

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
Monday, December 9, 2021 at 7:00 p.m.

I. PUBLIC HEARING -- None Scheduled

II. APPROVAL OF MINUTES

Review and approval of the minutes of the October 14, 2021 and November 15, 2021 Planning Board meeting minutes.

III. OLD BUSINESS

- |  |   |
|--|---|
| 1. Controlled Site Use-Amendment         | Pollock, Dan/High Country Storage<br>2079 Church Road |
| 2. Site Plan Review<br>Case No. 2020-001 | B & F Development<br>3285 Belgium Road                |

IV. NEW BUSINESS

- |  |  |
|--|--|
| 1. Minor Subdivision—Tentative<br>Case No. TBD | CNY Land Surveying/Whitney, Richard<br>Oswego Road |
|--|--|

V. OTHER BUSINESS

1. Review and approval of the 2022 Planning Board meeting schedule.

VI. ADJOURN

The next regular Planning Board meeting is tentatively scheduled for Thursday, January 13, 2022 at 7:00 p.m.


*High Country Self-Storage*



SITE LOCATION MAP  
NOT TO SCALE

# HIGH COUNTRY SELF STORAGE - PHASE 2 2079 CHURCH ROAD (ROUTE 192) AT ROUTE 48 TOWN OF LYSANDER ONONDAGA COUNTY NEW YORK STATE

PREPARED BY



**NAPIERALA**  
CONSULTING  
PROFESSIONAL ENGINEER, P.C.  
SITE • DESIGN • ENGINEERING  
110 FAYETTE STREET  
MANHATTAN, NEW YORK 10804  
email: MNAP@NAPCON.COM  
PH: (315) 682-5580 FAX: (315) 682-5544

PREPARED FOR

**HIGH COUNTRY SELF STORAGE LLC.**  
(DAN POLLOCK)  
8637 OSWEGO ROAD  
BALDWINVILLE, NY 13027

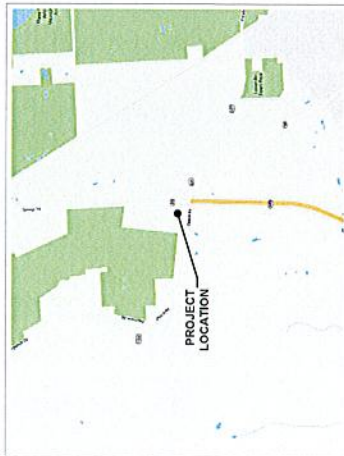
SHEET INDEX

TITLE SHEET  
OVERALL LAYOUT PLAN  
SURVEY, EXISTING CONDITIONS (BY OTHERS)  
GRADES AND EROSION CONTROL PLAN  
LIGHTING PLAN  
SITE DETAILS


C-1  
C-2  
C-3  
C-4  
C-5  
C-6  
C-7  
C-8 THROUGH



AERIAL MAP  
1"=100'



PROJECT LOCATION MAP  
NOT TO SCALE

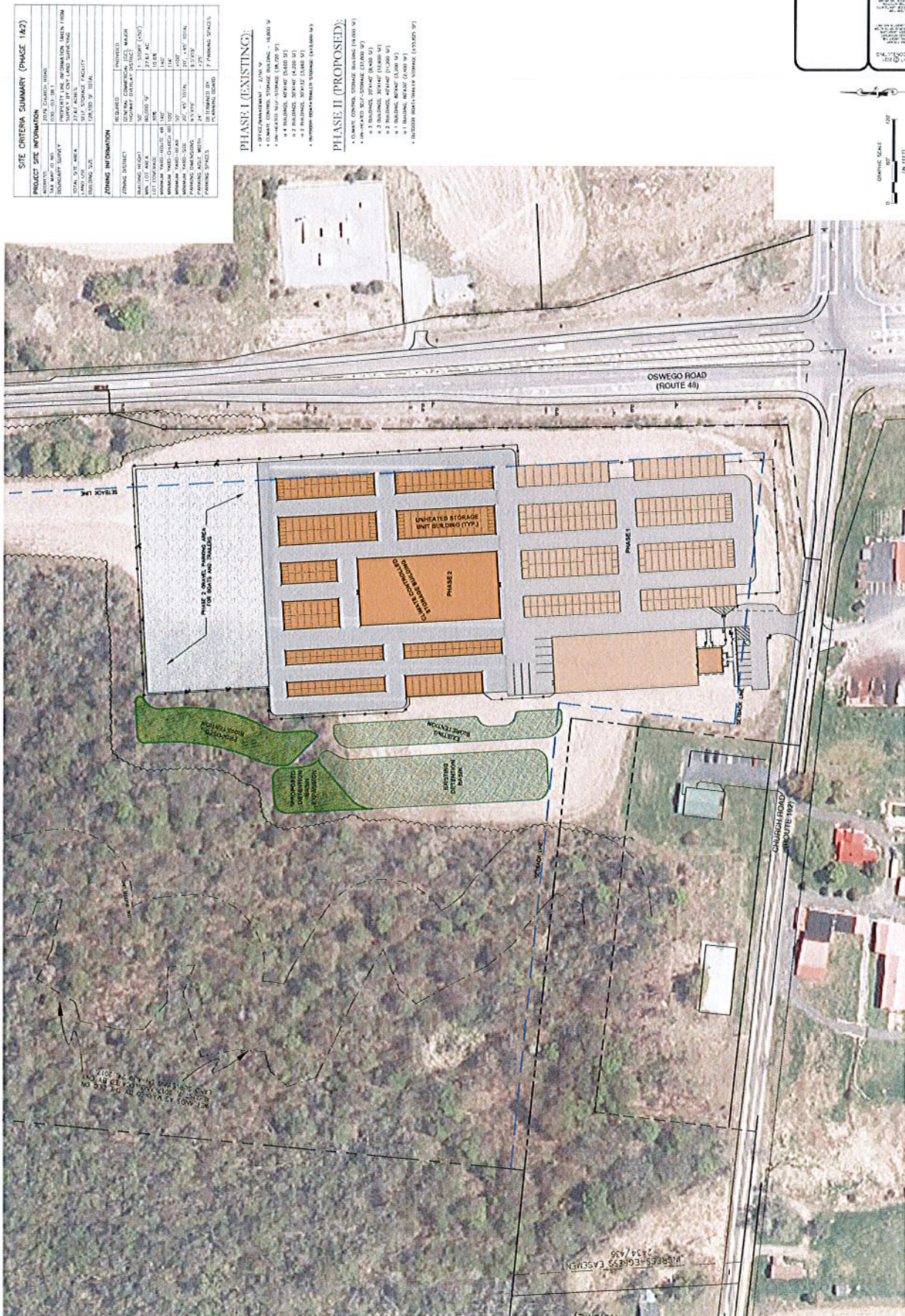
|   |                         |                         |                    |   |   |   |
|---|-------------------------|-------------------------|--------------------|---|---|---|
|  | APPROVED BY OWNER       | DATE                    | <p>TITLE SHEET</p> | <p>NO.</p> <p>REVISIONS</p> <p>DATE</p> | <p>PROJECT DATA</p> <p>15-1775</p> <p>01 NOV 2021</p> <p>HIGH COUNTRY SELF STORAGE<br/>2079 CHURCH ROAD (ROUTE 192)</p> <p>TOWN OF LYSANDER<br/>ONONDAGA COUNTY, NY</p> | <p>PHASE 1</p> <p><b>C-1</b></p> <p>PHASE 2</p> |
|   | <p>DATE</p> <p>DATE</p> | <p>DATE</p> <p>DATE</p> |                    |   |   |   |



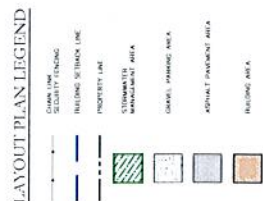












| UNIT SIZE | # OF UNITS |
|-----------|------------|
| 5'x5'     | 20         |
| 5'x10'    | 64         |
| 10'x10'   | 108        |
| 10'x15'   | 118        |
| 10'x20'   | 48         |
| 10'x30'   | 11         |
| 10'x40'   | 17         |

| LANDSCAPE, LEONARD |          |             |               |         |       |
|--------------------|----------|-------------|---------------|---------|-------|
| Y                  | QUANTITY | LATIN NAME  | COMMON NAME   | CULTURE | MOIST |
| DECIDUOUS TREES    |          |             |               |         |       |
| (A)                | 17       | PICEA ABIES | NORWAY SPRUCE | 24      | BAID  |

[illegible]



C-6

PHASE 2  
1" = 30'

01 NOV 2021

19-1775

NAPARALA  
CONSULTING  
100 WEST 100TH STREET  
SUITE 200  
MIDLAND, TX 79701  
PHONE: 817.444.1111  
FAX: 817.444.1112  
WWW.NAPARALA-CONSULTING.COM

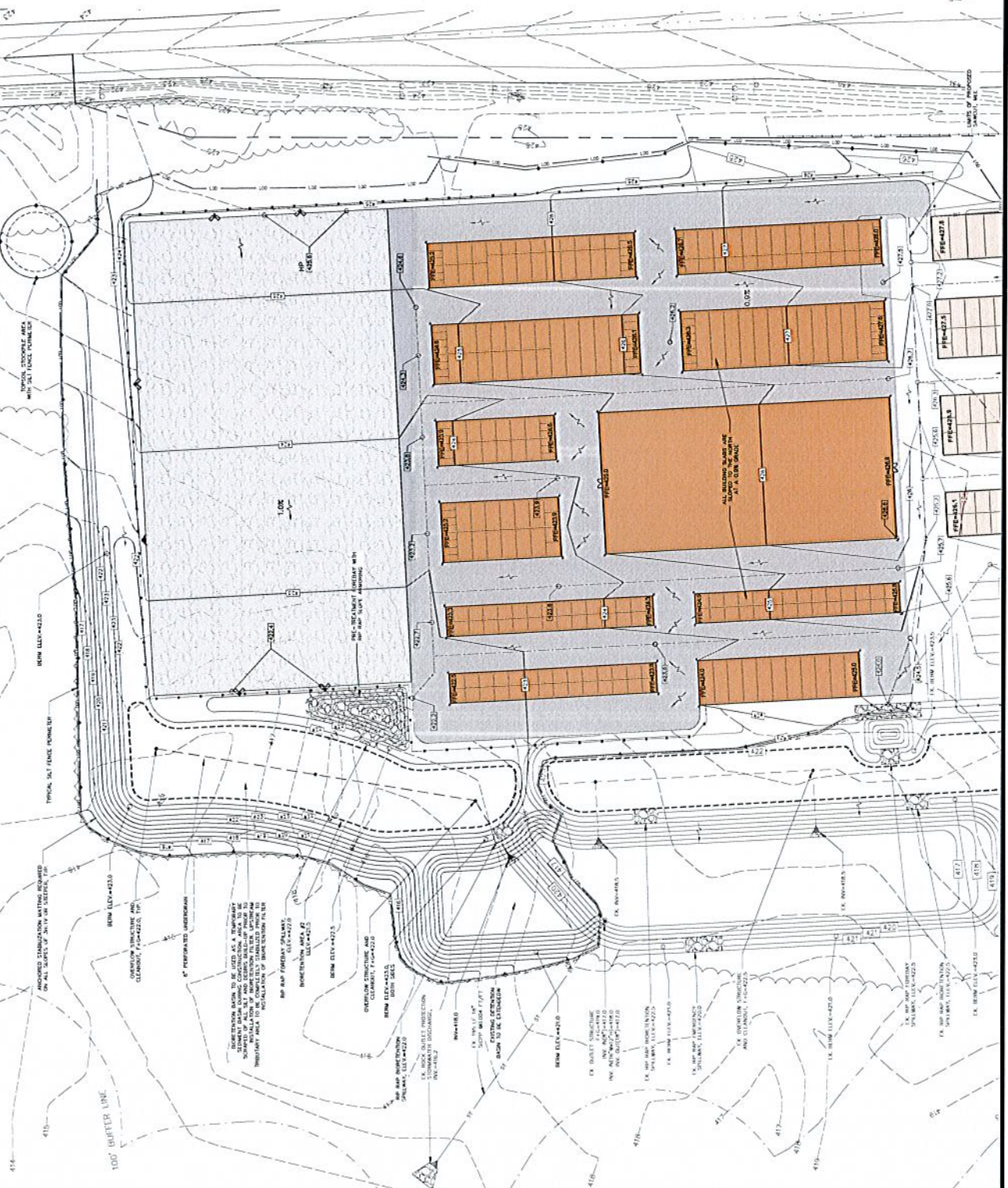
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PHASE 2 GRADING AND  
EROSION CONTROL PLAN

HIGH COUNTRY SELF STORAGE  
2079 CHURCH ROAD (ROUTE 192)  
ONYONDAGA CO. NY  
TOWN OF LYNDEN  
PROJECT NO.  
HIGH COUNTRY SELF STORAGE LLC.

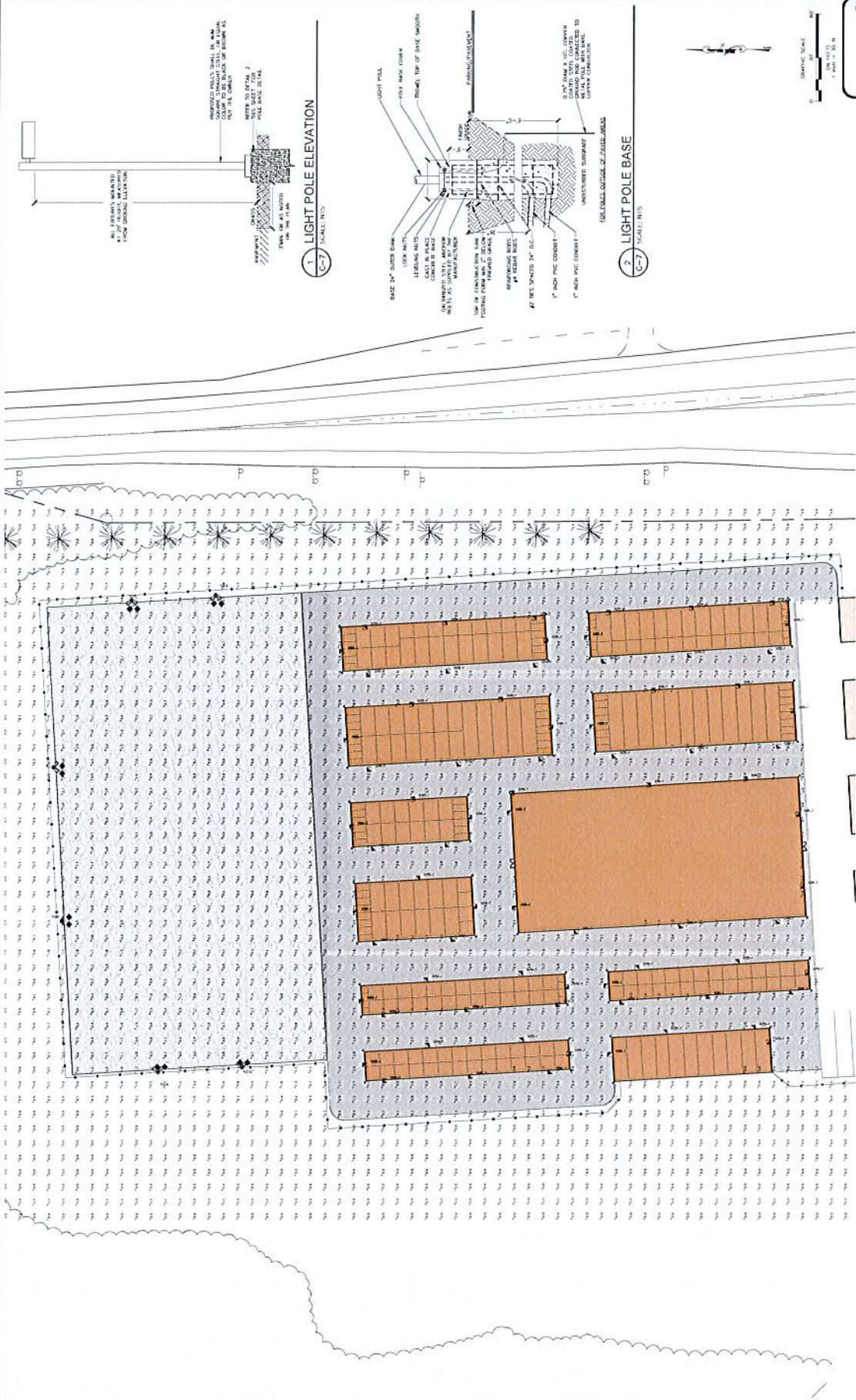
GRADING PLAN LEGEND

- EXISTING CONTOUR LINES
- PROPOSED CONTOUR LINES
- PROPOSED FLOOD LINES
- PROPOSED FLOOD ELEVATION
- PROPOSED TOP OF CURB AND BOTTOM OF CURB ELEVATIONS
- WATERWAY EXISTING ELEVATION
- WATERWAY
- PROPOSED SAW CUT
- ROCKWORK AREA
- LIMIT OF DISTURBANCE
- ANCHORED STABILIZATION MATING





1 LIGHT POLE ELEVATION

[illegible][illegible]



C-8

PHASE 2

AS SHOWN

01 MAR 2019

19-1775

PROJECT NO.

DATE

BY

FOR

PROJECT

REVISIONS

NO.

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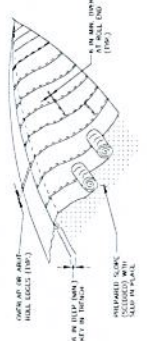
NO.

DATE

DESCRIPTION

- c. STABILIZATION PRACTICES (TEMPORARY)
  - a) TEMPORARY SLOPING AND STABILIZATION OF ALL EXPOSED AREAS WITH CONSTRUCTION ACTIVITY (AS DISCUSSED), OR MULCH, OR AN AREA FOR 14 DAYS, ALLOWING WEEDS AND UNDESIRABLE PLANTS TO GROW IN THE SOIL 1-2.
  - b) MULCHING EXPOSED AREAS.
  - c) PREVENT WEEDING TO MAINTAIN WEED PROOF DURING CONSTRUCTION.

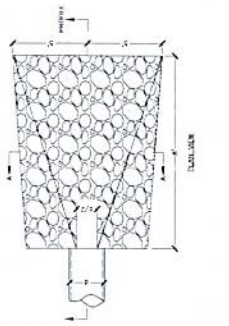
- [illegible]

[illegible]

1. Concrete weight areas shall be installed prior to any concrete placement on the slab.
2. Concrete weight areas shall be installed in accordance with the following:
3. a. Concrete weight areas shall be installed in the center of the slab.
4. b. Concrete weight areas shall be installed in the center of the slab.
5. c. Concrete weight areas shall be installed in the center of the slab.
6. d. Concrete weight areas shall be installed in the center of the slab.
7. e. Concrete weight areas shall be installed in the center of the slab.
8. f. Concrete weight areas shall be installed in the center of the slab.
9. g. Concrete weight areas shall be installed in the center of the slab.
10. h. Concrete weight areas shall be installed in the center of the slab.
11. i. Concrete weight areas shall be installed in the center of the slab.
12. j. Concrete weight areas shall be installed in the center of the slab.
13. k. Concrete weight areas shall be installed in the center of the slab.
14. l. Concrete weight areas shall be installed in the center of the slab.
15. m. Concrete weight areas shall be installed in the center of the slab.
16. n. Concrete weight areas shall be installed in the center of the slab.
17. o. Concrete weight areas shall be installed in the center of the slab.
18. p. Concrete weight areas shall be installed in the center of the slab.
19. q. Concrete weight areas shall be installed in the center of the slab.
20. r. Concrete weight areas shall be installed in the center of the slab.
21. s. Concrete weight areas shall be installed in the center of the slab.
22. t. Concrete weight areas shall be installed in the center of the slab.
23. u. Concrete weight areas shall be installed in the center of the slab.
24. v. Concrete weight areas shall be installed in the center of the slab.
25. w. Concrete weight areas shall be installed in the center of the slab.
26. x. Concrete weight areas shall be installed in the center of the slab.
27. y. Concrete weight areas shall be installed in the center of the slab.
28. z. Concrete weight areas shall be installed in the center of the slab.

C=9 SCALE: NTS

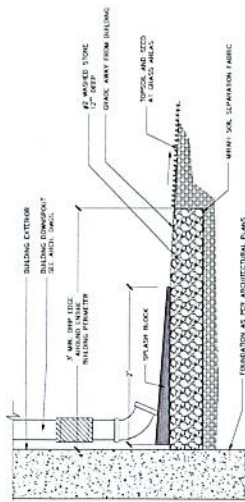
## C-9 SCALE: N15



- PROTESTANTS, EITHER "Y" OR "N" FOR ON 2<sup>ND</sup> HANDING
- FINISHED WOMEN WH, 14 1/2 GAUS, 4" MAX. MAX. OPENING
- FLYER CLOTH FLYER 3, 2" X 2" 1/2, 1/2" MAX. MAX. OPENING
- ON APPLICABLE LOAN.
- PREFABRICATED UNIT. GEOPAL, ENFORCEMENT, OR APPROVED CLON.
1. WOMEN MAY FINISH TO BE ENFORCED SECURELY TO FINISH
- POWERS WITH WIFE OR STAFFS.
2. FLYER CLOTH IS TO BE FACED SECURELY TO WOMEN
- FINISH WITH TWO SECTIONS EVERY 4" AT TOP AND MID SECTION.
3. WHEN TWO SECTIONS OF 18 THE CLOTH OPENING EACH OTHER.
- THEY SHALL BE OVERLAPPED BY TWO METERS AND FOLDED.
- MARITIME SHALL BE FINISHED AS METERS AND MARITIME.

C-9 SCALE: NTS

## C-9 SCALE: NTS



- [illegible]

REPORTED WITHIN 24 HOURS. THE WRITTEN SUBMISSION MUST CONTAIN A DESCRIPTION

1. The following information shall be provided to the appropriate personnel, in accordance with the applicable laws, regulations, and policies, and shall be maintained in accordance with the applicable laws, regulations, and policies:
- a. The name of the individual, including the individual's full name, date of birth, and social security number, and the individual's current and previous addresses.
- b. The date of the individual's arrest, the date of the individual's release, and the date of the individual's conviction.
- c. The name of the individual's attorney, including the attorney's full name, date of birth, and social security number, and the attorney's current and previous addresses.
- d. The name of the individual's employer, including the employer's full name, date of birth, and social security number, and the employer's current and previous addresses.
- e. The name of the individual's spouse, including the spouse's full name, date of birth, and social security number, and the spouse's current and previous addresses.
- f. The name of the individual's child, including the child's full name, date of birth, and social security number, and the child's current and previous addresses.
2. The following information shall be provided to the appropriate personnel, in accordance with the applicable laws, regulations, and policies, and shall be maintained in accordance with the applicable laws, regulations, and policies:
- a. The name of the individual, including the individual's full name, date of birth, and social security number, and the individual's current and previous addresses.
- b. The date of the individual's arrest, the date of the individual's release, and the date of the individual's conviction.
- c. The name of the individual's attorney, including the attorney's full name, date of birth, and social security number, and the attorney's current and previous addresses.
- d. The name of the individual's employer, including the employer's full name, date of birth, and social security number, and the employer's current and previous addresses.
- e. The name of the individual's spouse, including the spouse's full name, date of birth, and social security number, and the spouse's current and previous addresses.
- f. The name of the individual's child, including the child's full name, date of birth, and social security number, and the child's current and previous addresses.

**MAINTENANCE/INSPECTION PROCEDURES**

THE FOLLOWING INSPECTION AND MAINTENANCE PROCEDURES WILL BE USED TO MAINTAIN PROPER AND SUITABLE CONTROLS AND STABILIZATION MEASURES.

1. ALL CONTROL MEASURES WILL BE INSPECTED AT LEAST ONCE EVERY SEVEN (7) CALENDAR DAYS.

- [illegible]

- [illegible]

REPORTED WITHIN 24 HOURS. THE MEDICAL SUPERVISOR MUST CONTAIN A DESCRIPTION

1. LAND INTERESTS, RIGHTS, SHALL NOT CONVEYANCE INTO, APPROVAL, TO 25% OF THE TOTAL AREA OF THE PROJECT. THE CONVEYANCE SHALL BE IN THE FORM OF A DEED TO THE PROJECT, TO BE USED FOR THE PROJECT, AND TO BE USED FOR THE PROJECT.
2. LAND INTERESTS, RIGHTS, SHALL NOT CONVEYANCE INTO, APPROVAL, TO 25% OF THE TOTAL AREA OF THE PROJECT. THE CONVEYANCE SHALL BE IN THE FORM OF A DEED TO THE PROJECT, TO BE USED FOR THE PROJECT, AND TO BE USED FOR THE PROJECT.
3. ALL DEDICATED AREAS SHALL BE DEDICATED AS REQUIRED WITHIN 7 DAYS OF THE DEDICATION.
4. DEDICATED AREAS SHALL BE DEDICATED AS REQUIRED WITHIN 7 DAYS OF THE DEDICATION.
5. DEDICATED AREAS SHALL BE DEDICATED AS REQUIRED WITHIN 7 DAYS OF THE DEDICATION.
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9. DEDICATED AREAS SHALL BE DEDICATED AS REQUIRED WITHIN 7 DAYS OF THE DEDICATION.
10. DEDICATED AREAS SHALL BE DEDICATED AS REQUIRED WITHIN 7 DAYS OF THE DEDICATION.
11. DEDICATED AREAS SHALL BE DEDICATED AS REQUIRED WITHIN 7 DAYS OF THE DEDICATION.





DEPARTMENT OF THE ARMY  
BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207-3199

B&F  
Development

December 1, 2021

Regulatory Branch

SUBJECT: Approved Jurisdictional Determination, Preliminary Jurisdictional Determination, and Delineation Verification for Department of the Army Processing No. LRB-2008-01470

Greg Sgromo  
Dunn & Sgromo Engineers, PLLC  
5800 Heritage Landing Drive  
East Syracuse, NY 13057

Dear Mr. Sgromo:

I have reviewed your request for an approved jurisdictional determination (JD) and a preliminary JD for a parcel located at the corner of NYS Route 31 and Drake's Landing, in the Town of Lysander, Onondaga County, New York.

Please note that this letter contains two jurisdictional determinations. The approved JD applies to "Review Area A" only. The preliminary JD applies to "Review Area B" only. Please refer to the documentation below and attached for the terms, conditions, and appeal rights for each type of JD.

Approved JD

I have determined that the location and extent of all aquatic resources shown on the attached map(s) accurately represent "Review Area A" conditions.

Enclosed is an approved JD which verifies the limits of waters of the U.S. within "Review Area A". This approved JD will remain valid for a period of five (5) years from the date of this correspondence unless new information warrants revision of the approved JD before the expiration date. At the end of this period, a new aquatic resource delineation will be required to support any request for a new JD.

I have determined that the following aquatic resources within "Review Area A" are not waters of the U.S. as noted on the attached Approved Jurisdictional Determination Form: Wetland C. Therefore, this aquatic resource is not regulated under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899. Department of the Army authorization is not required if you propose work, installation of structures, or a discharge of dredged or fill material in this aquatic resource.

If you object to the determination for "Review Area A," you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal

Regulatory Branch

SUBJECT: Approved Jurisdictional Determination, Preliminary Jurisdictional Determination, and Delineation Verification for Department of the Army Processing No. LRB-2008-01470

the above "Review Area A" approved JD, you must submit a completed RFA form within 60 days of the date on this letter to the Great Lakes/Ohio River Division Office at the following address:

Suzanne Chubb  
Regulatory Appeals Review Officer  
US Army Corps of Engineers  
Great Lakes and Ohio River Division  
550 Main Street, Room 10524  
Cincinnati, Ohio 45202-3222  
Phone: 513-684-2699 Fax: 513-684-2460

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete; that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by January 30, 2022.

It is not necessary to submit an RFA to the Division office if you do not object to the "Review Area A" determination in this letter.

#### Preliminary JD

I have determined that the location and extent of the aquatic resource boundaries shown on the attached map accurately represent "Review Area B" conditions. Please note that this is a preliminary JD. Preliminary JDs are non-binding written indications that there may be waters of the United States (WOUS) on your parcel and approximate locations of those waters. Preliminary JDs are advisory in nature and may not be appealed.

Pursuant to Regulatory Guidance Letter 16-01, any permit application made in reliance on this preliminary JD will be evaluated as though all aquatic resources in "Review Area B" are regulated by the Corps. Further, all aquatic resources will be used for purposes of assessing the extent of project related impacts and compensatory mitigation. If you require a definitive response regarding Department of the Army jurisdiction for any or all of the aquatic resources identified on the submitted drawings, you may request an approved JD from this office. If an approved JD is requested, please be aware that this is often a lengthy process and we may require the submittal of additional information.

I have enclosed the preliminary JD Form with this letter. The form and attached table identify the extent of aquatic resources within "Review Area B" and specific terms and conditions of the preliminary JD. Please sign and return a copy of this form to my attention so that I may complete my evaluation of your file. If you do not respond within 15 days, I will presume concurrence and no additional follow-up is necessary prior to finalizing this action.



Regulatory Branch

SUBJECT: Approved Jurisdictional Determination, Preliminary Jurisdictional Determination, and Delineation Verification for Department of the Army Processing No. LRB-2008-01470

In accordance with Regulatory Guidance Letter 05-02, "Preliminary jurisdictional determinations are not definitive determinations of areas within regulatory jurisdiction and do not have expirations dates." However, I strongly recommend that the boundaries of all aquatic resources within the review area be re-evaluated by a qualified wetland biologist after five years of the date of this letter. This will ensure that any changes are appropriately identified, and you do not inadvertently incur a violation of Federal law while constructing your project or working within the review area.

Further, the delineation and all determinations included herein have been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the review areas identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

Questions pertaining to this matter should be directed to me at (315) 255-8090 X 3 by writing to the following address: U.S. Army Corps of Engineers Regulatory Branch 7413 County House Road, Auburn, New York 13021 or by e-mail at: Margaret.A.Crawford@usace.army.mil

Sincerely,

*Margaret Crawford*  
Margaret Crawford  
Biologist

Enclosures

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

|  |  |                             |                        |
|--|--|-----------------------------|------------------------|
| Applicant: Dunn & Sgromo Engineers, PLLC Greg Sgromo |  | File Number: LRB-2008-01470 | Date: December 1, 2021 |
| Attached is:   |  |                             | See Section below      |
|  | INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) | A                           |                        |
|  | PROFFERED PERMIT (Standard Permit or Letter of permission)         | B                           |                        |
|  | PERMIT DENIAL  | C                           |                        |
| X  | APPROVED JURISDICTIONAL DETERMINATION - "REVIEW AREA A"            | D                           |                        |
| X  | PRELIMINARY JURISDICTIONAL DETERMINATION - "REVIEW AREA B"         | E                           |                        |

**SECTION I** - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

● **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

● **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

● **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

● **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

● **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

● **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.



**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Margaret Crawford  
U.S. Army Corps of Engineers  
7413 County House Road  
Auburn, New York 13021  
Margaret.A.Crawford@usace.army.mil  
315-255-8090 x3

If you only have questions regarding the appeal process you may also contact:

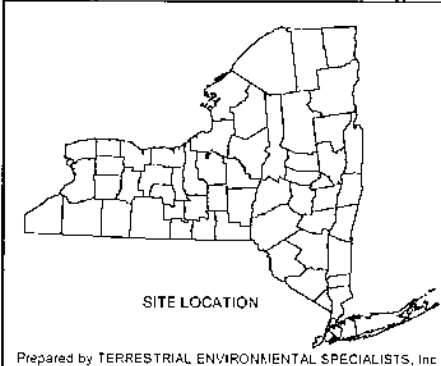
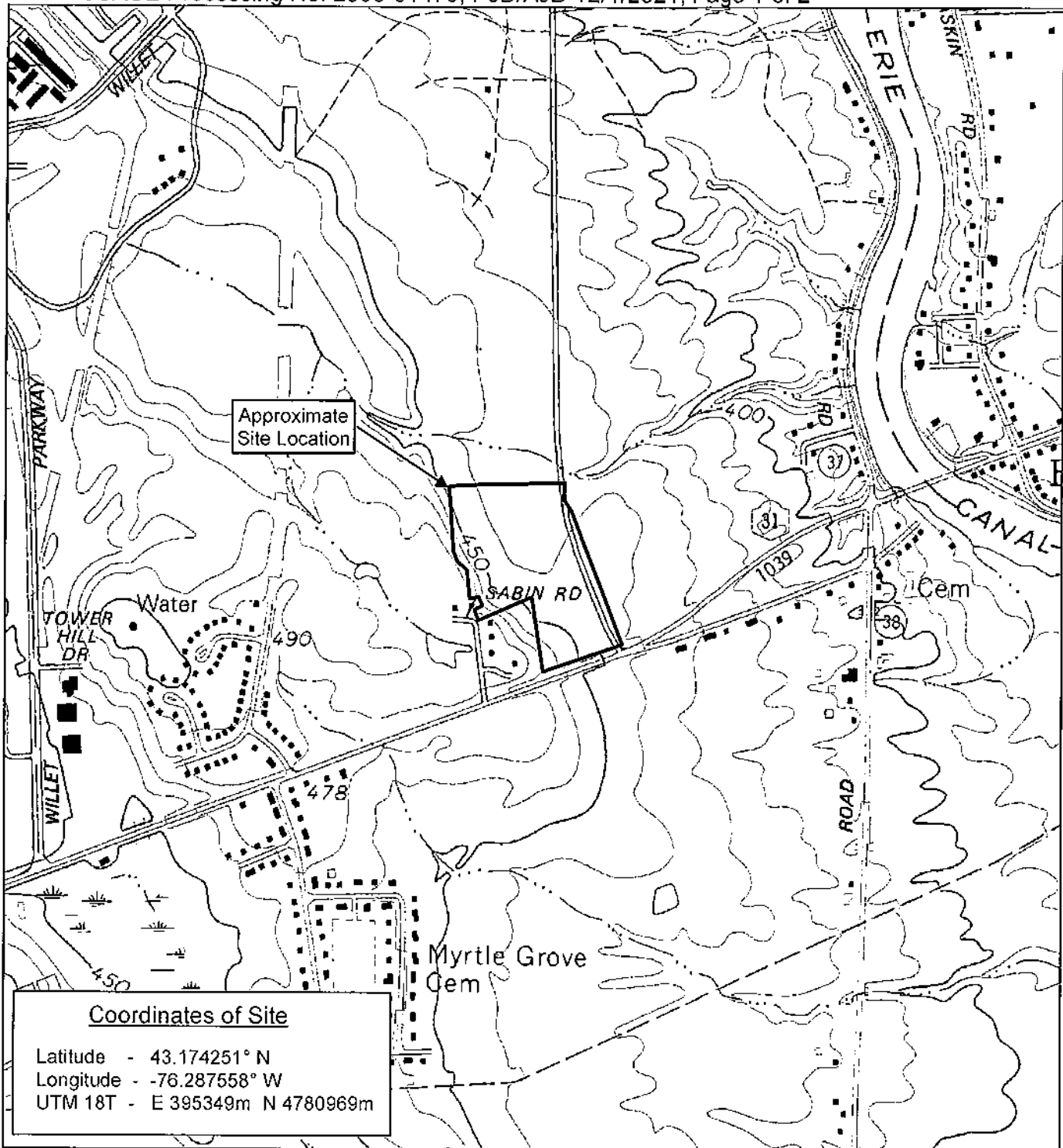
Suzanne Chubb  
Regulatory Appeals Review Officer  
US Army Corps of Engineers  
Great Lakes and Ohio River Division  
550 Main Street, Room 10524  
Cincinnati, Ohio 45202-3222  
Phone: 513-684-2699 Fax: 513-684-2460

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:



0 1,000  
Feet  
1 inch = 1,000 feet

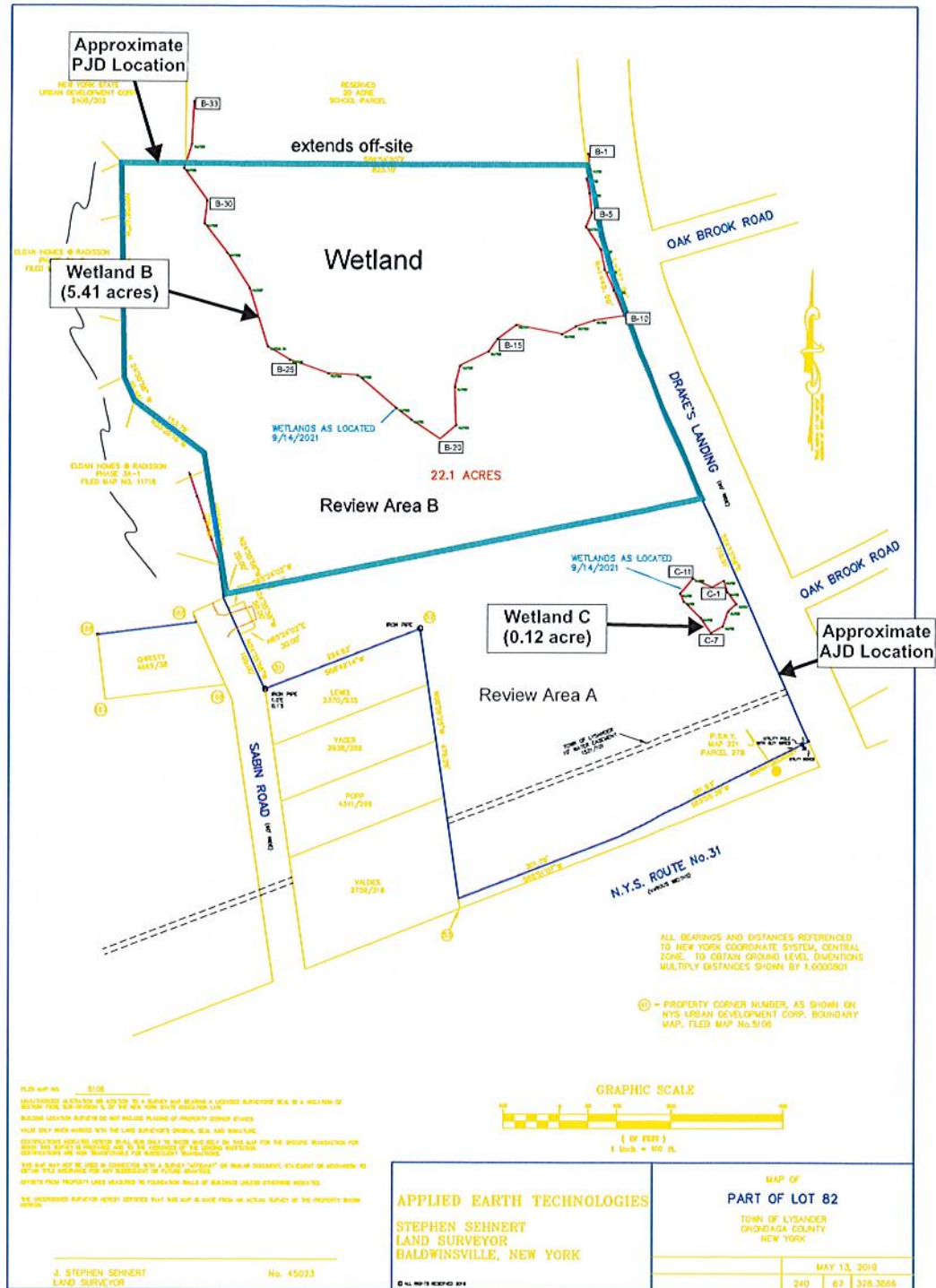


**Figure 1. NYS DOT  
Topographic Map**

Site Location

Baldwinsville Quadrangle  
1989





APPROXIMATE SCALE IN FEET

Base Map Provided by  
Applied Earth Technologies

Figure Prepared by  
Delta Engineers

**Figure 8.**  
**Wetland Location Map**

**APPROVED JURISDICTIONAL DETERMINATION FORM**  
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):** December 1, 2021

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Buffalo District; Drake's Landing; 2008-01470; Form 1 of 1

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: New York County/parish/borough: Onondaga City: Baldwinsville

Center coordinates of site (lat/long in degree decimal format): Lat. 43.17630° <sup>N</sup>, Long. -76.28695° <sup>W</sup>

Universal Transverse Mercator:

Name of nearest waterbody: unnamed wetland

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Seneca River

Name of watershed or Hydrologic Unit Code (HUC): 4140201

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☒ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

**D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

☒ Office (Desk) Determination. Date: November 3, 2021

☒ Field Determination. Date(s): May 7, 2021

**SECTION II: SUMMARY OF FINDINGS****A. RHA SECTION 10 DETERMINATION OF JURISDICTION.**

There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

☐ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.  
 Explain: .

**B. CWA SECTION 404 DETERMINATION OF JURISDICTION.**

There are no "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

**1. Waters of the U.S.****a. Indicate presence of waters of U.S. in review area (check all that apply):<sup>1</sup>**

- ☒ TNWs, including territorial seas
- ☒ Wetlands adjacent to TNWs
- ☒ Relatively permanent waters<sup>2</sup> (RPWs) that flow directly or indirectly into TNWs
- ☒ Non-RPWs that flow directly or indirectly into TNWs
- ☒ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- ☒ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- ☒ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- ☒ Impoundments of jurisdictional waters
- ☒ Isolated (interstate or intrastate) waters, including isolated wetlands

**b. Identify (estimate) size of waters of the U.S. in the review area:**

Non-wetland waters: linear feet: width (ft) and/or acres.

Wetlands: acres.

**c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual**

Elevation of established OHWM (if known): .

**2. Non-regulated waters/wetlands (check if applicable):<sup>3</sup>**

☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.  
 Explain: Wetland C is an isolated, intrastate wetland which has no interstate or foreign commerce nexus.

<sup>1</sup> Boxes checked below shall be supported by completing the appropriate sections in Section III below.

<sup>2</sup> For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

<sup>3</sup> Supporting documentation is presented in Section III.F.



## SECTION III: CWA ANALYSIS

### A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

#### 1. TNW

Identify TNW: \_\_\_\_\_.

Summarize rationale supporting determination: \_\_\_\_\_.

#### 2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": \_\_\_\_\_.

### B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody<sup>4</sup> is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

#### 1. Characteristics of non-TNWs that flow directly or indirectly into TNW

##### (i) General Area Conditions:

Watershed size: Pick List

Drainage area: Pick List

Average annual rainfall: \_\_\_\_\_ inches

Average annual snowfall: \_\_\_\_\_ inches

##### (ii) Physical Characteristics:

###### (a) Relationship with TNW:

☐ Tributary flows directly into TNW.

☐ Tributary flows through Pick List tributaries before entering TNW.

Project waters are Pick List river miles from TNW.

Project waters are Pick List river miles from RPW.

Project waters are Pick List aerial (straight) miles from TNW.

Project waters are Pick List aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: \_\_\_\_\_.

Identify flow route to TNW<sup>5</sup>: \_\_\_\_\_.

Tributary stream order, if known: \_\_\_\_\_.

<sup>4</sup> Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

<sup>5</sup> Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☐ Natural  
☐ Artificial (man-made). Explain: .  
☐ Manipulated (man-altered). Explain: .

Tributary properties with respect to top of bank (estimate):

Average width: feet  
Average depth: feet  
Average side slopes: Pick List

Primary tributary substrate composition (check all that apply):

|  |  |                                   |
|--|--|-----------------------------------|
| <input type="checkbox"/> Silts             | <input type="checkbox"/> Sands                     | <input type="checkbox"/> Concrete |
| <input type="checkbox"/> Cobbles           | <input type="checkbox"/> Gravel                    | <input type="checkbox"/> Muck     |
| <input type="checkbox"/> Bedrock           | <input type="checkbox"/> Vegetation. Type/% cover: |                                   |
| <input type="checkbox"/> Other. Explain: . |  |                                   |

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: .

Presence of run/rifle/pool complexes. Explain: .

Tributary geometry: Pick List

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: Pick List

Estimate average number of flow events in review area/year: Pick List

Describe flow regime: .

Other information on duration and volume: .

Surface flow is: Pick List. Characteristics: .

Subsurface flow: Pick List. Explain findings: .

☐ Dye (or other) test performed: .

Tributary has (check all that apply):

|   |   |
|---|---|
| <input type="checkbox"/> Bed and banks  |   |
| <input type="checkbox"/> OIWM <sup>6</sup> (check all indicators that apply): |   |
| <input type="checkbox"/> clear, natural line impressed on the bank            | <input type="checkbox"/> the presence of litter and debris          |
| <input type="checkbox"/> changes in the character of soil                     | <input type="checkbox"/> destruction of terrestrial vegetation      |
| <input type="checkbox"/> shelving   | <input type="checkbox"/> the presence of wrack line                 |
| <input type="checkbox"/> vegetation matted down, bent, or absent              | <input type="checkbox"/> sediment sorting                           |
| <input type="checkbox"/> leaf litter disturbed or washed away                 | <input type="checkbox"/> scour                                      |
| <input type="checkbox"/> sediment deposition                                  | <input type="checkbox"/> multiple observed or predicted flow events |
| <input type="checkbox"/> water staining                                       | <input type="checkbox"/> abrupt change in plant community           |
| <input type="checkbox"/> other (list):  |   |
| <input type="checkbox"/> Discontinuous OIWM. <sup>7</sup> Explain: .          |   |

If factors other than the OIWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

|  |  |
|--|--|
| <input type="checkbox"/> High Tide Line indicated by:              | <input type="checkbox"/> Mean High Water Mark indicated by:            |
| <input type="checkbox"/> oil or scum line along shore objects      | <input type="checkbox"/> survey to available datum;                    |
| <input type="checkbox"/> fine shell or debris deposits (foreshore) | <input type="checkbox"/> physical markings;                            |
| <input type="checkbox"/> physical markings/characteristics         | <input type="checkbox"/> vegetation lines/changes in vegetation types. |
| <input type="checkbox"/> tidal gauges                              |  |
| <input type="checkbox"/> other (list):                             |  |

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain: .

Identify specific pollutants, if known: .

<sup>6</sup>A natural or man-made discontinuity in the OIWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OIWM has been removed by development or agricultural practices). Where there is a break in the OIWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

<sup>7</sup>Ibid.



(iv) **Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian corridor. Characteristics (type, average width):
- ☐ Wetland fringe. Characteristics:
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings:
  - ☐ Fish/spawn areas. Explain findings:
  - ☐ Other environmentally-sensitive species. Explain findings:
  - ☐ Aquatic/wildlife diversity. Explain findings:

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: Pick List. Explain:

Surface flow is: Pick List

Characteristics:

Subsurface flow: Pick List. Explain findings:

☐ Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

☐ Directly abutting

☐ Not directly abutting

☐ Discrete wetland hydrologic connection. Explain:

☐ Ecological connection. Explain:

☐ Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are Pick List river miles from TNW.

Project waters are Pick List aerial (straight) miles from TNW.

Flow is from: Pick List.

Estimate approximate location of wetland as within the Pick List floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian buffer. Characteristics (type, average width):
- ☐ Vegetation type/percent cover. Explain:
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings:
  - ☐ Fish/spawn areas. Explain findings:
  - ☐ Other environmentally-sensitive species. Explain findings:
  - ☐ Aquatic/wildlife diversity. Explain findings:

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: Pick List

Approximately ( ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)

Size (in acres)

Directly abuts? (Y/N)

Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

### C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapans* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

### D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:  
☒ TNWs: linear feet width (ft), Or, acres.  
☒ Wetlands adjacent to TNWs: acres.
2. RPWs that flow directly or indirectly into TNWs.  
☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:  
☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:



Provide estimates for jurisdictional waters in the review area (check all that apply):

☒ Tributary waters: linear feet width (ft).

☒ Other non-wetland waters: acres.

Identify type(s) of waters: .

3. **Non-RPWs<sup>8</sup> that flow directly or indirectly into TNWs.**

- ☒ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

☒ Tributary waters: linear feet width (ft).

☒ Other non-wetland waters: acres.

Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

- ☒ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.

☒ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

☒ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

- ☒ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☒ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.<sup>9</sup>**

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

☒ Demonstrate that impoundment was created from "waters of the U.S.," or

☒ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or

☒ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. **ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):<sup>10</sup>**

☒ which are or could be used by interstate or foreign travelers for recreational or other purposes.

☒ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

☒ which are or could be used for industrial purposes by industries in interstate commerce.

☒ Interstate isolated waters. Explain: .

☒ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

<sup>8</sup>See Footnote # 3.

<sup>9</sup>To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

<sup>10</sup>Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following *Rapanos*.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☒ Tributary waters: linear feet width (ft).  
☒ Other non-wetland waters: acres.  
Identify type(s) of waters: .  
☒ Wetlands: acres.

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):**

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.  
☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.  
☒ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).  
☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .  
☒ Other: (explain, if not covered above): **Wetland C (0.12 acre) is located in the southern portion of the property. This wetland is found in a depressional area. As a result of its lower elevation, wetland C has developed hydric soils and receives adequate hydrology. However, the wetland is isolated from Wetland B by a slight elevational rise and a distance of a couple hundred feet. This rise is 2-3 feet, located between wetland C and wetland B. Many old farm furrows exist through the site. However, these begin to taper as they ascend the small rise. Additionally, wetland C does not clearly connect to the roadside swale that runs along Drakes Landing. Therefore, it was determined that no clear surface water connection existed between wetland C and a water of the United States. Further, due to topography and distance to the nearest tributary, the presence of a shallow subsurface flow connection is very unlikely. For these reasons, Wetland C does not meet adjacency criteria. Thus, wetland C was found to be an isolated, intrastate, non-navigable wetland which has no interstate or foreign commerce nexus and therefore not subject to federal jurisdiction.**

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).  
☐ Lakes/ponds: acres.  
☐ Other non-wetland waters: acres. List type of aquatic resource: .  
☒ Wetlands: 0.12 acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).  
☐ Lakes/ponds: acres.  
☐ Other non-wetland waters: acres. List type of aquatic resource: .  
☒ Wetlands: 0.12 acres.

**SECTION IV: DATA SOURCES.**

**A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Delta Engineering.  
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.  
☒ Office concurs with data sheets/delineation report.  
☐ Office does not concur with data sheets/delineation report.  
☐ Data sheets prepared by the Corps: .  
☐ Corps navigable waters' study: .  
☐ U.S. Geological Survey Hydrologic Atlas: .  
☐ USGS NHD data.  
☐ USGS 8 and 12 digit HUC maps.  
☒ U.S. Geological Survey map(s). Cite scale & quad name: Baldwinsville Quad.  
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Web soil survey.  
☒ National wetlands inventory map(s). Cite name: Baldwinsville Quad.  
☐ State/Local wetland inventory map(s): .  
☐ FEMA/FIRM maps: .  
☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)  
☒ Photographs: ☒ Aerial (Name & Date): NYS GIS Clearinghouse 2018; Google Earth 1995, 2003, 2006, 2011, 2017, 2019.  
or ☒ Other (Name & Date): On site photos provided in delineation report.



☒ Previous determination(s). File no. and date of response letter: A previous AJD was issued under DA File No. 2008-01470 on December 31, 2008 for the same isolated wetland.

In addition, a preliminary jurisdictional determination for Wetland B is being processed concurrently with this approved jurisdictional determination using the same reference number.

☐ Applicable/supporting case law: .

☐ Applicable/supporting scientific literature: .

☐ Other information (please specify): .

**B. ADDITIONAL COMMENTS TO SUPPORT JD:** .

## Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

**BACKGROUND INFORMATION**A. **REPORT COMPLETION DATE FOR PJD:** December 1, 2021B. **NAME AND ADDRESS OF PERSON REQUESTING PJD:**

Sgromo, Greg  
 Dunn & Sgromo Engineers  
 5800 Heritage Landing Drive  
 East Syracuse, NY 13057

C. **DISTRICT OFFICE, FILE NAME, AND NUMBER:**

LRB, Dunn & Sgromo Engineers, PLLC (Formerly YMCA, Radisson Development), LRB-2008-01470

D. **PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**  
**(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: NY County/parish/borough: Onondaga County City: Baldwinsville

Center coordinates of site (lat/long in degree decimal format):

Lat.: 43.17630° Long.: -76.28695°

Universal Transverse Mercator: 18

Name of nearest waterbody: Seneca River

E. **REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

X Office (Desk) Determination. Date: November 3, 2021

X Field Determination. Date(s): May 7, 2021

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO  
 REGULATORY JURISDICTION.

| Site Number    | Latitude (decimal degrees) | Longitude (decimal degrees) | Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable) | Type of aquatic resource (i.e., wetland vs. non-wetland waters) | Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404) |
|----------------|----------------------------|-----------------------------|--|---|---|
| Wetland B 2021 | 43.173977                  | -76.287038                  | 5.41 acres   | Wetland   | Section 404   |

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has

<sup>1</sup> Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



## Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

### SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- ☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:  
Map: Delta Engineers, Figure 8, 10-19-2021.
- ☒ Data sheets prepared/submitted by or on behalf of the PJD requestor.
  - ☒ Office concurs with data sheets/delineation report. (after modifications)
  - ☐ Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_
- ☐ Data sheets prepared by the Corps: \_\_\_\_\_
- ☐ Corps navigable waters' study: \_\_\_\_\_
- ☐ U.S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
  - ☐ USGS NHD data.
  - ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Baldwinsville Quad.
- ☒ Natural Resources Conservation Service Soil Survey. Citation: web soil survey.
- ☒ National wetlands inventory map(s). Cite name: 1:24K Baldwinsville Quad.
- ☒ State/local wetland inventory map(s): NYSDEC Environmental Resource Mapper.
- ☒ FEMA/FIRM maps: FEMA map provided in delineation report
- ☐ 100-year Floodplain Elevation is: \_\_\_\_\_. (National Geodetic Vertical Datum of 1929)
  - ☒ Photographs: ☒ Aerial (Name & Date): YS GIS Clearinghouse 2018; Google Earth 1995, 2003, 2006, 2011, 2017, 2019.
  - ☒ or ☒ Other (Name & Date): on-site photos included in delineation report.

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Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

- ☒ Previous determination(s). File no. and date of response letter: A previous AJD was issued under DA File No. 2008-01470 on December 31, 2008 for all wetlands on the site.  
In addition, an approved jurisdictional determination for Wetland C is being processed concurrently with this preliminary jurisdictional determination using the same reference number.
- ☐ Other information (please specify): \_\_\_\_\_.

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

Margaret Crawford 12/1/21  
Signature and date of Regulatory staff  
member completing PJD

\_\_\_\_\_  
Signature and date of person requesting  
PJD (REQUIRED, unless obtaining the  
signature is impracticable)<sup>1</sup>

<sup>1</sup> Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

TOWN OF LYSANDER  
2022 PLANNING BOARD MEETING SCHEDULE  
Time: 7:00 p.m. in Auditorium

January 13, 2022  
February 10, 2022  
March 10, 2022  
April 7, 2022  
May 12, 2022  
June 9, 2022  
July 7, 2022  
August 11, 2022  
September 8, 2022  
October 13, 2022  
November 10, 2022  
December 8, 2022

Dates subject to change with appropriate notice. Deadline for application, plans and fees is 10 days prior to meeting date.

Proposed: November 19, 2021