

ARCADIS

Attachment 1

Wetland Restoration/Creation and
Adjacent Area Restoration Plan
Narrative
Plan Drawings - Sheets 1, 2, 3 and 4
Plates 1, 2 and 3
Monitoring and Maintenance Plan

Cricket Valley Energy (CVE)

Area W2-A Wetland Restoration/Creation and Adjacent Area in Project Development Area and Former RASCO Parcel Wetland D (US 8) Adjacent Area Restoration Plan

To compensate for both the future permanent loss of approximately 0.08 acres of wetlands, (0.05 acres jointly regulated NYSDEC and USACE freshwater wetlands identified as Wetland 2 and 0.03 acres regulated by the USACE identified as Wetland F {US 4}), 0.8 acres of NYSDEC-regulated Adjacent Area, temporary disturbance to approximately 1.0 acres of Adjacent Area in the project development area, (Tables 1 and 2), as well as temporary disturbance to approximately 1.4 acres of Adjacent Area associated with Wetland D (US 8) in the former RASCO parcel, Cricket Valley Energy (CVE) proposes this Wetland Restoration/Creation and Adjacent Area Restoration Plan (the Plan). The Plan provides for improvements both within and beyond the limits of Wetland Restoration Work Area W2-A (Sheets 1, 2, 3 and 4; Plates 1, 2 and 3).

Area W2-A as designated for the purpose of this Plan, is a funnel-shaped section of NYSDEC Wetland 2 and comprised of both regulated freshwater wetlands (~0.6-acres) and Adjacent Area (~0.4-acres). Area W2-A is located in the southern portion of Wetland 2 and terminates at the base of the future CVE facility access road. The designation of this specific area represents proposed disturbance resulting from removing slag and debris resulting from the site's prior industrial uses, and not disturbance directly associated with facility construction (Sheet 1).

Wetland Restoration and Creation

The design for Area W2-A envisions restoring a significantly degraded wetland pocket in addition to the surrounding Adjacent Area (Sheet 2). The Adjacent Area surrounding this wetland has a moderate to steep slope comprised primarily of buried and exposed industrial waste materials. The dominant vegetative cover-type within Area W2-A is characterized by sparsely distributed and stunted *P. australis*. The predominant sediment/soil matrix in existing wetland Area W2-A is comprised of what appears to be residual sawdust-like waste product generated by the former on-site industrial operation. As part of future site clean-up activities, industrial waste materials will be removed, effectively lowering existing elevations and, therefore, providing an opportunity to create an open water area, as well as uniformly extending the existing wetland limits to the east and west to create 0.08 acres of emergent zone (Sheets 2 and 3).

Open water habitat is currently limited in Wetland W2 given the expanse of *P. australis*. Open water provides expanded opportunities for other wildlife species and wetland functions not now afforded within Wetland W2. The open water area below contour 420' will be allowed to naturally revegetate as based on existing hydrogeologic conditions within Wetland 2; it is anticipated that this zone will be submerged at depths ranging from 0.5 – 3 feet for the majority of the growing season. In time, the shallow depth of this wetland will encourage rooted, floating and emergent growth. Areas between contour 420'-424' (which will include the created 0.05 acres of emergent zone), are anticipated to experience natural, seasonally fluctuating water levels. This will result in relatively extended periods of exposed saturated substrate during the growing season's warmer/drier months. Therefore, the wetland areas between contour 420'-424' will be broadcast seeded with an appropriate wetland seed mix at a rate of 15 pounds per acre comprised of native herbaceous species to create the emergent area. It is anticipated that over time, an assemblage of plant species adapted to these saturated/flooded conditions will become recruited from the surrounding environment and become established in this wetland. In time, a natural distribution pattern of

P. australis interspersed with more desirable species should become established at least in some areas. Note that although *P. australis* is not generally viewed as “desirable” from a wildlife standpoint, it does provide important benefits such as sediment retention, water quality treatment, nutrient assimilation, and erosion control. In addition, some species of wading and passerine birds utilize *P. australis* stands for feeding and cover while aquatic mammals such as muskrat feed on the rhizomes in addition to using the above ground stems to create seasonal dens.

Adjacent Area Restoration – Project Development Area

Beyond the limits of Area W2-A, a total of approximately 0.9 acres comprised of additional Adjacent Area (~0.6-acres) and bordering upland area (~0.3-acres) may be temporarily disturbed, or may be immediately adjacent to areas temporarily disturbed, as part of facility and bioretention basin construction (Sheet 3). This 0.9 acre area is characterized by relatively steep to moderate slopes with vegetation consisting of mostly deciduous tree/shrub species at varying densities, as well as isolated specimens/small pockets of evergreens, predominantly red cedar. These disturbed areas will be restored by re-planting; vegetation will predominantly consist of shrub/tree species both within the 100-foot Adjacent Area limit (~0.6-acres) and bordering upland area (~0.3-acres). Some additional areas within a 1.8-acre portion of the Adjacent Area that are not currently wooded will be selectively replanted as shown on the attached Sheets and Plates.

The Plan specifies replanting with native shrubs and/or trees, except where not suitable from a site security and operations standpoint. For example and as shown on Sheet 3, areas immediately proximate to bioretention basin outlets will be stabilized and planted with native grasses and ground cover plants. Plates 1 and 2 illustrate a box culvert design consisting of erosion control matting seeded with a conservation mix and planted with shrubs transitioning to a naturally designed revetment consisting of logs and rootwads (tree trunk with roots attached) to be secured with boulders. In this instance within the Adjacent Area, the culvert outlet area includes a two-foot deep plunge pool that flows through a boulder lined overflow area prior to entering the wetland. The slopes on either side of both the plunge pool and overflow area will be stabilized with erosion control matting and both seeded with a conservation mix and planted with shrubs. Additionally, at the interface of these slopes, a row consisting of a combination of logs, boulders and rootwads will be installed to function as revetment (Plate 2). As illustrated in the design for the box culvert, areas where woody species cannot be planted would be designed for planting with herbaceous species and stabilized with erosion matting and seeded at a rate of 15 pounds per acre. This approach will maximize erosion control and flow attenuation while also preventing the advancement of woody roots which could potentially compromise bioretention basin function or the integrity of the outlet structure.

Although not specifically depicted as part of this Plan, areas where visibility, safety, access and/or overhead clearances necessitate will be planted accordingly with species that are suitable from a height or crown cover perspective. This would include areas immediately proximate to developed areas that could potentially be damaged by advancing roots, broken limbs and fallen trees as well as impede security, maintenance, access/egress and structural function.

Likewise, advancing woody roots similarly could be an impediment to underground piping and electric banks if located too close to such installations. Tree limbs can also be a hindrance if located in the vicinity of plant fencing. Site security issues would include facilitating site access/egress to potential

trespassers via tree branches overhanging the fence line, impede maintenance/cleaning outside the perimeter fence thereby reducing line-of-sight to security personnel as well as increase potential damage to fencing itself resulting from fallen limbs and/or toppled trunks. To mitigate potential perimeter fencing security issues, shrubs and trees would be planted a minimum distance of 15 feet from the fence line. These areas would be planted and stabilized, however, with suitable ground cover species.

Adjacent Areas proximal to the limit of disturbance and located beyond both Area W2-A and temporary construction areas (~1.8 acres), will be targeted for selective re-planting to either mitigate unanticipated impacts resulting from site construction or, introduce new specimens to increase vegetative density (and thus wetlands protection) in areas of relative open canopy (Sheet 3).

For areas between the limits of development and non-jurisdictional Wetland 1, restoration will mimic that specified for Wetland 2. Similar to Wetland Restoration Work Area W2-A, grading of soils will be followed by application of an appropriate wetland seed mix at a rate of 15 pounds per acre to restore emergent area with native herbaceous species.

Planting Details – Species Types and Densities

Native tree/shrub species will be installed in the Adjacent Areas and bordering upland areas as designated at a density of 436 specimens per acre (Sheet 3). Achieving this density will be the result of spacing specimens proposed for planting within 10-feet of each other and orienting them on center. Table 3 summarizes candidate tree/shrub species proposed for planting. Others can be proposed if available and suitable for local site conditions or, to introduce additional diversity and wildlife values. To stabilize soil and promote native vegetative growth between specimens, areas will be broadcast seeded with an upland seed mix at a rate of 15 pounds per acre comprised of native herbaceous species.

It should be noted that species shown in Table 3 represent an example of specimens that could potentially be planted and by no means represents an exhaustive list of candidate shrub and trees to be included in the final planting plan. Although these species are commonly available in the native plant nursery market, circumstances beyond the control of the contractor performing this work could potentially exclude the selection of a particular species for restoration planting. Examples of such circumstances include, but are not limited to:

- Particular species out of regional stock from multiple nursery suppliers
- Particular species is in stock but plants are not of the size specified for planting
- Particular species is in stock but plants are not free of disease (e.g. cedar-apple rust afflicting red cedar) and, therefore, need to be rejected
- Planting work occurs in the fall and therefore precludes the use of Fall Transplant Hazard species (i.e., red cedar, white pine and gray birch).

Therefore, prior to completion of construction and in advance of initiating the planting component of restoration work, the list of species in Table 3, if necessary, can be expanded to replace species not accommodated by the scheduled planting season and/or if for whatever reason healthy specimens are not available from regional nursery supplier(s).

Adjacent Area Restoration – Former RASCO Parcel

Sheet 4 provides the detailed drawing illustrating restoration and enhancement measures proposed following cessation of required temporary construction worker parking and laydown areas. Included as part of this larger area is the 1.4-acre regulated Adjacent Area associated with NYSDEC Wetland D. The regulated Adjacent Area will be seeded with a New England roadside matrix upland seed mix at a rate of 35 pounds per acre and include grasses, wildflowers and shrubs species. A total of 150 shrubs representing two species will be planted within five select concentration areas shown on Sheet 4. Eighty-five speckled alder (*Alnus rugosa*) shrubs will be exclusively planted in three areas, while the remaining two areas will contain a total of 65 spicebush (*Lindera benzoin*) shrubs. A total of 45 trees representing five species will also be planted and somewhat evenly distributed throughout the regulated Adjacent Area. These tree species include 17 red maple (*Acer rubrum*), 15 eastern red cedar (*Juniperus virginiana*), 8 quaking aspen (*Populus tremula*), 3 blackgum (*Nyssa sylvatica*) and 2 black oak (*Quercus velutina*). The entirety of the former RASCO parcel, which includes the 1.4-acre regulated Adjacent Area, will not be used as part of the CVE project once it becomes operational.

Jurisdictional Wetlands Impacts

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Wetland Number	Jurisdictional Status	Total Wetland Area (acres)	Wetland Area Temporarily Disturbed and Restored (acres)	Wetland Area Permanently Altered (acres)	Wetland Area Permanently Lost (acres)	New Wetland Area Created (acres)	Total Wetland Net Loss (f) + (g)
Wetland 2	Federal and State	8.7	0.6	0.0	-0.05	0.05	0.0
Wetland 3B	Federal	.41	0.0	0.0	0.0	0.0	0.0
Drainage Swale (Intermittent Stream)	Federal	.04	.001	.003 (rip rap within stream) ¹	0.0	0.0	0.0
Wetland D (US 8)	Federal and State	6.08	0.0	0.0	0.0	0.0	0.0
Wetland F (US 4)	Federal	0.36	0.0	0.0	0.03	0.03	0.0

¹Plate 3 – Conceptual Subsurface Sewage Disposal System and Stormwater Management Plan

Total Adjacent Area Impacts (see Wetland Restoration/Creation Plan Sheets 1 through 3 and Sheet 4 Former Rasco Parcel On-site Construction Laydown and Parking Area: Preliminary Restoration and Landscape Plan)

(a)	(b)	(c)	(d)	(e)	(f)
NYSDEC-Regulated Resource	Adjacent Area Temporarily Disturbed/Restored Due to Facility Construction and Bioretention Areas ²	Adjacent Area Temporarily Disturbed /Restored due to Waste Excavation ³	Total Adjacent Area Temporary Disturbance/ Restoration (b)+(c)	Adjacent Area Permanently Lost (due to facility construction) ⁴	Adjacent Area selectively replanted outside of proposed limits of construction ⁵
Adjacent Area to Wetland 2	0.6	0.4	1.0	0.8	1.8
Adjacent Area to Wetland D (US 8)	0.0	1.4	1.4	0.0	0.0

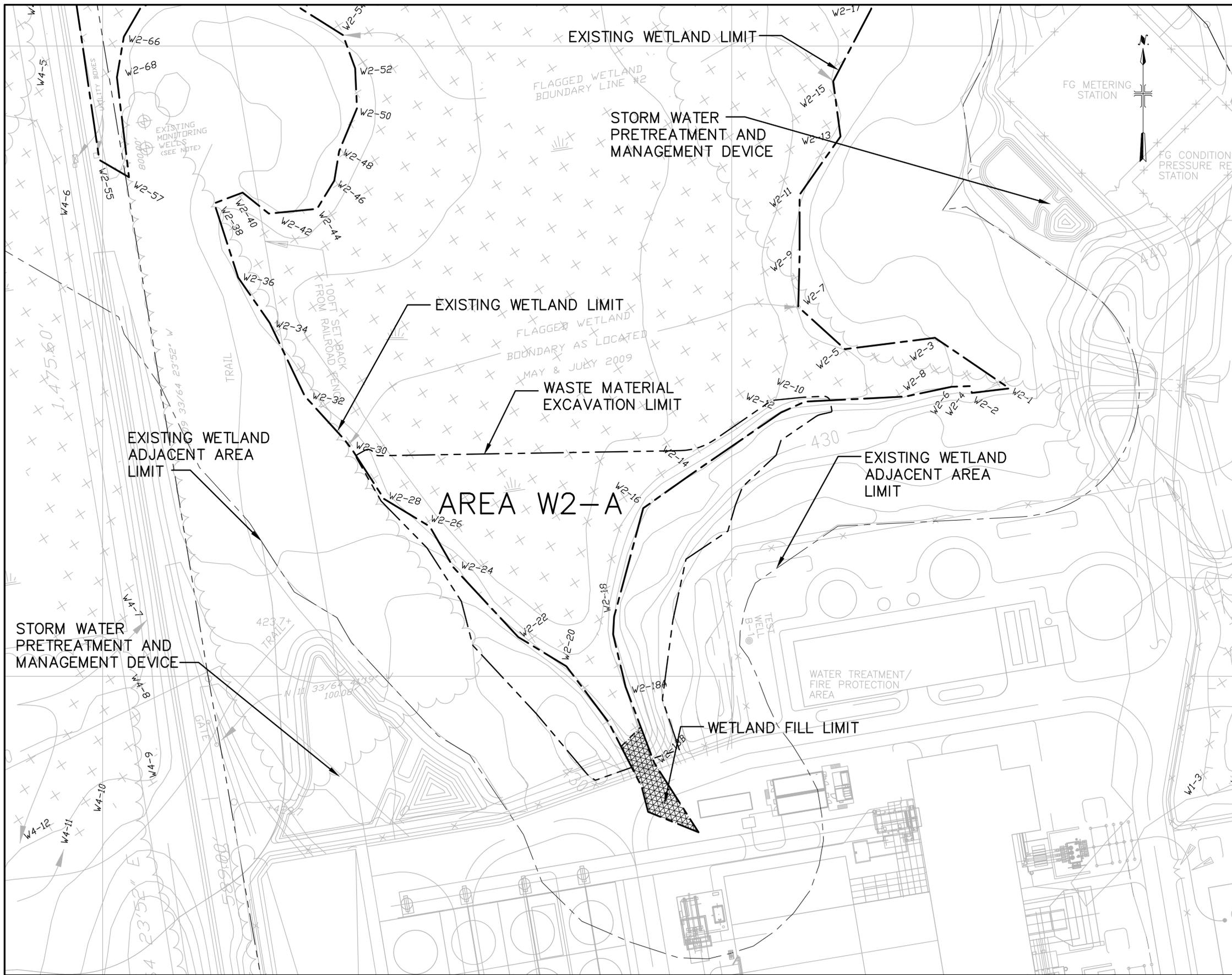
²See Wetland Restoration/Creation Plans Sheet 3, Note 4.

³See Wetland Restoration/Creation Plans Sheet 3, Note 5 and Sheet 4 Former Rasco Parcel On-site Construction Laydown and Parking Area: Preliminary Restoration and Landscape Plan

⁴Area within Existing Adjacent Area that will be filled due to plant construction

⁵See Wetland Restoration/Creation Plans Sheet 3, Note 3.

Table 3 Candidate Tree/Shrub Species for Area W2-A Wetland Restoration/Creation and Adjacent Area Restoration Plan							
Contour (feet)	Latin Name	Common Name	Regional Status	Ind.	National Status	Ind.	Vegetative Layer
424-438	<i>Betula populifolia</i>	gray birch	FAC		FAC		Tree
424-438	<i>Juniperus virginiana</i>	eastern red cedar	FACU		FACU-;FACU		Tree
424-438	<i>Prunus serotina</i>	black cherry	FACU		FACU		Tree
424-438	<i>Rhus typhina</i>	staghorn sumac	UPL		NI		Shrub
424-438	<i>Pinus strobus</i>	white pine	FACU		FACU		Tree
424-438	<i>Acer negundo</i>	box elder	FAC+		FAC, FACW		Tree
424-438	<i>Populus tremula</i>	quaking aspen	FACU		FACU, FAC+		Tree
424-438	<i>Acer rubrum</i>	red maple	FAC		FAC		Tree
424-438	<i>Gleditsia triacanthos</i>	honey locust	FAC-		FACU, FAC		Tree



Total Wetland Impacts							
(a) Wetland Number and Jurisdictional Status	(b) Jurisdictional Status	(c) Total Wetland Area (acres)	(d) Wetland Area Temporarily Disturbed and Restored (acres)	(e) Wetland Area Permanently Altered (acres)	(f) Wetland Area Permanently Lost (acres)	(g) New Wetland Area Created (acres)	(h) Total Wetland Net Loss (f) + (g)
Wetland 2	Federal and State	8.7	0.6	0.0	-0.05	0.05	0.0
Wetland 3B	Federal	.41	-	-	-	-	-
Drainage Swale (Intermittent Stream)	Federal	.04	.001	.003 (no rap within stream)	-	-	-
Wetland F (US 4)	Federal	0.36	0.0	0.0	0.03	0.03	0.0

Total Adjacent Area Impacts (see Wetland Restoration/Creation Plan Sheets 1 through 3 and Sheet 4 Former Rasco Parcel On-site Construction Laydown and Parking Area: Preliminary Restoration and Landscape Plan)					
(a) NYSDEC-Regulated Resource	(b) Adjacent Area Temporarily Disturbed/Restored Due to Facility Construction and Bioretention Areas ²	(c) Adjacent Area Temporarily Disturbed /Restored due to Waste Excavation ³	(d) Total Adjacent Area Temporary Disturbance/Restoration (b)+(c)	(e) Adjacent Area Permanently Lost (due to facility construction) ⁴	(f) Adjacent Area selectively replanted outside of proposed limits of construction ⁵
Adjacent Area to Wetland 2	0.6	0.4	1.0	0.8	1.8
Adjacent Area to Wetland D (US 8)	0.0	1.4	1.4	0.0	0.0

¹See Plate 3 – Conceptual Subsurface Sewage Disposal System and Stormwater Management Plan.
²See Wetland Restoration/Creation Plans Sheet 3, Note 4.
³See Wetland Restoration/Creation Plans Sheet 3, Note 5 and Sheet 4 Former Rasco Parcel On-site Construction Laydown and Parking Area: Preliminary Restoration and Landscape Plan.
⁴Area within existing Adjacent Area that will be filled due to plant construction
⁵See Wetland Restoration Creation Plan Sheet 3, Note 3.

- NOTES:
- BACKGROUND INFORMATION TAKEN FROM DRAWING TITLE "OVERALL GRADING PLAN", DRAWING NO. C140 DATED 10-06-09 WITH REVISION D DATED JULY 2010, PREPARED BY BURNS AND ROE ENTERPRISES, INC., ORADELL, NJ FOR CRICKET VALLEY ENERGY, LLC, TOWN OF DOVER DUTCHESS COUNTY, NEW YORK.



REVISIONS			
NO.	BY	DATE	REMARKS

DES: AMR
 DWN: CS
 CKD: DC

CRICKET VALLEY ENERGY, LLC
 TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK
CRICKET VALLEY ENERGY

EXISTING WETLAND AND FUTURE WORK LIMITS

SCALE: 1" = 40'

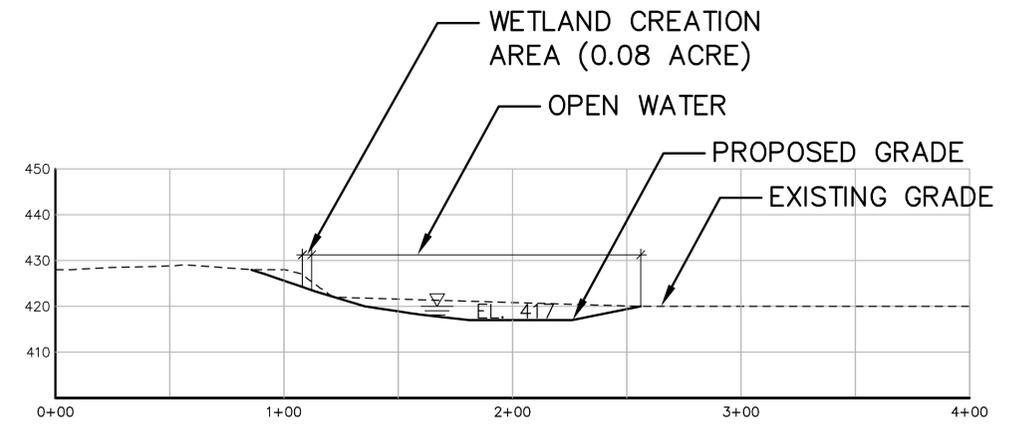
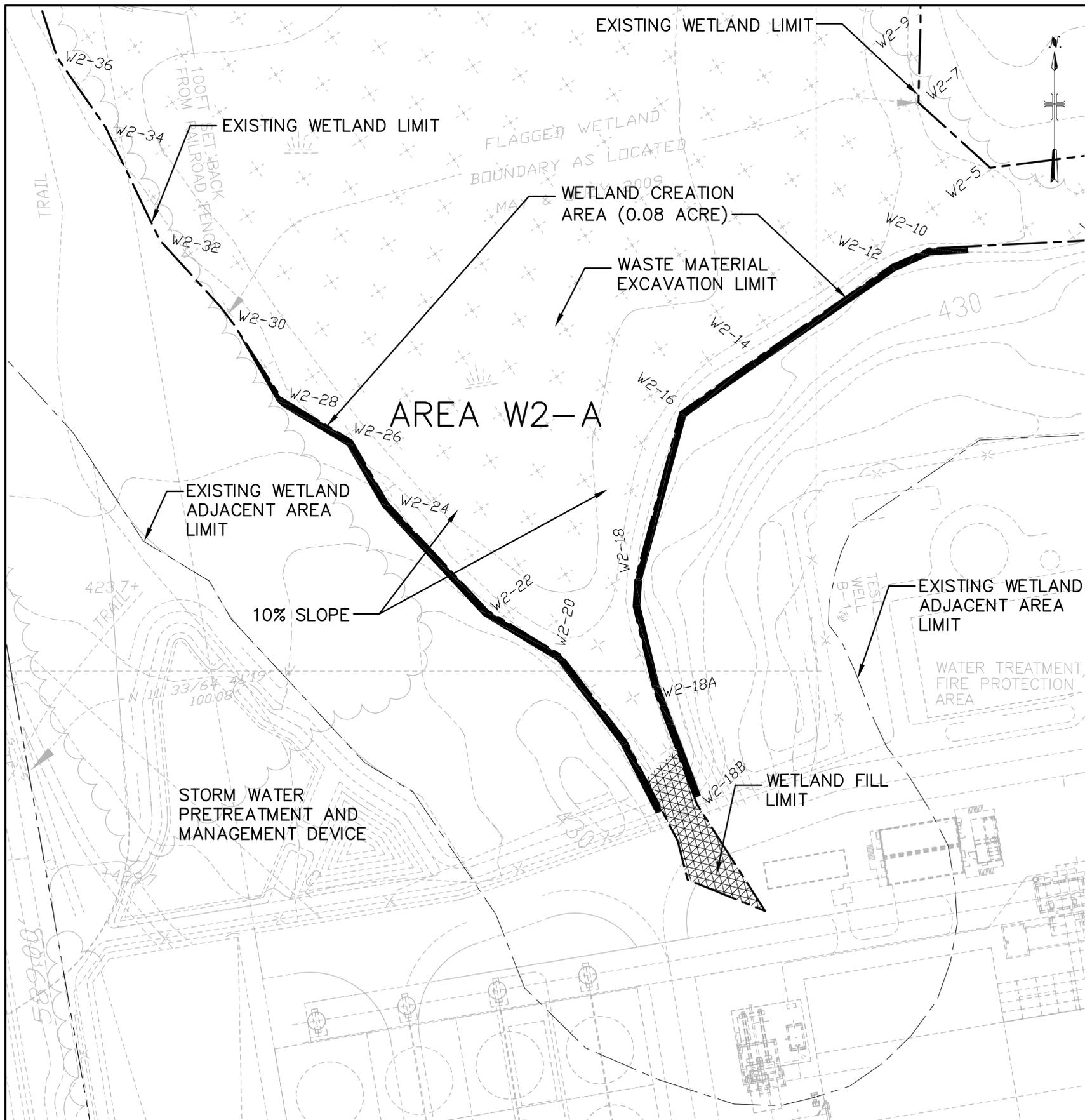
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DATE: APRIL 2011

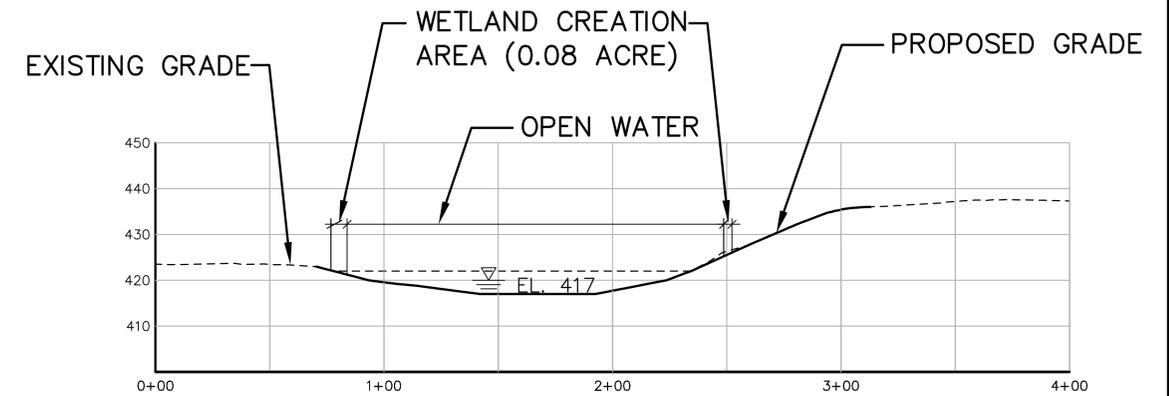
SHEET 1 OF 3

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SECTION A-A'
SCALE: HORI. 1" = 40'
VERT. 1" = 20'



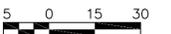
SECTION B-B'
SCALE: HORI. 1" = 40'
VERT. 1" = 20'

LEGEND:

- X 417 PROPOSED SPOT ELEVATION
- PROPOSED 10' CONTOUR
- - - PROPOSED 1' AND 2' CONTOUR
- EXISTING AND FUTURE FEATURES
- - - EXISTING WETLAND LIMIT

NOTES:

1. BACKGROUND INFORMATION TAKEN FROM DRAWING TITLE "OVERALL GRADING PLAN", DRAWING NO. C140 DATED 10-06-09 WITH REVISION D DATED JULY 2010, PREPARED BY BURNS AND ROE ENTERPRISES, INC., ORADELL, NJ FOR CRICKET VALLEY ENERGY, LLC, TOWN OF DOVER DUTCHESS COUNTY, NEW YORK.



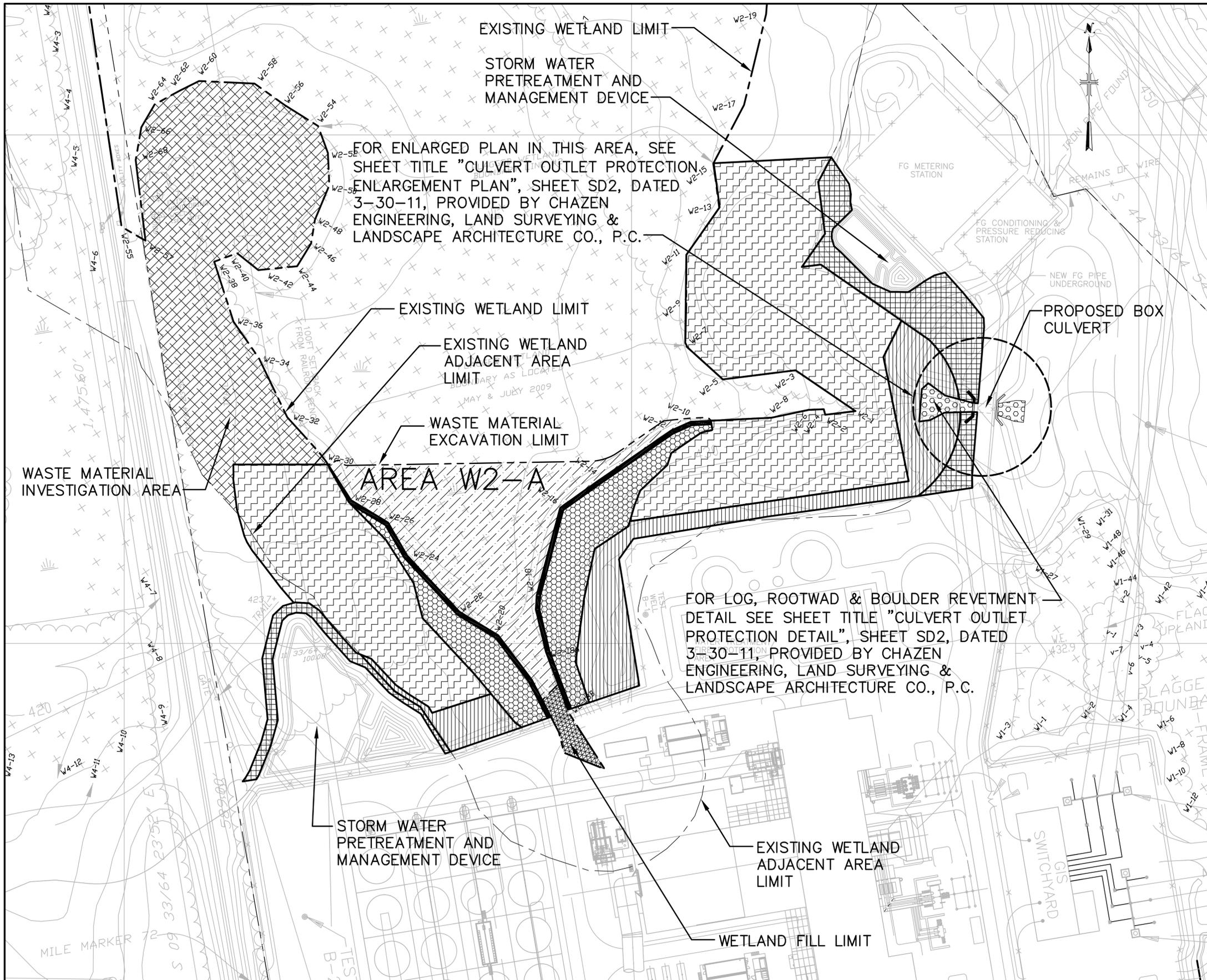
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CRICKET VALLEY ENERGY, LLC
TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK
CRICKET VALLEY ENERGY

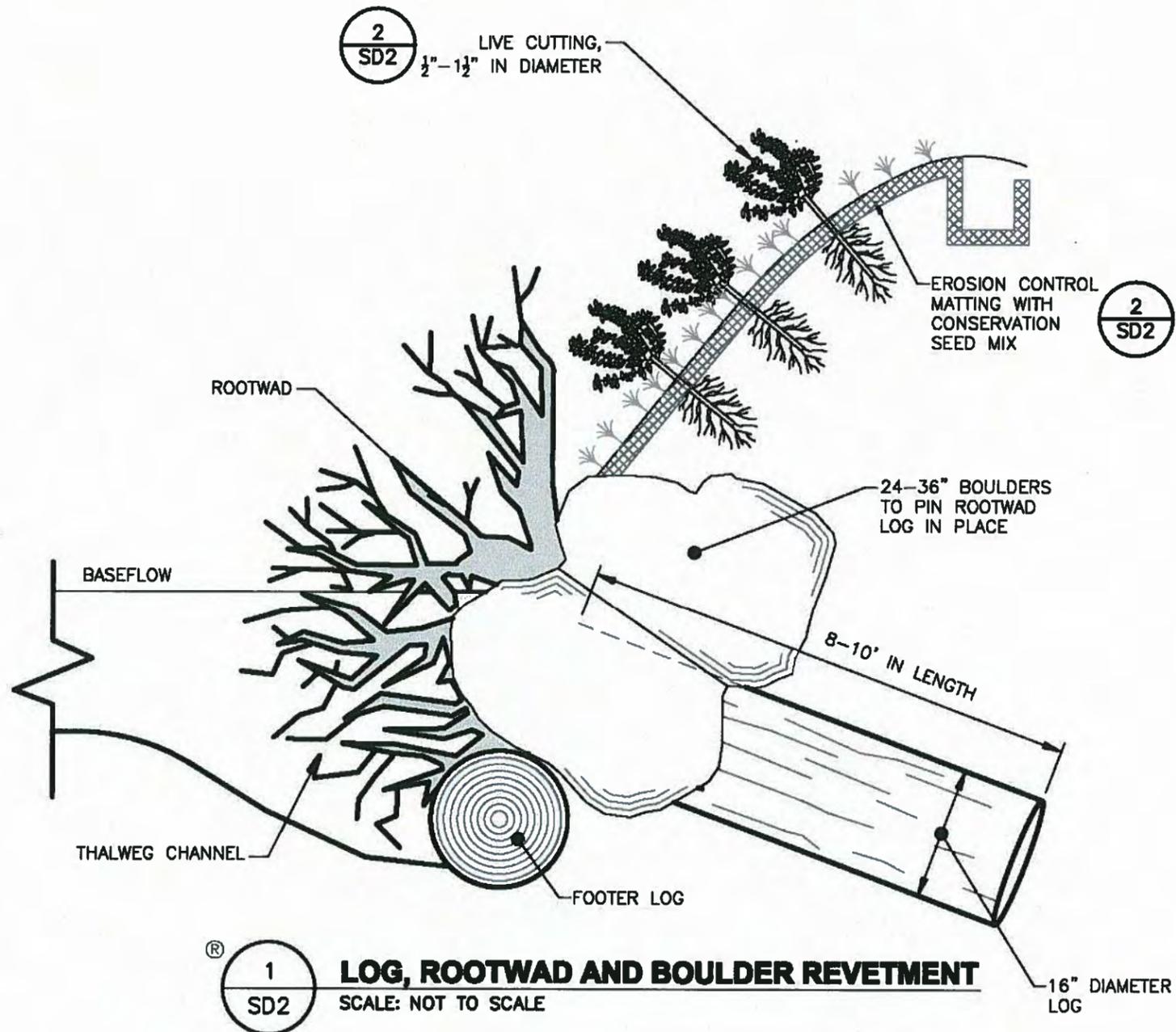
**WETLAND AREA W2-A
RESTORATION PLAN**
SCALE: 1" = 30'

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DATE: APRIL 2011
SHEET 2 OF 3
CAD REF. NO.

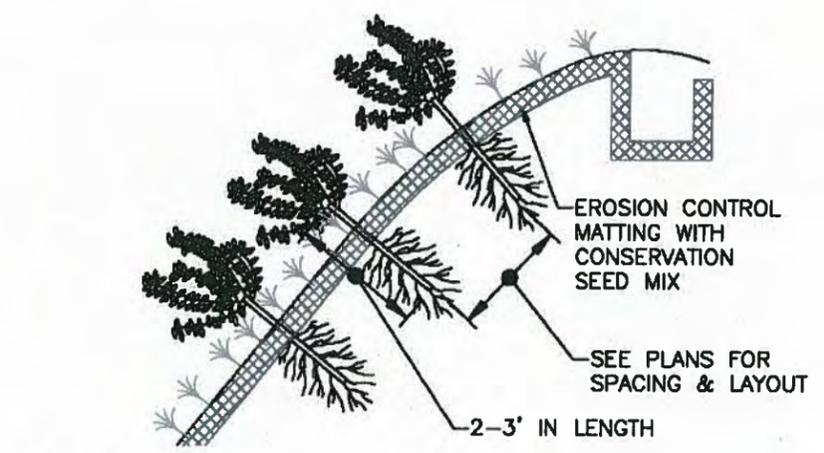
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1
 SD2 **LOG, ROOTWAD AND BOULDER REVETMENT**
 SCALE: NOT TO SCALE



2
 SD2 **LIVE CUTTING & SLOPE STABILIZATION**
 SCALE: NOT TO SCALE

PLATE 2
 ISSUED FOR CLIENT REVIEW

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CRICKET VALLEY ENERGY

CULVERT OUTLET PROTECTION DETAILS

 TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK

drawn MMF	checked CL
date 3/30/11	scale AS NOTED
project no. 81001.00	
sheet no. SD2	

STANDARD NOTES FOR NON RESIDENTIAL SEWAGE:

1. THE DESIGN, CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND GENERALLY ACCEPTED STANDARDS IN EFFECT AT THE TIME OF CONSTRUCTION WHICH INCLUDE:
 - DESIGN STANDARDS FOR WASTEWATER TREATMENT WORKS, INTERMEDIATE SIZED SEWAGE FACILITIES*
 - RECOMMENDED STANDARDS FOR SEWAGE TREATMENT WORKS, (TEN STATES)*
 - NEW YORK STATE DEPARTMENT OF HEALTH AND DUTCHESS COUNTY DEPARTMENT OF HEALTH POLICES, PROCEDURES AND STANDARDS*
 - DUTCHESS COUNTY DEPARTMENT OF HEALTH SANITARY CODE, ARTICLE XI AND ARTICLE V.*
 - DUTCHESS COUNTY DEPARTMENT OF HEALTH CERTIFICATE OF APPROVAL LETTER.*
2. THIS PLAN IS APPROVED AS MEETING THE APPROPRIATE AND APPLIED TECHNICAL STANDARDS, GUIDELINES, POLICES AND PROCEDURES FOR ARRANGEMENT OF SEWAGE DISPOSAL AND TREATMENT AND WATER SUPPLY FACILITIES.
3. UPON COMPLETION OF THE FACILITIES, THE FINISHED WORKS SHALL BE INSPECTED, TESTED, AND CERTIFIED COMPLETE TO THE DUTCHESS COUNTY HEALTH DEPARTMENT BY THE NEW YORK STATE LICENSED PROFESSIONAL ENGINEER SUPERVISING CONSTRUCTION. NO PART OF THE FACILITIES SHALL BE PLACED INTO SERVICE UNTIL ACCEPTED BY THE DUTCHESS COUNTY HEALTH DEPARTMENT.
4. APPROVAL OF ANY PLAN(S) OR AMENDMENT THERETO SHALL BE VALID FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF APPROVAL. FOLLOWING THE EXPIRATION OF SAID APPROVAL, THE PLAN(S) SHALL BE RE-SUBMITTED TO THE COMMISSIONER OF HEALTH FOR CONSIDERATION FOR RE-APPROVAL. RE-SUBMISSION OR REVISED SUBMISSION OF PLANS AND/OR ASSOCIATED DOCUMENTS SHALL BE SUBJECT TO COMPLIANCE WITH THE TECHNICAL STANDARDS, GUIDELINES, POLICES AND PROCEDURES IN EFFECT AT THE TIME OF THE RE-SUBMISSION.
5. ALL WELLS AND SDS EXISTING OR APPROVED WITHIN 200 FEET OF THE PROPOSED WELLS AND SDS ARE SHOWN ON THIS PLAN ALONG WITH ANY OTHER ENVIRONMENTAL HAZARDS IN THE AREA THAT MAY AFFECT THE DESIGN AND FUNCTIONAL ABILITY OF THE SDS AND WELL.
6. NO FOOTING OR ROOF DRAINS SHALL BE DISCHARGED INTO THE SEWAGE TREATMENT SYSTEM OR WITHIN 25 FEET OF ANY WELL.
7. THERE SHALL BE NO VEHICULAR TRAFFIC OVER THE SEWAGE DISPOSAL SYSTEM. PRIOR TO CONSTRUCTION, THE AREA OF THE SYSTEM SHALL BE STAKED OUT AND FENCED OFF.
8. SEWAGE DISPOSAL SYSTEMS SHALL NOT BE INSTALLED IN WET OR FROZEN SOIL.
9. ALL REQUIRED EROSION & SEDIMENT CONTROL, AND STORM WATER POLLUTION PREVENTION WATER QUALITY & QUANTITY CONTROL STRUCTURES, PERMANENT AND TEMPORARY, ARE SHOWN ON THE PLANS.
10. THE DDOOH SHALL BE NOTIFIED PRIOR TO THE BACKFILLING OF ANY COMPLETED SDS SO THAT A FINAL INSPECTION MAY BE PERFORMED.
11. THE DDOOH SHALL BE NOTIFIED SIXTY DAYS PRIOR TO ANY CHANGE IN USE; USE CHANGES MAY REQUIRE RE-APPROVAL BY THE DDOOH.
12. THE UNDERSIGNED OWNERS OF THE PROPERTY HERETO STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

SEPTIC TANK DESIGN:
 AVERAGE DAILY FLOW = 400 GPD
 TANK SIZE = 1.5 X FLOW = 1.5 X 400 GPD = 600 GAL.
 USE 1,000 GAL SEPTIC TANK.

WASTEWATER GENERATION:
 EMPLOYEES 30
 HYDRAULIC LOADING RATE : 15 GPD PER EMPLOYEE
 SHOWERS HYDRAULIC LOADING RATE: 25 GPD
 DESIGN FLOW: (30 EMPLOYEES X 15 GPD/EMPLOYEE) + (2 X 25 GPD/SHOWER) = 500 GPD
 NYSDEC ALLOWS FOR A 20% REDUCTION OF FLOW WHERE WATER CONSERVATION FIXTURES ARE USED.
 WATER CONSERVATION: 500 GPD X 0.8 = 400 GPD

SOIL RESTORATION NOTES:

- IN AREAS WHERE SOIL DISTURBANCE HAS OCCURRED OUTSIDE OF BUILDINGS AND PAVEMENT AREAS, THE DISTURBED SUB-SOILS SHALL BE RETURNED TO ROUGH GRADE AND THE FOLLOWING SOILS RESTORATION STEPS APPLIED:
- 1) APPLY THREE INCHES OF COMPOST OVER SOIL. COMPOST SHALL BE ADDED, FROM PLANT DERIVED MATERIALS, FREE OF WABLE NEST SEEDS, HAVE NO WORMS, FREE WATER OR DUST PRODUCED WHEN HANDLING, PASS THROUGH A HALF INCH SCREEN AND HAVE A PH SUITABLE TO GROW DESIRED PLANTS.
 - 2) TILL COMPOST INTO THE SUBSOIL TO A DEPTH OF AT LEAST 12-INCHES USING A CAT-MOUNTED RIPPER, TRACTOR MOUNTED DISC OR TILLER, MIXING AND CIRCULATING AIR AND COMPOST INTO SUB-SOILS.
 - 3) ROCK-PICK UNTIL UNLIFTED STONE/ROCK MATERIALS OF FOUR INCHES AND LARGER SIZE ARE CLEANED OFF THE SITE.
 - 4) APPLY TOPSOIL TO A DEPTH OF SIX INCHES.

STANDARD NOTES FOR WATER SYSTEMS:

1. THE DESIGN, CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND GENERALLY ACCEPTED STANDARDS IN EFFECT AT THE TIME OF CONSTRUCTION WHICH INCLUDE:
 - RECOMMENDED STANDARDS FOR WATER WORKS (TEN STATES)*
 - RURAL WATER SUPPLY, NEW YORK STATE DEPARTMENT OF HEALTH.*
 - NEW YORK STATE DEPARTMENT OF HEALTH AND DUTCHESS COUNTY DEPARTMENT OF HEALTH POLICES, PROCEDURES AND STANDARDS*
 - DUTCHESS COUNTY DEPARTMENT OF HEALTH SANITARY CODE, ARTICLE XI AND ARTICLE V.*
 - DUTCHESS COUNTY DEPARTMENT OF HEALTH CERTIFICATE OF APPROVAL LETTER.*
2. THIS PLAN IS APPROVED AS MEETING THE APPROPRIATE AND APPLIED TECHNICAL STANDARDS, GUIDELINES, POLICES AND PROCEDURES FOR ARRANGEMENT OF SEWAGE DISPOSAL AND TREATMENT AND WATER SUPPLY FACILITIES.
3. UPON COMPLETION OF THE FACILITIES, THE FINISHED WORKS SHALL BE INSPECTED, TESTED, AND CERTIFIED COMPLETE TO THE DUTCHESS COUNTY HEALTH DEPARTMENT BY THE NEW YORK STATE LICENSED PROFESSIONAL ENGINEER SUPERVISING CONSTRUCTION. NO PART OF THE FACILITIES SHALL BE PLACED INTO SERVICE UNTIL ACCEPTED BY THE DUTCHESS COUNTY HEALTH DEPARTMENT.
4. APPROVAL OF ANY PLAN(S) OR AMENDMENT THERETO SHALL BE VALID FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF APPROVAL. FOLLOWING THE EXPIRATION OF SAID APPROVAL, THE PLAN(S) SHALL BE RE-SUBMITTED TO THE COMMISSIONER OF HEALTH FOR CONSIDERATION FOR RE-APPROVAL. RE-SUBMISSION OR REVISED SUBMISSION OF PLANS AND/OR ASSOCIATED DOCUMENTS SHALL BE SUBJECT TO COMPLIANCE WITH THE TECHNICAL STANDARDS, GUIDELINES, POLICES AND PROCEDURES IN EFFECT AT THE TIME OF THE RE-SUBMISSION.
5. ALL WELLS AND SDS EXISTING OR APPROVED WITHIN 200 FEET OF THE PROPOSED WELLS AND SDS ARE SHOWN ON THIS PLAN ALONG WITH ANY OTHER ENVIRONMENTAL HAZARDS IN THE AREA THAT MAY AFFECT THE DESIGN AND FUNCTIONAL ABILITY OF THE SDS AND WELL.
6. THE UNDERSIGNED OWNERS OF THE PROPERTY HERETO STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

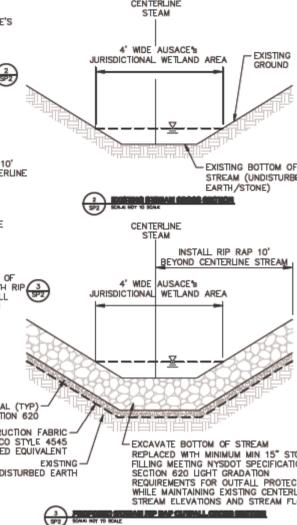
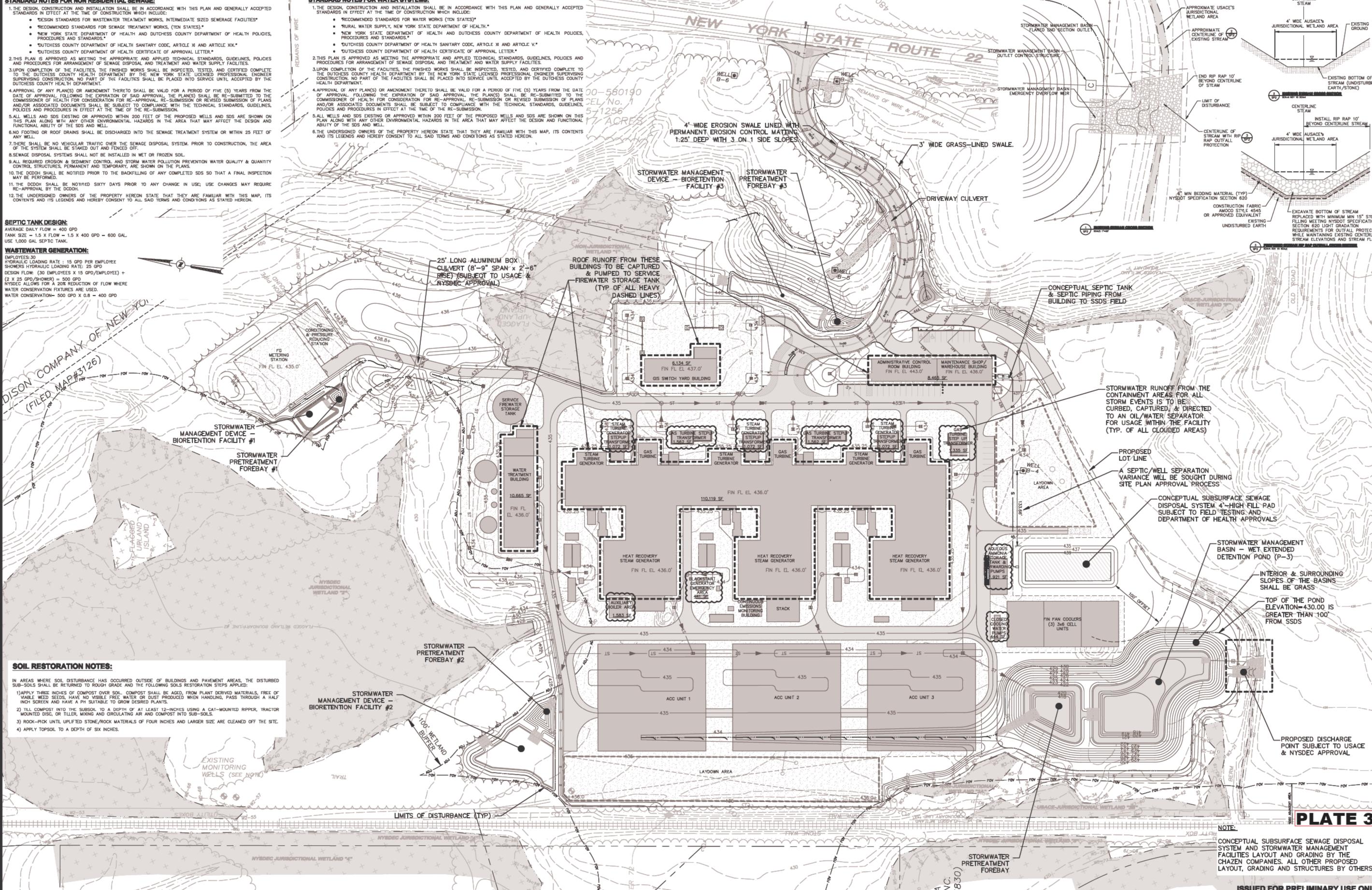


PLATE 3

NOTE:
 CONCEPTUAL SUBSURFACE SEWAGE DISPOSAL SYSTEM AND STORMWATER MANAGEMENT FACILITIES LAYOUT AND GRADING BY THE CHAZEN COMPANIES. ALL OTHER PROPOSED LAYOUT, GRADING AND STRUCTURES BY OTHERS.

ISSUED FOR PRELIMINARY USE ONLY

PROJECT NAME
 CRICKET VALLEY ENERGY

DEVELOPER
 CRICKET VALLEY ENERGY CENTER, LLC.

OWNER OF RECORD
 HOWLANDS LAKE PARTNERS, LLC
 P.O. BOX 285
 MOUNT KISCO, NEW YORK 10549



Dig Rightly. New York.
 800-682-7992

ALL RIGHTS RESERVED. COPY OR REPRODUCTION OF THIS PLAN OR ANY PORTION THEREOF IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE DESIGN ENGINEER, SURVEYOR, OR ARCHITECT.
 ALTERATION OF THIS DRAWING, EXCEPT BY A LICENSED P.E. IS ILLEGAL. ANY ALTERATION BY A P.E. MUST BE INDICATED AND BEAR THE APPROPRIATE SEAL, SIGNATURE AND DATE OF ALTERATION.

THE Chazen COMPANIES
 Engineers Surveyors Planners Environmental Scientists Landscape Architects

CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE CO., P.C.

Office Locations:
 Dutchess County Office: 21 Fox Street, Poughkeepsie, New York 12501, Phone: (845) 454-3880
 Digital District Office: 547 River Street, Poughkeepsie, New York 12501, Phone: (815) 273-0005
 North Country Office: 100 Oak Street, Oneida, New York 13621, Phone: (518) 812-0013

1	04/24/12	REVISED PER TOWN & CLIENT COMMENTS
rev.	date	description

CRICKET VALLEY ENERGY

CONCEPTUAL SUBSURFACE SEWAGE DISPOSAL SYSTEM AND STORMWATER MANAGEMENT PLAN

TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK

drawn MMF checked CL
 date 7/16/10 scale 1"=60'
 project no. 81001.00
 sheet no. **SP2**

Cricket Valley Energy (CVE)

Area W2-A Wetland Restoration/Creation and Adjacent Area in Project Development Area and Former RASCO Parcel Wetland D (US 8) Adjacent Area Restoration Monitoring and Maintenance Plan

After restoration is complete, the wetland restoration area W2-A, its associated NYSDEC regulated Adjacent Area, as well as NYSDEC Wetland D (US 8) regulated Adjacent Area would be monitored and maintained for three calendar years, covering three growing seasons, to document that the restoration plan for the CVE project has achieved applicable regulatory, landscaping, and contractual requirements. The following tasks would be included as part of the Wetland Restoration/Creation and Adjacent Area Monitoring and Maintenance Plan.

- Qualitative Assessment
 - Inspect physical health (e.g., vigor, disease, pests) of vegetation upon arrival to site and prior to planting (*one time upon delivery of stock to site*)
 - Inspect physical health and establishment of planted vegetation
 - Inspect integrity of installed matting and fencing and physical condition of site
 - Photo-documentation
- Quantitative Shrub/Tree Survival
 - Record all dead shrub/trees
 - Record all instances of disease, infestation and significant herbivory
 - Photo-documentation
- Develop Annual Reports
- Recommend and Perform Corrective Actions

Qualitative Assessment

Qualitative assessment events would occur twice a year as follows:

- One event would occur in early spring (April)
- One event would occur in late summer and overlap with the Quantitative Shrub/Tree Survival monitoring event (September)

The spring monitoring event would be conducted to document physical damage such as erosion to slopes as well as plant specimen losses due to uprooting or other physical damage (e.g., heavy ice or snow load). The fall monitoring event

would be conducted to document if any structural items need to be secured, stabilized, repaired or replaced to withstand the upcoming winter. In addition, plants that may have been severely stressed because of drought, insect damage or excessive herbivory over the summer would be identified for replacement with an in-kind or similar specimen. Findings would be photographed and recorded in a dedicated field log book to document the conditions observed and later on, to document whether recommended corrective actions were performed properly by the landscaping/restoration contractor. Location of photographs would be recorded using GPS and shown on the Restoration base plan.

The purpose of the qualitative assessment event is to evaluate the physical health and establishment of planted vegetation as well as the integrity of installed erosion matting, revetments, and herbivory fencing in the restoration area. The following is a list of the likely items that would be inspected, and if applicable, repaired or corrected as necessary by the landscaping/restoration contractor. Note that this is not an exhaustive list and is only meant as a general guideline as to what would be inspected:

- Silt fencing damage as evidenced by tears in the fabric or downed fence posts.
- Erosion control matting not properly anchored or dislodged.
- Integrity of log, rootwad and boulder revetment.
- Evidence of erosion and/or deposition of sediment in the wetland down-gradient of culverts, on steep slopes, and outlets to bioretention basins.
- Herbivory and waterfowl fencing damage as evidenced by fraying or tears in the webbing, holes in the fencing, or downed support posts.
- Planted trees not maintaining an upright growth position as evidenced by falling over, tipping, exposed root balls or damaged stakes and support wires.
- Unauthorized disposal of construction debris and fill in restoration areas.
- Human disturbance (e.g., stealing/uprooting of plants).
- Absence of plants (groundcover, shrubs, trees) and bare areas due to fire, erosion (washout) or potentially attributable to the non-functioning structural items previously listed (not plant dormancy).
- Evidence of herbivory to plants (e.g., deer, rabbit).
- Evidence of physical animal disturbance (e.g., burrowing, trampling).
- Evidence of insect damage.
- Evidence of plant disease (e.g., cedar-apple rust fungus)
- Damage due to water, erosion fire or ice.

Qualitative Assessment Corrective Action/Reporting

For each monitoring event, an assessment for the need of corrective actions/repairs would be based on numerous factors including the integrity of the plantings and whether the corrective action/repair could have a detrimental effect on the vegetation. For all corrective actions/repairs deemed necessary, a schedule would be developed for implementation. Minor repairs, such as re-tying loosened lines, may be completed in the field during the actual monitoring event as long as such corrective actions would not have a detrimental effect on vegetation, and the repairs primary function is to protect plantings from potential physical or biological damage. Some corrective actions that may be recommended could include, but are not limited to:

- Repair and/or replacement of silt fencing.
- Re-anchoring and/or replacement of erosion control matting.
- Repair and/or replacement of herbivory and/or waterfowl fencing.
- Replanting of fallen or tipping trees and/or repair/replacement of stakes and support wires.
- Removal of debris.
- Re-grading of areas if elevations have noticeably changed and appear likely to inhibit plant propagation due to erosion or deposition of soils.
- Re-seeding of bare areas where germination has not occurred following initial seeding, or have been impacted by erosion.

If plant growth and/or propagation appear to be significantly impacted at the time of the qualitative monitoring, some corrective actions (including re-planting and re-seeding) could be recommended for completion prior to conducting the Quantitative Shrub/Tree Survival monitoring.

A letter report would be developed following each qualitative monitoring event for submittal to NYSDEC. The report would include a description of the assessment and findings, a summary and recommendations section, and a proposed schedule for any recommended corrective actions. This report would also include field logs/forms, photo-log documenting findings, and photo locations on a Restoration base plan.

Quantitative Tree Survival

The purpose of the quantitative tree survival monitoring event is to document diseased and/or dead shrub/trees potentially needing to be replaced either in the same, or at a proximal location. Plant survival and overall health can be attributed to a variety of factors that do not include the initial quality of specimens

provided by the nursery and/or the physical handling of individuals by workers during initial planting. Unforeseeable environmental and physical stressors also exist that potentially decrease the probability of survival. These could include a variety of factors that either individually or synergistically contribute to a plant's overall health and survivability. Examples of such factors include:

- Adequate precipitation and infiltration to root systems
- Drought
- Roadway salt concentrations in soil
- Frequency of maintenance performed on plant specimens
- Human and/or mechanical harm
- Herbivory

Quantitative Tree Survival Monitoring would occur simultaneously with the late summer Qualitative Monitoring. Shrubs and trees would be recorded as dead if no live stems are observed. Dead shrubs and trees would be photographed and located via GPS and shown on the Restoration base plan. The overall percent survival rate for trees would be calculated by dividing the total number of shrubs and trees planted by the total number of dead shrubs and trees. If the percent survival rate is below 90%, all dead specimens would be removed and replaced with live specimens. In addition, survival rates would also be calculated on a per species planted basis by using the same equation except the total number of both planted and dead specimens would represent only one species. The purpose of this second frequency calculation is to ascertain if a particular species is not suitable or adapted to growing in the Adjacent Area and therefore should be considered for replacement with similar or hardier species documented to have a better survival rate.

After each Quantitative Tree Survival monitoring event, a written report that includes a description and results of the assessments, as well as a summary and recommendation section, would be completed. The report would include field logs/forms, Restoration base plan showing dead shrubs and trees (if any), photo locations, frequency calculations, photolog documenting findings and a summary of recommended corrective actions. Copies of the final report would be submitted to NYSDEC as stipulated in the wetlands permit for the site.

ARCADIS

Attachment 2
NYSDEC/USACOE Joint Application –
Revised Project Description and
Purpose

NYSDEC/USACOE Joint Application - Revised Project Description and Purpose

The proposed project is an approximately 1,000 megawatt natural gas-fired combined-cycle electric generating facility that will utilize dry cooling and zero liquid discharge. It will be located generally within the footprint of existing industrial developed area, and has been sited to avoid wetland impact to the greatest extent practicable. Wetland impact will be limited to approximately 0.08 acre (approximately 3,185 square feet) of impact to degraded wetland (Wetland 2 0.05 acres - federal and state jurisdiction and Wetland F {US 4} 0.03 acres - federal jurisdiction) associated with the project footprint and an additional estimated 0.49 acres (21,265 square feet) of impact associated with cleanup and restoration activities. Approximately 2.4 acres (104,544 square feet) of state-jurisdictional wetland adjacent area associated with Wetland 2 (1.0 acre) and Wetland D (US 8) (1.4 acres) will also be altered, with some minor additional adjacent area potentially affected by wetland restoration activities. Rip-rap will be placed along approximately 0.06 acre (2,500 square feet) of intermittent stream for erosion protection. See the cover letter for additional detail.



JOINT APPLICATION FORM



For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water supply.

New York State

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

US Army Corps of Engineers (USACE)

<p>APPLICATIONS TO</p> <p>1. NYS Department of Environmental Conservation</p> <p>Check all permits that apply:</p> <table border="0"> <tr> <td><input type="checkbox"/> Stream Disturbance</td> <td><input type="checkbox"/> Coastal Erosion Management</td> </tr> <tr> <td><input type="checkbox"/> Excavation and Fill in Navigable Waters</td> <td><input type="checkbox"/> Wild, Scenic and Recreational Rivers</td> </tr> <tr> <td><input type="checkbox"/> Docks, Moorings or Platforms</td> <td><input type="checkbox"/> Water Supply</td> </tr> <tr> <td><input type="checkbox"/> Dams and Impoundment Structures</td> <td><input type="checkbox"/> Long Island Well</td> </tr> <tr> <td><input type="checkbox"/> 401 Water Quality Certification</td> <td><input type="checkbox"/> Aquatic Vegetation Control</td> </tr> <tr> <td><input type="checkbox"/> Freshwater Wetlands</td> <td><input type="checkbox"/> Aquatic Insect Control</td> </tr> <tr> <td><input type="checkbox"/> Tidal Wetlands</td> <td><input type="checkbox"/> Fish Control</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Incidental Take of Endangered/Threatened Species</td> </tr> </table> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<input type="checkbox"/> Stream Disturbance	<input type="checkbox"/> Coastal Erosion Management	<input type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Wild, Scenic and Recreational Rivers	<input type="checkbox"/> Docks, Moorings or Platforms	<input type="checkbox"/> Water Supply	<input type="checkbox"/> Dams and Impoundment Structures	<input type="checkbox"/> Long Island Well	<input type="checkbox"/> 401 Water Quality Certification	<input type="checkbox"/> Aquatic Vegetation Control	<input type="checkbox"/> Freshwater Wetlands	<input type="checkbox"/> Aquatic Insect Control	<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Fish Control		<input type="checkbox"/> Incidental Take of Endangered/Threatened Species	<p>2. US Army Corps of Engineers</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> Section 404 Clean Water Act</p> <p><input type="checkbox"/> Section 10 Rivers and Harbors Act</p> <p><input type="checkbox"/> Nationwide Permit(s) - Identify Number(s):</p> <p>_____</p> <p>_____</p> <p>Preconstruction Notification - <input type="checkbox"/> Y / <input type="checkbox"/> N</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<p>3. NYS Office of General Services</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> State Owned Lands Under Water</p> <p><input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.)</p> <p><input type="checkbox"/> Docks, Moorings or Platforms</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<p>4. NYS Department of State</p> <p>Check if this applies:</p> <p><input type="checkbox"/> Coastal Consistency Concurrence</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>
<input type="checkbox"/> Stream Disturbance	<input type="checkbox"/> Coastal Erosion Management																		
<input type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Wild, Scenic and Recreational Rivers																		
<input type="checkbox"/> Docks, Moorings or Platforms	<input type="checkbox"/> Water Supply																		
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<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Fish Control																		
	<input type="checkbox"/> Incidental Take of Endangered/Threatened Species																		

5. Name of Applicant (use full name)		Applicant must be:
Mailing Address		
Post Office City		Taxpayer ID (If applicant is NOT an individual):
State	Zip Code	
Telephone (daytime)	Email	
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Lessee (check all that apply)		

6. Name of Facility or Property Owner (if different than Applicant)	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	Email

7. Contact/Agent Name	
Company Name	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	
Email	

8. Project / Facility Name		Property Tax Map Section / Block / Lot Number	
Project Location - Provide directions and distances to roads, bridges and bodies of waters:			
Street Address, if applicable		Post Office City	State NY Zip Code
Town / Village / City		County	
Name of USGS Quadrangle Map		Stream/Water Body Name	
Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude			
NYTM-E	NYTM-N	Latitude	Longitude

For Agency Use Only	DEC Application Number:	USACE Number:
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JOINT APPLICATION FORM - PAGE 2 OF 2
 Submit this completed page as part of your Application.

9. Project Description and Purpose: Provide a complete narrative description of the proposed work and its purpose. Attach additional page(s) if necessary. Include: description of current site conditions and how the site will be modified by the proposed project; structures and fill materials to be installed; type and quantity of materials to be used (i.e., square ft of coverage and cubic yds of fill material and/or structures below ordinary/mean high water) area of excavation or dredging, volumes of material to be removed and location of dredged material disposal or use; work methods and type of equipment to be used; pollution control methods and mitigation activities proposed to compensate for resource impacts; and where applicable, the phasing of activities. **ATTACH PLANS ON SEPARATE PAGES.**

Proposed Use: <input type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Commercial	Proposed Start Date:	Estimated Completion Date:
Has Work Begun on Project? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain.		
Will Project Occupy Federal, State or Municipal Land? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please specify.		

10. List Previous Permit / Application Numbers (if any) and Dates:

11. Will this project require additional Federal, State, or Local Permits including zoning changes? Yes No If yes, please list:

12. Signatures. If applicant is not the owner, both must sign the application.
 I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant	Printed Name	Title	Date
Signature of Owner	Printed Name	Title	Date
Signature of Agent	Printed Name	Title	Date

<u>For Agency Use Only</u>	DETERMINATION OF NO PERMIT REQUIRED		
_____	Agency Project Number _____		
(Agency Name)	has determined that No Permit is required from this Agency for the project described in this application.		
Agency Representative:	Name (printed) _____	Title _____	Date _____
	Signature _____		Date _____



PERMISSION TO INSPECT PROPERTY

By signing this permission form for submission with an application for a permit(s) to the Department of Environmental Conservation ("DEC"), the signer consents to inspection by DEC staff of the project site or facility for which a permit is sought and, to the extent necessary, areas adjacent to the project site or facility. This consent allows DEC staff to enter upon and pass through such property in order to inspect the project site or facility, without prior notice, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday. If DEC staff should wish to conduct an inspection at any other times, DEC staff will so notify the applicant and will obtain a separate consent for such an inspection.

Inspections may take place as part of the application review prior to a decision to grant or deny the permit(s) sought. By signing this consent form, the signer agrees that this consent remains in effect as long as the application is pending, and is effective regardless of whether the signer, applicant or an agent is present at the time of the inspection. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes DEC staff to disregard such notices or unlocked gates at the time of inspection.

The signer further agrees that during an inspection, DEC staff may, among other things, take measurements, may analyze physical characteristics of the site including, but not limited to, soils and vegetation (taking samples for analysis), and may make drawings and take photographs.

Failure to grant consent for an inspection is grounds for, and may result in, denial of the permit(s) sought by the application.

Permission is granted for inspection of property located at the following address(es):

2241 NY Route 22, Dover, NY Property Tax Map #'s: 7060-00-493989, 7061-00-465190,
7061-00-580190, 7061-00-585063, 7060-00-610940

*By signing this form, I affirm under penalty of perjury that I am authorized to give consent to entry by DEC staff as described above. I understand that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.**

*Howlands Lake Partners, LLC
Jonathan Schacter, Member*

Print Name and Title

Signature

Date

*The signer of this form must be an individual or authorized representative of a legal entity that:

- owns fee title and is in possession of the property identified above;
- maintains possessory interest in the property through a lease, rental agreement or other legally binding agreement; or
- is provided permission to act on behalf of an individual or legal entity possessing fee title or other possessory interest in the property for the purpose of consenting to inspection of such property.