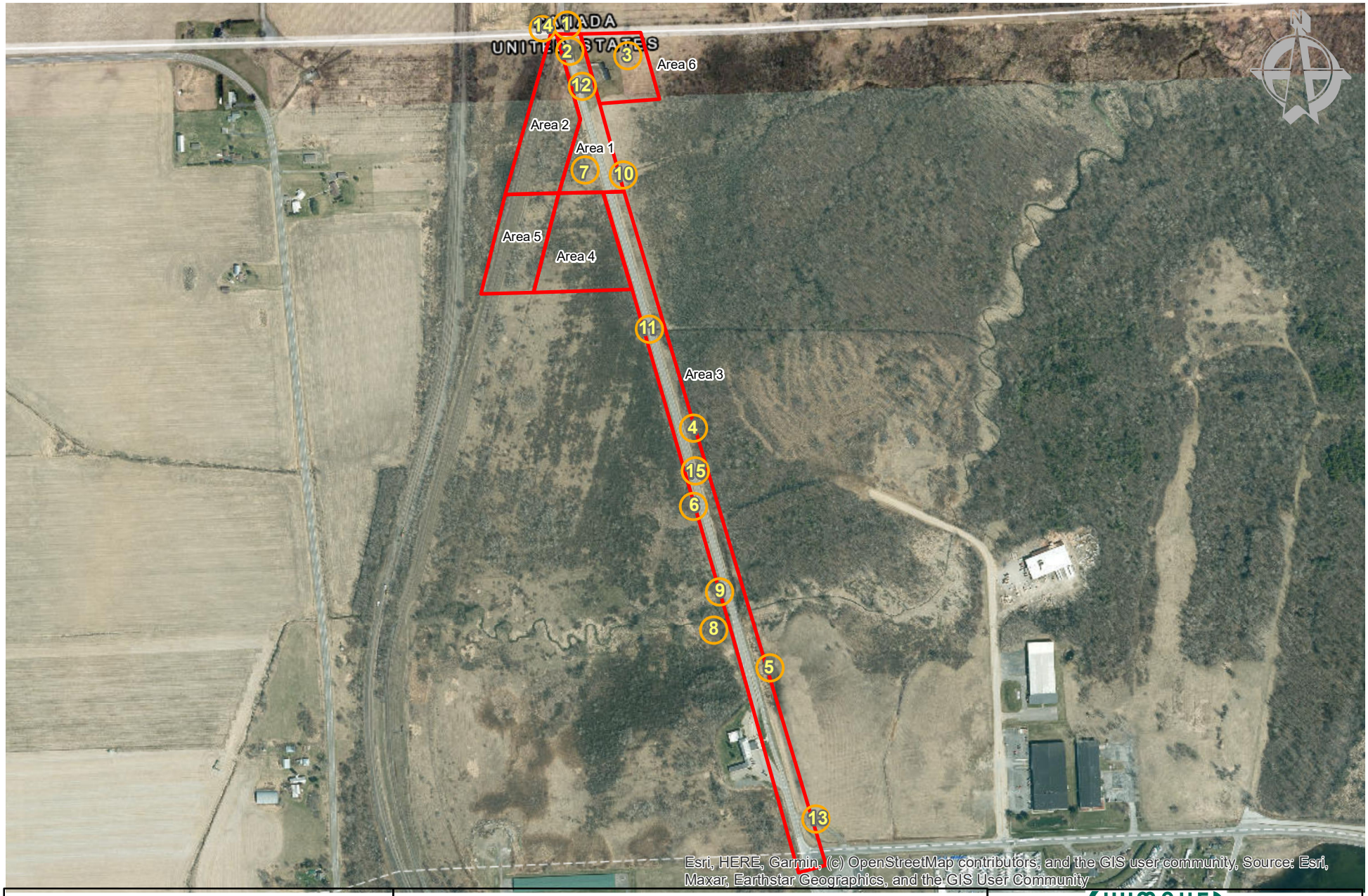
0 1,000 2,000 4,000 6,000 8,000 10,000
Feet
1 inch = 7,000 feet
1:84,000

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 1 - Project Location Map.mxd




**Legend**

Project Boundary

Photograph Location

**FIGURE 2**
**Property Boundaries Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

0 650 1,300 Feet

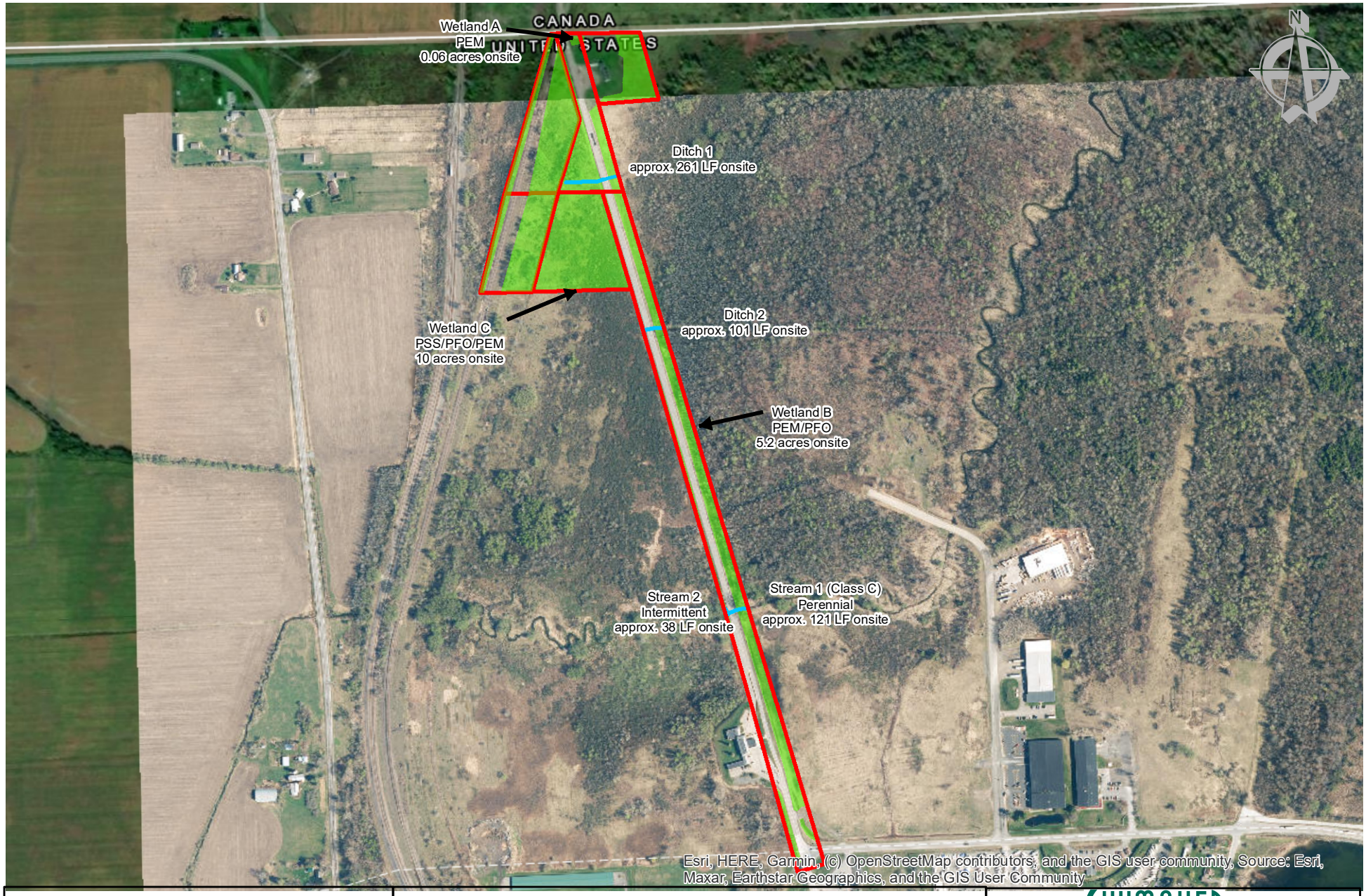
1 inch = 650 feet
1:7,800

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 2 - Project Boundaries Map.mxd




**Legend**

- Project Boundary
- Stream
- Wetlands

**FIGURE 3**
**Wetland Overview Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

0 650 1,300 Feet

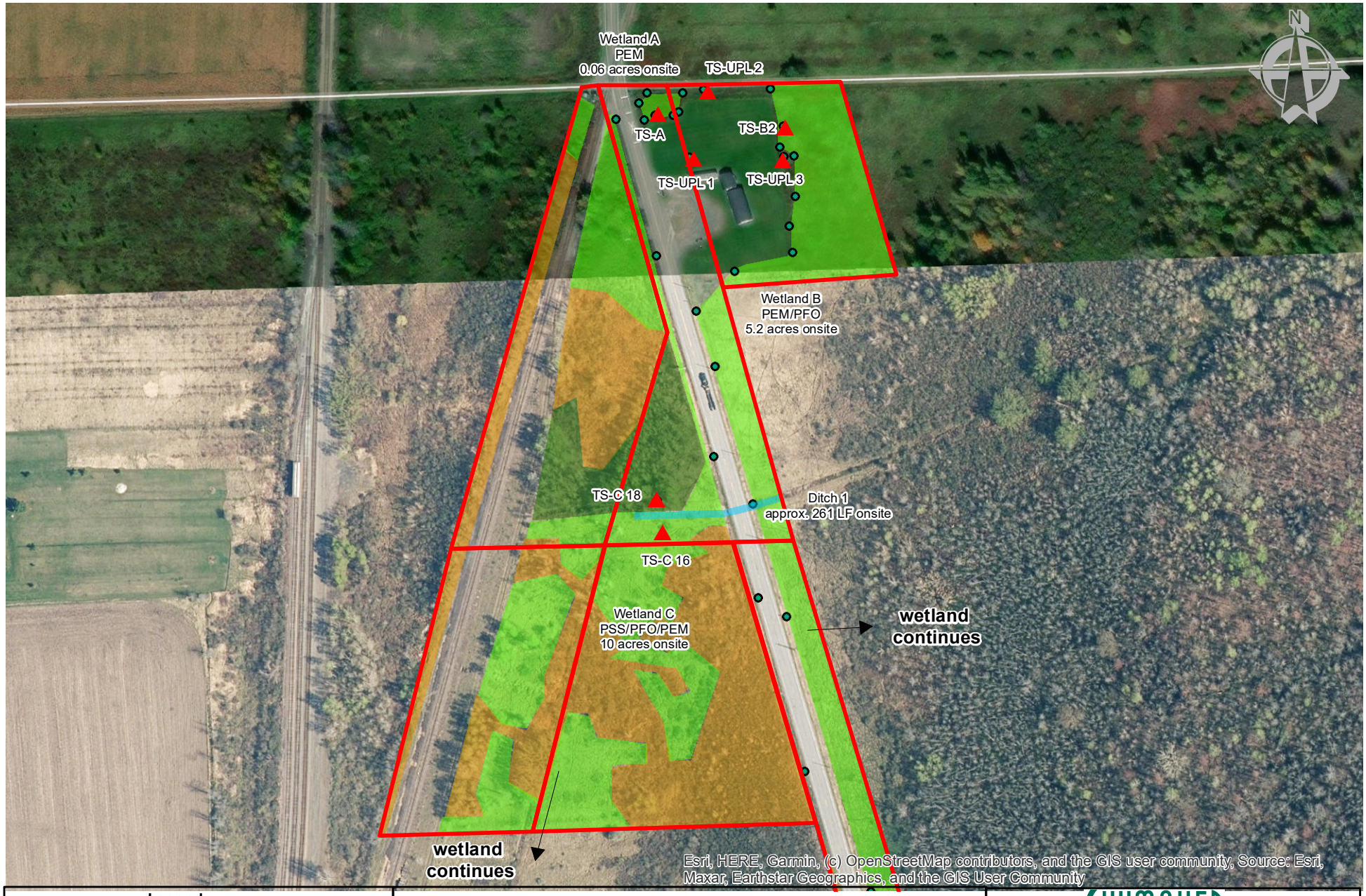
1 inch = 650 feet
1:7,800

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 3 - Wetland Overview Map_2024.mxd




**Legend**

- Project Boundary
- Test Site
- Streams
- Resource Flags
- Emergent Wetland
- Forested Wetland
- Scrub Shrub Wetand

**FIGURE 4**
**Area 1 - Wetland Delineation Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

0 237.5 475 Feet

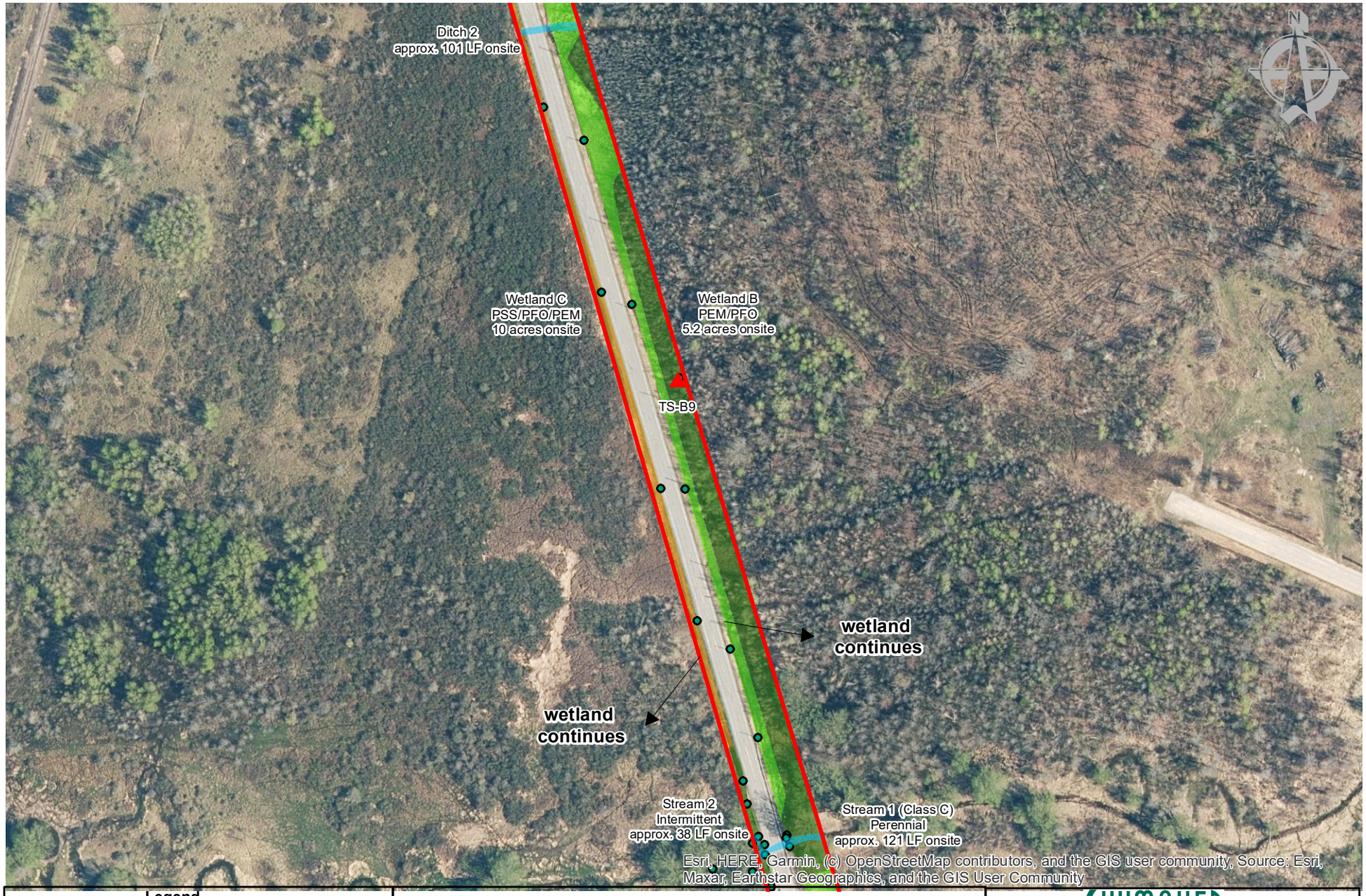
1 inch = 225 feet
1:2,700

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 4 - Area 1 Wetland Map_2024.mxd




**Legend**

- Project Boundary
- Test Site
- Streams
- Resource Flags
- Emergent Wetland
- Forested Wetland
- Scrub Shrub Wetand

**FIGURE 5**
**Area 2 - Wetland Delineation Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

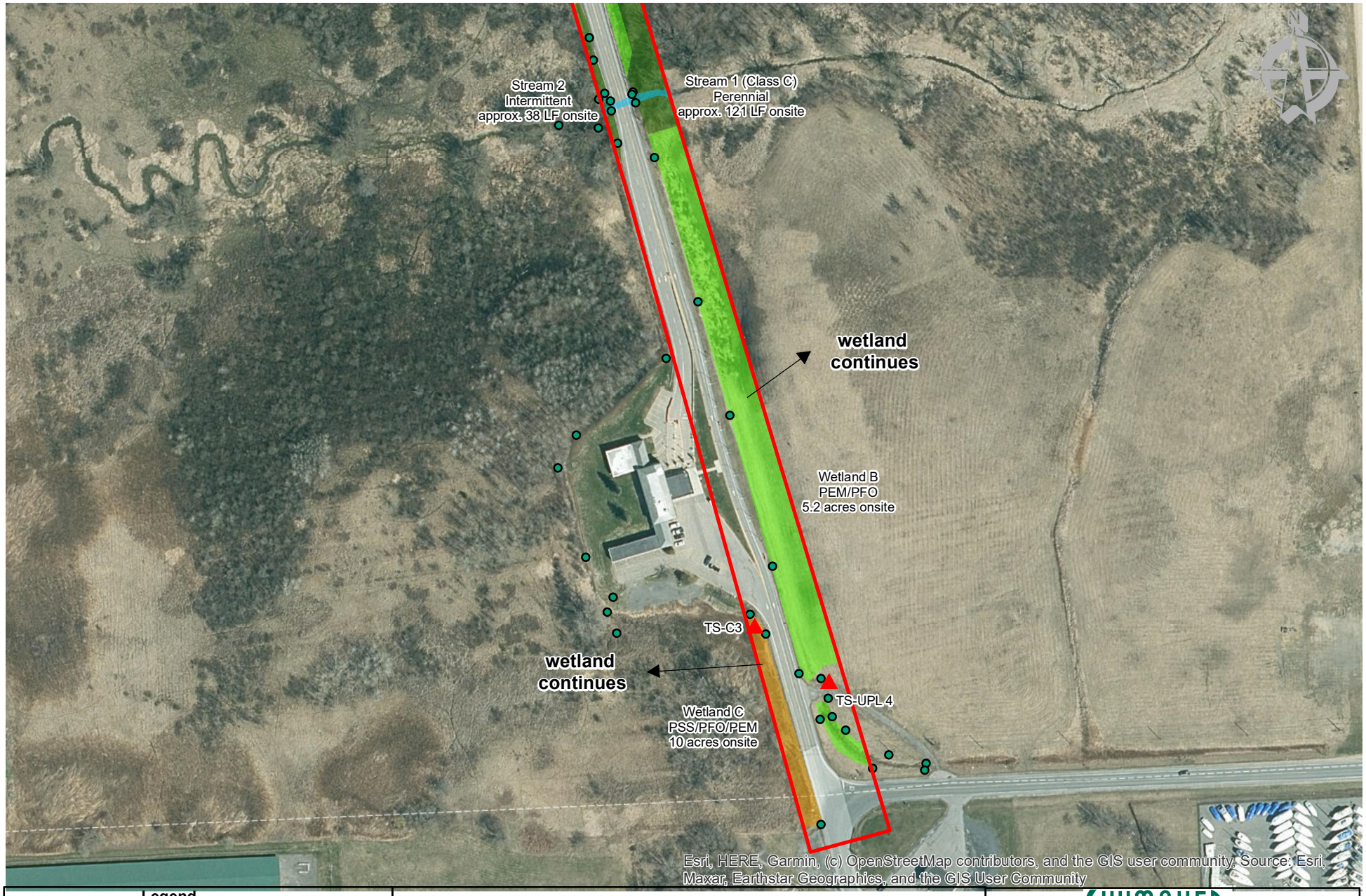
0 237.5 475 Feet
1 inch = 225 feet
1:2,700

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 5 - Area 2 Wetland Map_2024.mxd




**Legend**

- Project Boundary
- Test Site
- Resource Flags
- Streams
- Emergent Wetland
- Forested Wetland
- Scrub Shrub Wetand

**FIGURE 6**
**Area 3 - Wetland Delineation Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

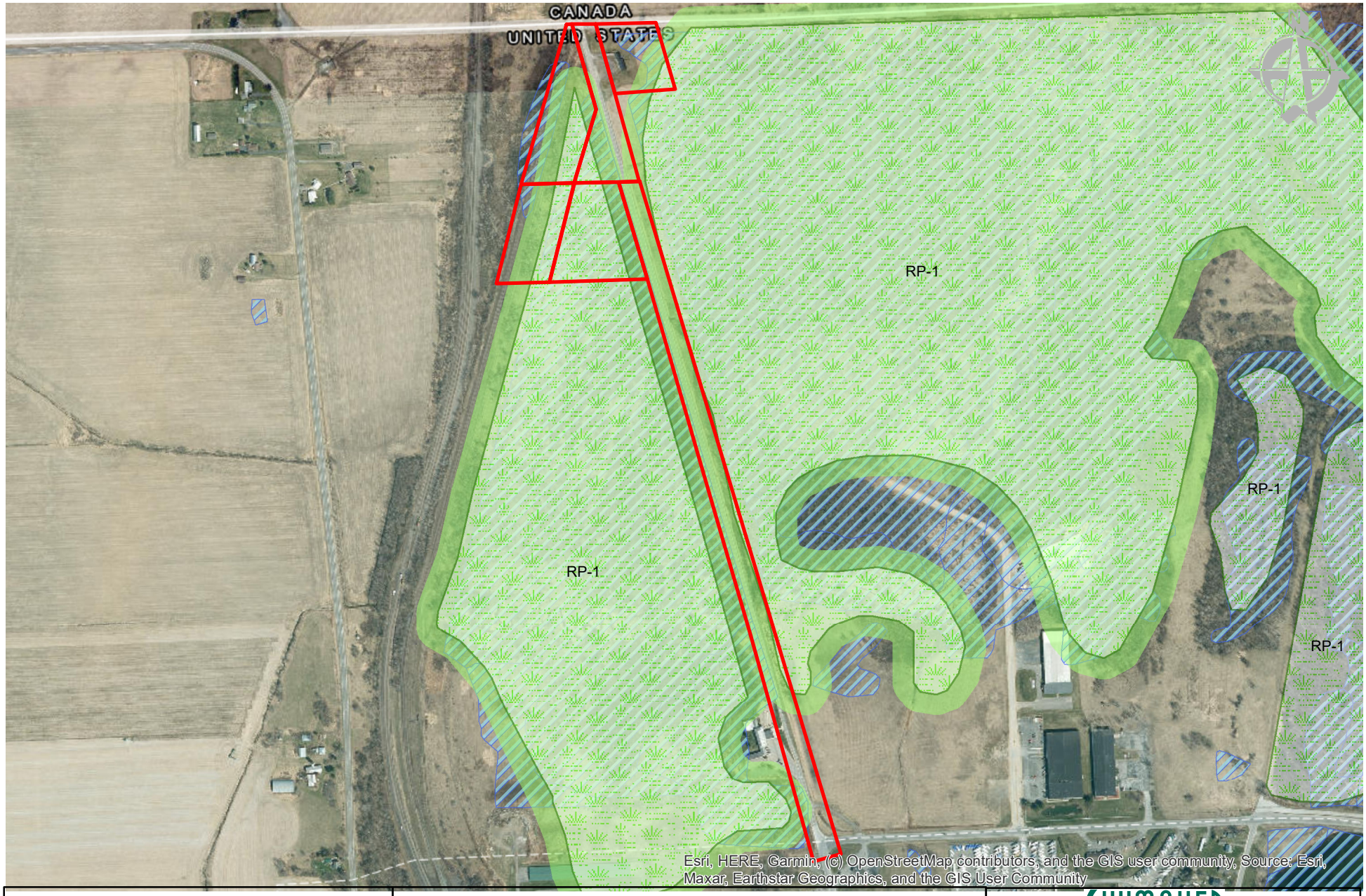
0 237.5 475 Feet
1 inch = 225 feet
1:2,700

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 6 - Area 3 Wetland Map.mxd




**Legend**

- Project Boundary
- NYSDEC Wetlands
- NYSDEC 100' Buffer
- NWI Wetlands

**FIGURE 7**
**NYSDEC/NWI Wetlands Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

0 650 1,300 Feet

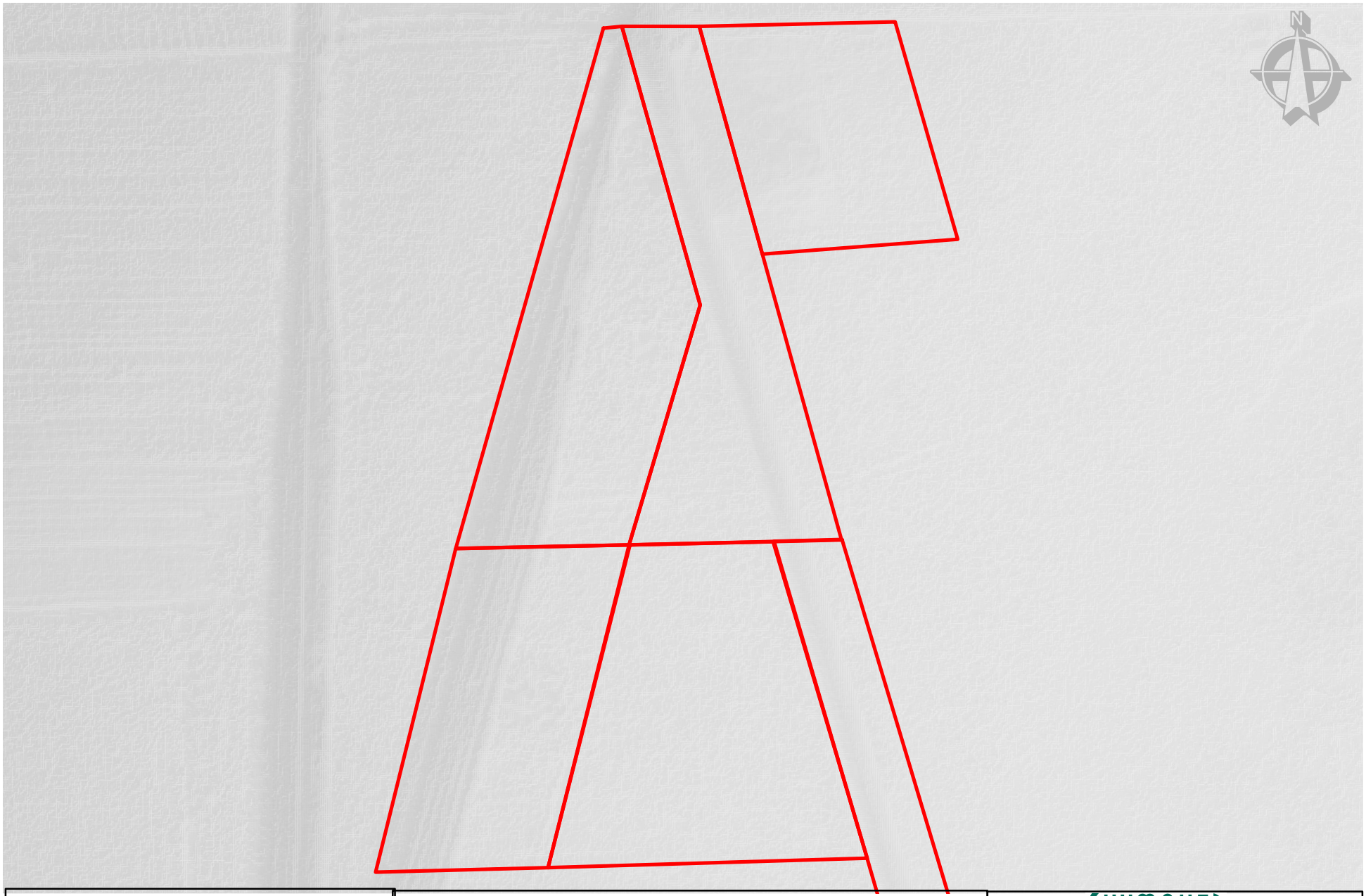
1 inch = 650 feet
1:7,800

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 7 - NYSDECNWI Wetlands Map.mxd



**Legend**

Project Boundary

**FIGURE 8**
**Lidar Map**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

0 210 420
Feet
1 inch = 200 feet
1:2,400

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Remote Delineation 4 5\Figure 5 - Lidar.mxd

**Legend**

Project Boundary

**FIGURE 9**
**Aerial dated 1994**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

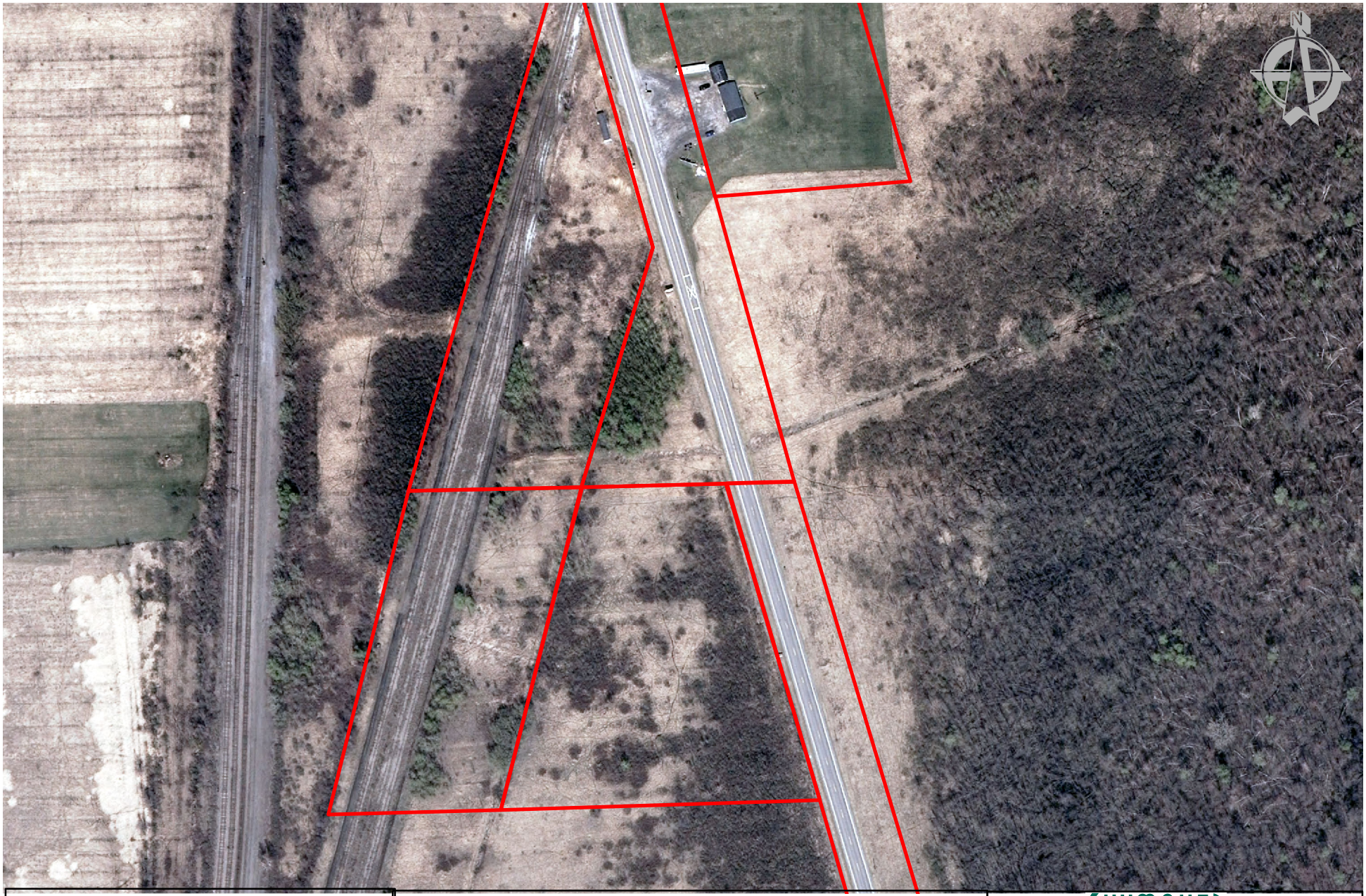
0 210 420
Feet
1 inch = 200 feet
1:2,400

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Remote Delineation 4 5\Figure 6 - Aerial 1994.mxd



**Legend**

Project Boundary

**FIGURE 10**
**Aerial dated 2008**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
Consulting Engineering & Land Surveying, D.P.C.

0 210 420
Feet
1 inch = 200 feet
1:2,400

County Coverage: Clinton

October 2022

Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Remote Delineation 4 5\Figure 7 - Aerial 2008.mxd

Wetland A
PEM
0.06 acres onsite

Wetland B
PEM/PFO
5.2 acres onsite

Wetland C
PSS/PFO/PEM
10 acres onsite

Ditch 1
Intermittent
approx. 261 LF onsite

Ditch 2
Intermittent
approx. 101 LF onsite

WL A1
WL A2
WL A3
WL A4
WL A5
WL A6
WL B0
WL B1
WL B2
WL B3
WL B4
WL B5
WL B6
WL B7
WL B8
WL B9
WL B10
WL B11
WL C15
WL C16
WL C17
WL C18
WL C19
WL C20

TS-A
TS-UPL 1
TS-UPL 2
TS-UPL 3
TS WL A
TS WL B
TS-B 2
TS-C 16
TS-C 18

upl 1
upl 2
UPL 3

N

## Legend

- Project Boundary
- 2ft Contours
- Test Site
- Stream
- Resource Flags
- Wetlands

**Figure 11**
**Planimetric Map - Area 1**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

0 75 150 Feet
1 inch = 75 feet
1:900

County Coverage: Clinton
October 2022
Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\JD - Planimetric.mxd


**Legend**

Project Boundary
2ft Contours
Test Site
Stream
Resource Flags
Wetlands

**Figure 12**
**Planimetric Map - Area 2**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

SHUMAKER
consulting engineering & land surveying, PC

0 75 150 Feet
1 inch = 75 feet
1:900

County Coverage: Clinton | October 2022 | Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 12 - Planimetric Area 2.mxd

WL B16
WL C10
Stream 2 east 2
Stream 2 east 1
WL B17
Stream 2 west 1
Stream 1 north 4
Stream 1 south 4
Stream 1 north 3
Stream 1 south 3
Stream 2
Intermittent
approx. 36 LF onsite
Stream 1
Perennial
approx. 121 LF onsite
Stream 1 north 1
Stream 1 north 2
WL C9
WL B18
WL B19
WL C8
WL B20
WL C7
WL C6
WL C5
WL B21
UPL
WL C4
TS WL C
WL C3
TS-C 3
WL C2
Wetland C
PSS/PFO/PEM
10 acres onsite
Wetland B
PEM/PFO
5.2 acres onsite
WL B22
WL B23
TS-UPL 4
WL B24
WL B30
UPL
WL B25
WL B26
WL B27
WL B28
WL B29
WL C1

**Legend**

Project Boundary
2ft Contours
Test Site
Stream
Resource Flags
Wetlands

**Figure 13**
**Planimetric Map - Area 3**

**Rouses Point Port of Entry - Route 11**
**Town of Champlain**
**Clinton County, NY**

0 75 150 Feet
1 inch = 75 feet
1:900

County Coverage: Clinton
October 2022
Client Name: SMH Architects LLP

Path: E:\2022\22225 Rouses Pt Port of Entry_MJE\Graphics\Figure 12 - Planimetric Area 2.mxd

# APPENDIX A

# WETLAND DELINEATION PHOTO SHEET

# PHOTOGRAPH LOG

| |
|---|
| **Project Name & Job Number:** **Rouses Point Border Crossing - 22225** |
| **Project Address(es):** **Route 11, Champlain, NY – Clinton County** |

**Photo Number:** **1**
**Photo Date:** **9/26/2022**
**Photo Location:** **Rouses Point border crossing**
**Direction Facing:** **North**
**Photo Description:** **United State/Canada Border**

**Photo Number:** **2**
**Photo Date:** **9/26/2022**
**Photo Location:** **United states border**
**Direction Facing:** **Southeast**
**Photo Description:** **Wetland A**

**Photo Number:** **3**
**Photo Date:** **9/26/2022**
**Photo Location:** **North end of Area 6**
**Direction Facing:** **Northeast**
**Photo Description:** **Wetland B (Emergent community)**

**Photo Number:** **4**
**Photo Date:** **9/26/2022**
**Photo Location:** **East side of Route 11 (Area 3)**
**Direction Facing:** **East**
**Photo Description:** **Wetland B (Forested community)**

**Photo Number:** **5**
**Photo Date:** **9/26/2022**
**Photo Location:** **South end of Route 11 (Area 3)**
**Direction Facing:** **North**
**Photo Description:** **Wetland B (Emergent community)**

**Photo Number:** **6**
**Photo Date:** **9/26/2022**
**Photo Location:** **West side of Route 11 (Area 3)**
**Direction Facing:** **West**
**Photo Description:** **Wetland C (Scrub shrub community)**

**Photo Number:** **7**
**Photo Date:** **9/26/2022**
**Photo Location:** **North end, west side of Route 11 (Area 1)**
**Direction Facing:** **West**
**Photo Description:** **Wetland C (Forested community)**

**Photo Number:** **8**
**Photo Date:** **9/26/2022**
**Photo Location:** **West of Route 11 (Area 3)**
**Direction Facing:** **East**
**Photo Description:** **Stream 1 (Flows east)**

**Photo Number:** **9**
**Photo Date:** **9/26/2022**
**Photo Location:** **West of Route 11 (Area 3)**
**Direction Facing:** **West**
**Photo Description:** **Stream 2**

**Photo Number:** **10**
**Photo Date:** **9/26/2022**
**Photo Location:** **East of Route 11 (Area 3)**
**Direction Facing:** **East**
**Photo Description:** **Ditch**

**Photo Number:** **11**
**Photo Date:** **9/26/2022**
**Photo Location:** **Middle of Area 3**
**Direction Facing:** **South**
**Photo Description:** **Culvert for wetland ditch/drainage**

**Photo Number:** **12**
**Photo Date:** **9/26/2022**
**Photo Location:** **Area 6 northeast end of Route 11**
**Direction Facing:** **East**
**Photo Description:** **Existing buildings within Area 6**

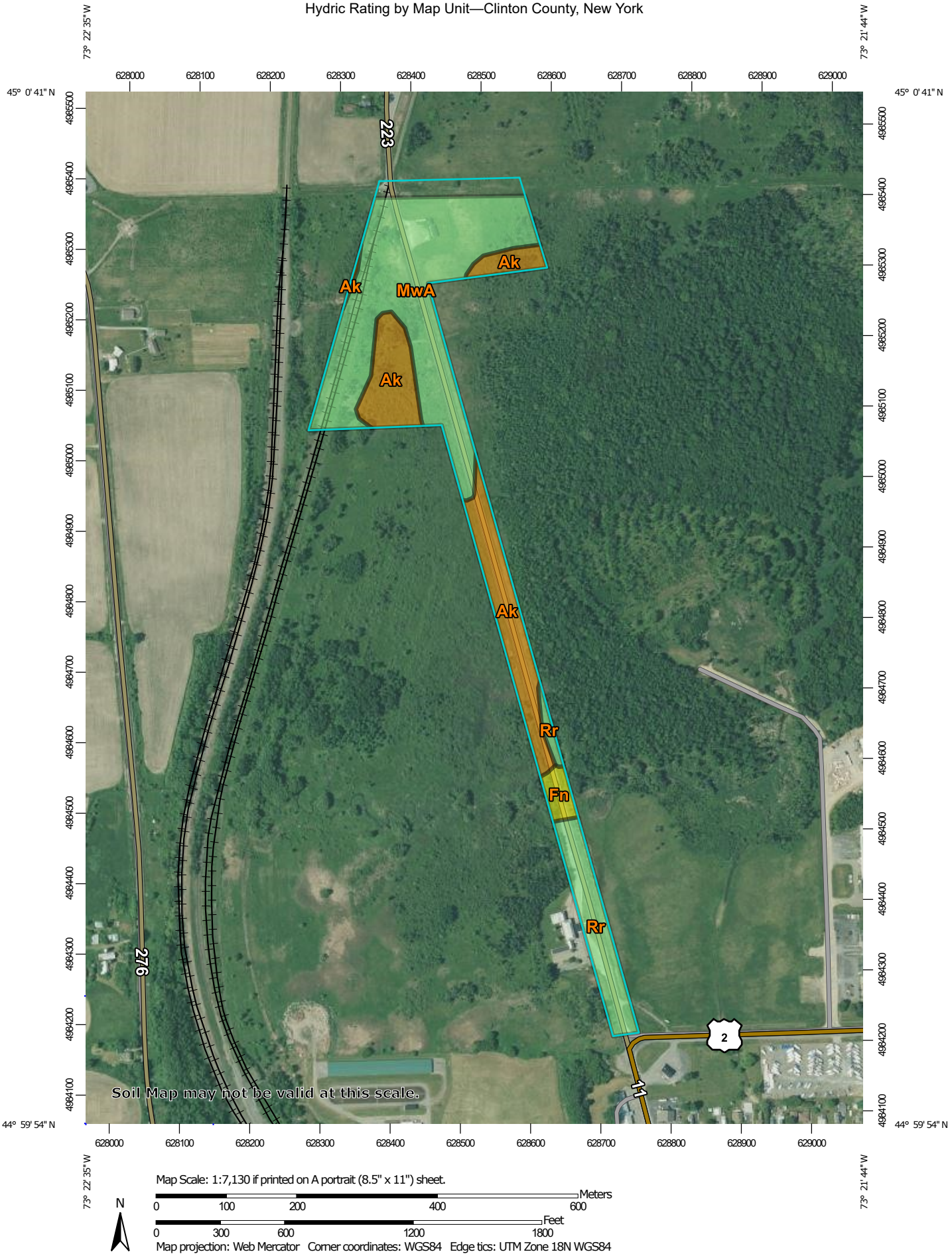
**Photo Number:** **13**
**Photo Date:** **9/26/2022**
**Photo Location:** **South end of Area 3**
**Direction Facing:** **East**
**Photo Description:** **Upland**

**Photo Number:** **14**
**Photo Date:** **9/26/2022**
**Photo Location:** **United States border**
**Direction Facing:** **Southwest**
**Photo Description:** **Railroad**

**Photo Number:** **15**
**Photo Date:** **9/26/2022**
**Photo Location:** **Center of Route 11**
**Direction Facing:** **North**
**Photo Description:** **Route 11**

# APPENDIX B

# USDA SOILS/FEMA REPORT




Map Scale: 1:7,130 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

## 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 1:24,000.

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: Clinton County, New York
Survey Area Data: Version 22, Sep 1, 2021

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

Date(s) aerial images were photographed: Jun 18, 2020—Jun 20, 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 |
|---|---|---|---|---|
| Ak | Adjidaumo silty clay, 0 to 3 percent slopes | 93 | 6.8 | 27.0% |
| Fn | Fluvaquents-Udifluvents complex, frequently flooded | 33 | 0.7 | 2.6% |
| MwA | Muskellunge silty clay loam, 0 to 3 percent slopes | 5 | 13.1 | 52.4% |
| Rr | Roundabout silt loam | 2 | 3.2 | 12.9% |
| **Totals for Area of Interest** | | | **25.1** | **100.0%** |

# National Flood Hazard Layer FIRMette

FEMA

73°22'33"W 45°0'39"N


73°21'56"W 45°0'14"N

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

1:6,000

*Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020*

## 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 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 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 9/21/2022 at 2:57 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.

# APPENDIX C
# WETLAND DETERMINATION DATA FORMS

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: A-4

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.01031 Long: -73.37066 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes X | No | **within a Wetland?** **Yes** X **No** |
| Wetland Hydrology Present? | Yes X | No | If yes, optional Wetland Site ID: WL-A |

Remarks: (Explain alternative procedures here or in a separate report.)
Wetland A - PEM

### 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)
- X 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): |
| Water Table Present? | Yes | No X | Depth (inches): |
| Saturation Present? (includes capillary fringe) | Yes | No X | Depth (inches): |

**Wetland Hydrology Present?** **Yes** X **No**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: A-4

| Tree Stratum (Plot size: 30 ) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum** (Plot size: 15 ) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Herb Stratum** (Plot size: 5 ) | | | |
| 1. *Phragmites australis* | 90 | Yes | FACW |
| 2. *Typha latifolia* | 10 | No | OBL |
| 3. *Symphyotrichum novae-angliae* | 5 | No | FACW |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 105 =Total Cover | | |
| **Woody Vine Stratum** (Plot size: 30 ) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** x **No** ___

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

## SOIL

Sampling Point A-4

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

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-16 | 10yr 3/2 | 88 | 7.5yr 4/6 | 12 | C | PL | Loamy/Clayey | Prominent |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L**)
- ___ 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)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** X **No** ___

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: B-1

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.0102 Long: -73.36983 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes X | No | **within a Wetland?** **Yes** X **No** |
| Wetland Hydrology Present? | Yes X | No | If yes, optional Wetland Site ID: WL-B |

Remarks: (Explain alternative procedures here or in a separate report.)
Wetland B - PEM

### HYDROLOGY

**Wetland Hydrology Indicators:**

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

- ___ Surface Water (A1)
- X High Water Table (A2)
- X 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)
- X 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): |
| Water Table Present? | Yes X | No | Depth (inches): 8 |
| Saturation Present? (includes capillary fringe) | Yes X | No | Depth (inches): 0 |

**Wetland Hydrology Present?** **Yes** X **No**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: B-1

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Calamagrostis canadensis* | 60 | Yes | OBL |
| 2. *Typha latifolia* | 10 | No | OBL |
| 3. *Bidens frondosa* | 5 | No | FACW |
| 4. *Lythrum salicaria* | 30 | Yes | OBL |
| 5. *Solidago gigantea* | 25 | No | FACW |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 130 =Total Cover | | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

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

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** x **No** ___

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

## SOIL

Sampling Point B-1

**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 |
|---|---|---|---|---|---|---|---|---|
| 0-16 | 10yr 3/1 | 85 | 7.5yr 4/6 | 15 | C | PL | Loamy/Clayey | Prominent |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** X **No** ___

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: B-9

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.00487 Long: -73.36847 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes X | No | **within a Wetland?** **Yes** X **No** |
| Wetland Hydrology Present? | Yes X | No | If yes, optional Wetland Site ID: WL-B |

Remarks: (Explain alternative procedures here or in a separate report.)
Wetland B - PFO

### HYDROLOGY

**Wetland Hydrology Indicators:**

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

- ___ Surface Water (A1)
- X High Water Table (A2)
- X 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)
- X 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): |
| Water Table Present? | Yes X | No | Depth (inches): 4 |
| Saturation Present? (includes capillary fringe) | Yes X | No | Depth (inches): 0 |

**Wetland Hydrology Present?** **Yes** X **No**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: B-9

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. *Quercus bicolor* | 30 | Yes | FACW |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 30 | =Total Cover | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. *Populus tremuloides* | 40 | Yes | FACU |
| 2. *Ulmus americana* | 20 | Yes | FACW |
| 3. *Lonicera* | 20 | Yes | FACU |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 80 | =Total Cover | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Solidago rugosa* | 50 | Yes | FAC |
| 2. *Onoclea sensibilis* | 30 | Yes | FACW |
| 3. *Typha angustifolia* | 10 | No | OBL |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 90 | =Total Cover | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | | =Total Cover | |

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

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

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** x **No** ___

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

**SOIL**

Sampling Point B-9

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

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-16 | 10yr 3/1 | 87 | 7.5yr 4/6 | 13 | C | PL | Loamy/Clayey | Prominent |
| | | | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** X **No** ___

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: C-3

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.00028 Long: -73.36792 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes X | No | **within a Wetland?** **Yes** X **No** |
| Wetland Hydrology Present? | Yes X | No | If yes, optional Wetland Site ID: WL-C |

Remarks: (Explain alternative procedures here or in a separate report.)
Wetland C - PSS

### HYDROLOGY

**Wetland Hydrology Indicators:**

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

- ___ Surface Water (A1)
- X High Water Table (A2)
- X 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)
- X 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): |
| Water Table Present? | Yes X | No | Depth (inches): 8 |
| Saturation Present? (includes capillary fringe) | Yes X | No | Depth (inches): 0 |

**Wetland Hydrology Present?** **Yes** X **No**

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

Remarks:

**VEGETATION** – Use scientific names of plants. Sampling Point: C-3

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. *Populus deltoides* | 30 | Yes | FACW |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 30 | =Total Cover | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. *Salix bebbiana* | 40 | Yes | FACW |
| 2. *Cornus sericea* | 15 | Yes | FACW |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 55 | =Total Cover | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Phragmites australis* | 60 | Yes | FACW |
| 2. *Onoclea sensibilis* | 30 | Yes | FACW |
| 3. *Typha angustifolia* | 10 | No | OBL |
| 4. *Phalaris arundinacea* | 40 | Yes | FACW |
| 5. *Symphyotrichum novae-angliae* | 5 | No | FACW |
| 6. Field Horsetail | 5 | No | FACW |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 150 | =Total Cover | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | | =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: 100.0% (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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** x **No** ___

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

## SOIL

Sampling Point C-3

**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 |
|---|---|---|---|---|---|---|---|---|
| 0-10 | 10yr 3/1 | 95 | 7.5yr 5/8 | 5 | D | PL/M | Loamy/Clayey | Prominent |
| 10-16 | 10yr 3/2 | 85 | 10yr 5/8 | 15 | C | PL | Loamy/Clayey | Prominent |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** X **No** ___

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: C-18

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.00848 Long: -73.37055 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes X | No | **within a Wetland?** **Yes** X **No** |
| Wetland Hydrology Present? | Yes X | No | If yes, optional Wetland Site ID: WL-C |

Remarks: (Explain alternative procedures here or in a separate report.)
Wetland C - PFO

### HYDROLOGY

**Wetland Hydrology Indicators:**

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

- ___ Surface Water (A1)
- X High Water Table (A2)
- X 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)
- X 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): |
| Water Table Present? | Yes X | No | Depth (inches): 8 |
| Saturation Present? (includes capillary fringe) | Yes X | No | Depth (inches): 0 |

**Wetland Hydrology Present?** **Yes** X **No**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: C-18

| Tree Stratum (Plot size: 30 ) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. *Populus deltoides* | 80 | Yes | FACW |
| 2. *Fraxinus pennsylvanica* | 20 | Yes | FACW |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 100 | =Total Cover | |
| **Sapling/Shrub Stratum** (Plot size: 15 ) | | | |
| 1. *Rhamnus cathartica* | 25 | Yes | FAC |
| 2. *Cornus sericea* | 15 | Yes | FACW |
| 3. *Lonicera* | 20 | Yes | FACU |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 60 | =Total Cover | |
| **Herb Stratum** (Plot size: 5 ) | | | |
| 1. *Solidago gigantea* | 35 | Yes | FACW |
| 2. *Onoclea sensibilis* | 20 | No | FACW |
| 3. *Typha angustifolia* | 5 | No | OBL |
| 4. *Apios americana* | 60 | Yes | FACW |
| 5. *Daucus carota* | 8 | No | UPL |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 128 | =Total Cover | |
| **Woody Vine Stratum** (Plot size: 30 ) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | | =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: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 85.7% (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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** x **No** ___

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

## SOIL

Sampling Point C-18

**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 |
|---|---|---|---|---|---|---|---|---|
| 0-16 | 10yr 3/1 | 95 | 10yr 4/6 | 5 | C | PL | Loamy/Clayey | Prominent |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** X **No** ___

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 10/4/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: C-16

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.008288 Long: -73.370615 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes X | No | **within a Wetland?** **Yes** X **No** |
| Wetland Hydrology Present? | Yes X | No | If yes, optional Wetland Site ID: WL-C |

Remarks: (Explain alternative procedures here or in a separate report.)
Wetland C - PEM - Shrubs present however USACE onsite at time of test pit stated he would consider it PEM

### 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)
- X 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): |
| Water Table Present? | Yes | No X | Depth (inches): |
| Saturation Present? (includes capillary fringe) | Yes | No X | Depth (inches): |

**Wetland Hydrology Present?** **Yes** X **No**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: C-16

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. *Rhamnus cathartica* | 10 | Yes | FAC |
| 2. *Spiraea alba* | 10 | Yes | FACW |
| 3. *Lonicera* | 5 | Yes | FACU |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | 25 =Total Cover | | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Symphyotrichum novae-angliae* | 5 | No | FACW |
| 2. *Calamagrostis canadensis* | 50 | Yes | OBL |
| 3. *Daucus carota* | 5 | No | UPL |
| 4. *Solidago gigantea* | 20 | Yes | FACW |
| 5. *Euthamia graminifolia* | 8 | No | FAC |
| 6. *Cirsium vulgare* | 8 | No | FACU |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 96 =Total Cover | | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 80.0% (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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** x **No** ___

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

## SOIL

Sampling Point C-16

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

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-16 | 10yr 3/1 | 85 | 7.5yr 4/6 | 15 | C | PL | Loamy/Clayey | Prominent |
| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** X **No** ___

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: UPL 1

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.01009 Long: -73.37043 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes | No X | **within a Wetland?** **Yes** **No X** |
| Wetland Hydrology Present? | Yes | No X | If yes, optional Wetland Site ID: |

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

### 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): |
| Water Table Present? | Yes | No X | Depth (inches): |
| Saturation Present? (includes capillary fringe) | Yes | No X | Depth (inches): |

**Wetland Hydrology Present?** **Yes** **No X**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: UPL 1

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Poa pratensis* | 100 | Yes | FACU |
| 2. *Taraxacum officinale* | 15 | No | FACU |
| 3. *Trifolium repens* | 10 | No | FACU |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 125 =Total Cover | | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | =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: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (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 | 125 | x 4 = | 500 |
| UPL species | 0 | x 5 = | 0 |
| Column Totals: | 125 (A) | | 500 (B) |

Prevalence Index = B/A = 4.00

**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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** ___ **No** X

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

## SOIL

Sampling Point UPL 1

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

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-16 | 10yr 3/1 | 100 | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ 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)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** ___ **No** X

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: UPL 2

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.01035 Long: -73.37036 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes | No X | **within a Wetland?** **Yes** **No X** |
| Wetland Hydrology Present? | Yes | No X | If yes, optional Wetland Site ID: |

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

### 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): |
| Water Table Present? | Yes | No X | Depth (inches): |
| Saturation Present? (includes capillary fringe) | Yes | No X | Depth (inches): |

**Wetland Hydrology Present?** **Yes** **No X**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: UPL 2

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | | =Total Cover | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | | =Total Cover | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Daucus carota* | 30 | Yes | UPL |
| 2. *Galium mollugo* | 40 | Yes | FACU |
| 3. *Solidago gigantea* | 10 | No | FACW |
| 4. *Bidens frondosa* | 5 | No | FACW |
| 5. *Cirsium vulgare* | 10 | No | FACU |
| 6. *Ambrosia artemisiifolia* | 20 | No | FACU |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 115 | =Total Cover | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | | =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: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 15 | x 2 = | 30 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 70 | x 4 = | 280 |
| UPL species | 30 | x 5 = | 150 |
| Column Totals: | 115 (A) | | 460 (B) |
| Prevalence Index = B/A = | | | 4.00 |

**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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** ___ **No** X

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

## SOIL

Sampling Point UPL 2

**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 |
|---|---|---|---|---|---|---|---|---|
| 0-16 | 10yr 3/1 | 100 | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ 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)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** ___ **No** X

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: UPL 3

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.0102 Long: -73.36983 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes | No X | **within a Wetland?** **Yes** **No X** |
| Wetland Hydrology Present? | Yes | No X | If yes, optional Wetland Site ID: |

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

### 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): |
| Water Table Present? | Yes | No X | Depth (inches): |
| Saturation Present? (includes capillary fringe) | Yes | No X | Depth (inches): |

**Wetland Hydrology Present?** **Yes** **No X**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: UPL 3

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Daucus carota* | 20 | No | UPL |
| 2. *Galium mollugo* | 40 | Yes | FACU |
| 3. *Solidago gigantea* | 15 | No | FACW |
| 4. *Bidens frondosa* | 5 | No | FACW |
| 5. *Cirsium vulgare* | 10 | No | FACU |
| 6. *Ambrosia artemisiifolia* | 50 | Yes | FACU |
| 7. *Lythrum salicaria* | 5 | No | OBL |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 145 =Total Cover | | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | =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: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 5 | x 1 = | 5 |
| FACW species | 20 | x 2 = | 40 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 100 | x 4 = | 400 |
| UPL species | 20 | x 5 = | 100 |
| Column Totals: | 145 (A) | | 545 (B) |

Prevalence Index = B/A = 3.76

**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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** ___ **No** X

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

## SOIL

Sampling Point UPL 3

**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 |
|---|---|---|---|---|---|---|---|---|
| 0-16 | 10yr 3/1 | 100 | | | | | | |
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| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ 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)
- ___ Marl (F10) (**LRR K, L**)

**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**)
- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** **Yes** ___ **No** X

Remarks:

## WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 22225 - Rouses Point Border Crossing City/County: Champlain/Clinton Sampling Date: 9/26/22

Applicant/Owner: MJ Engineering State: NY Sampling Point: UPL 4

Investigator(s): Nick Dominic Section, Township, Range:

Landform (hillside, terrace, etc.): Local relief (concave, convex, none): none Slope %: 0

Subregion (LRR or MLRA): LRR R Lat: 45.00001 Long: -73.36638 Datum: NAD83

Soil Map Unit Name: NWI classification:

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

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

Are Vegetation N, Soil N, or Hydrology N 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** |
| Hydric Soil Present? | Yes | No X | **within a Wetland?** **Yes** **No X** |
| Wetland Hydrology Present? | Yes | No X | If yes, optional Wetland Site ID: |

Remarks: (Explain alternative procedures here or in a separate report.)
Upland, restrictive layer on soils

### 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): |
| Water Table Present? | Yes | No X | Depth (inches): |
| Saturation Present? (includes capillary fringe) | Yes | No X | Depth (inches): |

**Wetland Hydrology Present?** **Yes** **No X**

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

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: UPL 4

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum** (Plot size: 15) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| | =Total Cover | | |
| **Herb Stratum** (Plot size: 5) | | | |
| 1. *Daucus carota* | 20 | Yes | UPL |
| 2. *Cichorium intybus* | 20 | Yes | FACU |
| 3. *Galium mollugo* | 30 | Yes | FACU |
| 4. *Phragmites australis* | 10 | No | FACW |
| 5. *Asclepias syriaca* | 15 | No | UPL |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| | 95 =Total Cover | | |
| **Woody Vine Stratum** (Plot size: 30) | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| | =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: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 10 | x 2 = | 20 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 50 | x 4 = | 200 |
| UPL species | 35 | x 5 = | 175 |
| Column Totals: | 95 (A) | | 395 (B) |

Prevalence Index = B/A = 4.16

**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 or equal to 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.

**Hydrophytic Vegetation Present?** **Yes** ___ **No** X

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

## SOIL

Sampling Point UPL 4

**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 | 10yr 4/2 | 100 | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked 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)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ 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)
- ___ Marl (F10) (**LRR K, L**)

**Indicators for Problematic Hydric Soils[3]:**

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- ___ 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 (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

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

**Restrictive Layer (if observed):**

Type: gravel/rock

Depth (inches): 4

**Hydric Soil Present?** **Yes** ___ **No** X

Remarks:

# APPENDIX C— DRAFT ENVIRONMENTAL ASSESSMENT VIRTUAL PUBLIC MEETING TRANSCRIPT

# Rouses Point Proposed New Land Port of Entry

## NEPA Draft Environmental Assessment Virtual Public Meeting Transcript

## Date June 26, 2024

## Time: 6:00pm to 7:00pm (EST)

*Speaker: Janessa Kirven, WSP Consultant Meeting Coordinator*

Good evening and welcome everyone. We'll get started in just a few minutes. We are going to give all of our attendees some time to log in and get settled and we will begin shortly.

Good evening, everyone. On behalf of the General Services Administration project team, I want to welcome you to the Rouses Point Land Point of Entry Env Assessment Public Meeting

My name is Janessa Kirven and I'm your technical host for this evening's meeting. This meeting is being recorded for transcript purposes. Please direct your attention to the instructions on your screen.

The chat function has been enabled for any questions or comments using the Q&A function at the bottom of your toolbar. We will also be allowing attendees to raise your hand and ask questions. To do so, use the 'raise hand' function on your toolbar. To check or change your audio settings, click the up arrow next to audio setting function

For additional questions or comments you may have on this public meeting, please send them to the email or address you see on your screen. Public comments must be submitted by email or US Post by July 8. 2024

Without further ado, I will pass it over to Thomas Burke, our NEPA Program Manager for GSA.

*Speaker: Thomas Burke, GSA Region 2, NEPA Program Manager*

(General welcome and introduction of GSA project team and NEPA contractor: Craig Kozikowski, GSA Region 2 Project Manager; Amanda Foley, GSA Region 2 Environment Protection Specialist; and William Huber WSP NEPA Project Manager)

Thank you, Janessa.

We design, construct, and manage buildings for the federal government. And when agencies want a facility, they come to us and will help design and construct it and manage it for them. And this also includes leasing. And in this case, one of the agencies were doing this project, in conjunction with is the Custom Border Protection agency who run Land Port of Entries.

As it regards NEPA, for those may not be familiar, it's the National Environmental Policy Act.

And what it is, is it requires us, the federal government, to take a look, to do an evaluation, to do an environmental review on our projects to determine what the environmental impacts are to determine or see if there are any significant environmental impacts based on our actions.

An important part of NEPA is a requirement to engage the public to give the public a chance and stakeholders an opportunity to review and comment on what what we're doing. And for this project, we've done a lot of work. We've done a lot of planning. We've done design work, we've consulted with several federal, state and local agencies and entities, including several environmental agencies.

And we've also had a number of community engagement meetings. Of which I think some of you may have already attended or been part of and you may already know a little bit about the project.

And as I mentioned, even though we're doing the work, right, and we've done this sort of work before, we're not perfect and we don't know everything and we're not doing this in a in a vacuum. And that is why we wanted to have opportunity to hear from you and answer your questions. I would say that even though we, GSA, and the Customs Border Protection CBP, we work here, you work here, and you live here, and we'd like to hear your questions and also hear your comments.

There are two goals we have for this evening. We want to take this opportunity to give you a presentation; to give you an overview however brief on the project on the proposed new construction project and also hear what questions you have and answer them to the best of our ability and also take on board your comments. And having said all that, I'd like to pass this over to our senior project manager, Craig, who's been with this project from the very beginning, and he is more than extremely knowledgeable about all the details and the ins and outs of the project. So, I'd like to pass it over to Craig. Craig, Thank you.

*Speaker: Craig Kozikowski, GSA Region 2, Project Manager*

Thanks, Tom. I appreciate the introduction and want to take a moment again to welcome again everybody to this evening's meeting especially for those outside of federal government we do sincerely appreciate your interest in the project. As Tom indicated, just wanted to do a quick, communication check. Can you see me, and can you hear me? Take that as a yes. Tom ? Anybody else on the WSP Side, am I coming through ok ?

*Speaker: William Huber, WSP, NEPA Project Manager*

Yes, I can see you Craig, I can hear you.

*Speaker: Craig Kozikowski, GSA Region 2, Project Manager*

Excellent. Thank you. Okay, appreciate the confirmation. So as Tom stated, my name is Craig Kozikowski. I'm the U.S. General Service Administration's Region 2's Project Manager for the Bipartisan Infrastructure Law and Inflation Reduction Act funded land ports of entry program. This is a nationwide border security improvement program, comprised of 26 projects located on both the northern and southern borders.

The Rouses Point New York project is one of the locations included in the national program. This image prepared by Project Architect, New York based Smith Miller Hawkinson, provides an aerial view of the proposed new United States land port of entry. This is a multi-modal transportation inspection facility, which will inspect commercial and non-commercial vehicles and also Amtrak rail passengers entering in the United States from Canada.

The land port of entry, which is located, a correction. I should tell you first that the project is being developed by us, the General Service Administration, but it will be operated by the United States Department of Homeland Security Customs Border Protection. The facility is going to replace the existing United States land port of entry, which is located approximately one-half mile south of the border, also on New York State Route 11. This facility will provide important improvements in support of effective CBP operations when compared to the existing land port of entry.

Sustainability has also been a primary goal of the United States government as the project has been developed to this point. Next slide, please.

This slide includes summary information about the General Service Administration. Tom touched on it, like to expand on this a little bit. The General Service Administration was established in 1949 under President Truman by recommendation of the Hoover Commission to help manage and support the basic functioning of federal agencies. GSA's business lines include the Federal Acquisition Service, also known as FAS and us the Public Building Service PBS. And in addition to supporting the land ports of entry program PBS manages about 500 billion dollars in U.S. federal property divided chiefly among 8,700 owned and lease buildings. This slide shows some of the diversity in the public building service portfolio. You may be familiar with the Alexandria Bay United States land port of entry also in New York. In the bottom image. Above this is shown an example of one of GSA's many historic United States courthouses. And the federal center in Chicago. Next slide, please.

Rouses Point is one of the United States land ports of entries in New York State. There are others. Some of the other locations are shown on this slide. Other northern border states also have CBP operated land ports of entries. The Rouse Point location is furthest east within New York State. This is indicated by the large red arrow. Next slide, please.

So due to its location, which is approximately a half mile south of the border and for other reasons the existing lamp port of entry has operational shortcomings. This is an image of the existing United States, land port of entry at Rouses Point. The new land port of entry will be located at the border as opposed to a half mile south, as this facility is currently located and it will also allow for rail passenger inspection at the border. This is one of only three international rail passenger crossings in the United States. Current

rail passenger inspection operations do not occur until approximately one mile after international travelers have already entered the United States.

Current inspection operations are characterized by CBP officer and passenger safety shortcomings and also inefficiencies which cannot be improved cannot be improved at the present inspection location. The new land port of entry was conceived and designed to greatly improve CBP inspection deficiencies, improve officer and passenger safety, and improve the dignity for the individual international rail passenger entering the United States during inspection procedures. GSA will follow prescribed requirements and transferring ownership of the existing facility to a new owner after land port of entry operations are relocated to the new facility. Next slide, please.

This slide shows the relative location of the existing land port of entry to the new land port of entry and the important relationship to the U.S. Canada border. Also shown are the village of Rouses Point and the existing Amtrak station. The Canadian National and Canadian Pacific Rail tracks can be seen to converge at the Amtrak station where rail passenger inspections are currently conducted. There are no changes proposed by this project to the Amtrak station itself. Once the new land port of entry is operational CBP will no longer conduct rail passenger inspections at the Amtrak station, in favor of more efficiently and more safely conducting rail passenger inspections at the land port of entry. Next slide, please.

This is a view of the project site as it is today. Looking south from the border towards the village of Rouses Point. The existing Vinumport Duty Free is shown to the left as a landmark and approximately across the street, down if you can see the signs, the road signs in the current slide. The signs south of the stand of trees, the first large standard trees in the image across the street from Vinumport is your approximate location of the new land port of entry and vehicle inspection lines. Next slide, please.

This is just another view of the project location, zoomed out and from the Canadian side of the border. This helps to illustrate that the project scope includes not only construction of the new land port of entry on its new site at the border, but also the extension of utility services to support the new land port of entry, which will occur along New York State Department, the New York State Department of Transportation right of way, following Route 11, from approximately south at the existing land port of entry north to the new project site. Next slide, please.

So, I'll give you a minute to read this slide. This slide shows some of the operational programmatic and sustainability goals for the new land port of entry. This will be a sustainable, environmentally responsible up to date state of the art land port of entry. Next slide, please

And again, due to its location approximately one-half mile south of the border and for other reasons, existing land port of entry as border security operational shortcomings. Some of the primary improvements to be achieved through this project are shown on this slide. Next slide, please.

So this slide shares some of the sustainability aspects of the new land port of entry. The Inflation Reduction Act provided funding to expand our sustainability accomplishments by designing for use of a robust level of low embodied carbon building materials and

also green technologies, including geothermal heat pump-based heating and cooling, and active solar photovoltaic electric, and on onsite energy production. Other sustainability features designed into or plan to incorporate, we're planning to incorporate in the project or shown on the slide. Next slide, please.

So, the federal government currently owns a substantial portion of the property that is required to execute this project and construct the new land port of entry, including the extension of utilities north to the new site, that substantial portion of property that exists in the land port of entry to the a half mile north to the new site is already owned by the federal government however not all the property required to implement this project is currently owned by the federal government. Other property that will have to be acquired for use by this project is currently owned by the Canadian National Railway Company and also the New York State Department of Transportation. Next slide, please.

I'd like now to reintroduce Tom Burke, GSA's NEPA manager to talk a little bit about the NEPA consultations we've conducted so far in project development.

*Speaker: Thomas Burke, GSA Region 2, NEPA Program Manager*

Okay, very good. Craig. Can you hear me? Can you see me?

*Speaker: Craig Kozikowski, GSA Region 2, Project Manager*

Yes.

*Speaker: Thomas Burke, GSA Region 2, NEPA Program Manager*

Oh, very good. Thank you very much. Appreciate it.

Just to give you a further explanation of what we did, of some of the things we did for the, for the Draft Environmental Assessment. You know, as I mentioned, we were looking to see, to determine what if any environmental impacts there could be because of our actions because of the construction project, and particularly we want to see if there were any what they call significant environmental impacts of what we did. We've consulted with a number of federal and state environmental agencies and I was happy to say that from all the consultation we did with the New York State Department of Environmental Conservation DEC, Historic Preservation Office, U.S. Department of Agriculture, Fish and Wildlife, Endangered Species, the Army Corps of Engineers, and also the St. Regis Mohawk Tribe. We've consulted with them all and the only really significant issue, environmental issue that came up was the wetlands that are on site at the proposed construction location. And the activities that we would be performing would disturb those wetlands and to mitigate the disturbance of the wetlands at that location we are proposing wetland mitigation at an off-site location, approximately 2 miles to the south of the location. I believe in the same watershed, this mitigation, this offset is a crucial part of us being allowed to proceed with project.

And the approval for that has to come from the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers and we have submitted what they call a joint permit application for the State DEC and the Army Corps to review and a crucial part is that they have to approve our mitigation action where we're creating wetlands at an off-site location to mitigate the damage we're doing to the wetlands at the construction site and it's an offset. And the project won't be able to proceed until we get all the permits and approvals both from the State and the Army Corps who have jurisdiction over wetlands. So that's currently going on process right now. And they have their own public review period and that goes along with their approval process. Thank you very much, just wanted to mention that.

I'll pass it back to Craig.

*Speaker: Craig Kozikowski, GSA Region 2, Project Manager*

Thanks, Tom. So again, this is a familiar view. You saw this earlier in the presentation.And this is an opportunity to kind of point out some of the features and the power of the land port of entry, the new land port of Entry and how we're, utilizing the site and have laid the project out on the site. You'll see to the far-right side of the picture an Amtrak train and so that is in fact, where?

*Speaker: Thomas Burke, GSA Region 2, NEPA Program Manager*

Next slide.

*Speaker: Craig Kozikowski, GSA Region 2, Project Manager*

Oh, thanks, Tom, my many apologies for that. So, what I was saying will make more sense now. And so you see the train to the far right of the picture. Passengers will disembark the train and will enter into the rail platform system into the land port of entry for baggage and personnel inspections. Much improved streamlined and more efficient safer inspection protocol than what's currently done at the Amtrak station which occurs in close quarters with officers and passengers both crammed into the actual rail cars themselves. So this is a significant improvement, much need improvement and greatly looked forward to by and CBP is greatly looking forward to having this facility and that improvement. We also see the vehicle inspection lanes and that's on existing United States land. I'm sorry, New York State, Route 11. And so, you do see the inspection canopy and where you see the car approaching from the south or the far left that car would be outbound on its way from the United States back to or to Canada.

So what we've endeavored to do is to create to meet the program requirements and in as compact a plan as we could, we could possibly achieve. And so we've worked many, many months to accomplish that from the standpoint of not only creating an efficient and the lowest cost possible facility but also to minimize our impact to the existing wetland and the project site. Next slide, please.

And so, this is an image of, this image shows or I should say, what it will look like approaching the land port of entry from Canada on New York State Route 11, and this vehicle is approaching the inspection canopy. Next slide, please.

In the previous slide you saw, in the previous 2 slides you saw it to the right a bridge or a what we call a connector that connects the rail platform to the main building also known as the land port of entry Head House. And so, this is a view if you were, this shows what it'll look like as an arriving passenger who is just disembarked onto the platform and is transitioning into the land port of entry for inspection. Next slide, please.

And then once that passenger has arrived in the land port of entry, this is what the inspection facility will look like. And again, we call this the Head House and this is where those passenger inspections will occur. And that is the last slide. Next slide, please, that we have in this presentation. And, Janessa, I'd like to turn it back over to you.

*Speaker: Janessa Kirven, WSP, Consultant Meeting Coordinator*

Thanks, Craig. Okay, so yes, right now we are going to head into the questions and comments portion of this meeting. If there's anyone who has any questions, you can feel free to put it in the chat or raise your hand.

*(Silence)*

*Speaker: William Huber WSP, NEPA Project Manager*

Did such a great job there's no questions. I don’t see any in the chat just yet.

(Silence)

*Speaker: Thomas Burke, GSA Region 2, NEPA Program Manager*

Any question, any comments?  But one thing I would say, can you hear me Will?

*Speaker: William Huberm, WSP, NEPA Project Manager*

Yes.

*Speaker: Thomas Burke, GSA Region 2, NEPA Program Manager*

Oh, one thing I would say, if anybody's online and they don't have a question or comment right now please on my contact information you can email any email me any questions or comments or send them in the U.S. Post Office mail to me and what we want to do is any comments or questions we have If you don't have any this evening, please send them to me by the due date which is the end of the official comment period which is July 8th. So if you send me any comments or question, we can incorporate that into the final version of the Environmental Assessment in the Final Environmental Assessment. And so, what the process, what the NEPA process is, since there's a public comment period, we want to get as many comments from the public and stakeholders

that we can address in the Final Environmental Assessment. And along with the Final Environmental Assessment we will prepare something that's called FONSI. It stands for a Finding of No Significant Impact and both the Final Environmental Assessment and the Finding of No Significant Impact will be made available to the public. They'll be made available to the public not only on the GSA website but also in the local libraries where we also have the Draft Environmental Assessment.

We have the Draft Environmental Assessment currently in the Rouses Point Public Library and in the Plattsburg Public Library as well as having the Draft Environmental Assessment available on the GSA website. And on there is some of this information and also my contact information.

So, if you have any questions or comments, I encourage you, please send them forward. If you know anybody that couldn't make it to this evening's presentation you could tell them that their documents are there and we're looking to get any questions or comments from them that they may have.

And once again, once again, thank you for, your time and attention on a summer's evening to come out and listen to our presentation on the proposed Rouses Point new land port of entry. Once again, thank you very much and everyone have a good evening.

*Meeting Concluded.*