



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

PLEASE SIGN AND SUBMIT
THE COMPLETION FORM
ATTACHED TO THIS PERMIT

REPLY TO
ATTENTION OF:

February 14, 2017

Regulatory Branch

SUBJECT: Transmittal of Validated Department of the Army Permit No. 1989-98111, New York State Department of Environmental Conservation review no. 6-2252-00007

Mr. James Wright
Development Authority of the North Country
317 Washington Street
Watertown, New York 13601

Dear Mr. Wright:

This pertains to the Development Authority of the North Country's (DANC) proposal to fill wetlands and streams for the expansion of the existing Solid Waste Management Facility (SWMF), located off of NYS Route 177, in the Town of Rodman, Jefferson County, New York.

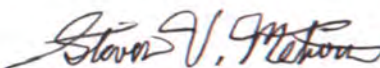
Enclosed is the validated Department of the Army permit which you have accepted the terms and conditions thereof.

Please note that our office must be informed of the commencement and completion of the authorized work. Forms for this purpose are enclosed. Also enclosed is a laminated first page of the permit describing the proposed work which must be conspicuously displayed at the worksite.

Revised plans must be submitted to our office if material changes in the location or plans of the work are necessary because of unforeseen or altered conditions, or otherwise. These revised plans must receive the approval required by law before construction is started.

Questions pertaining to this matter should be directed to Margaret Crawford, Project Manager, at (315) 255-8090, by writing to the following address: U.S. Army Corps of Engineers, 7413 County House Road, Auburn, NY 13021, or by e-mail at: margaret.a.crawford@usace.army.mil

Sincerely,


for Diane C. Kozlowski
Chief, Regulatory Branch

Enclosures

RECEIVED

FEB 21 2017

DEVELOPMENT AUTHORITY OF
THE NORTH COUNTRY

IMPORTANT

This form must be completed and mailed to the District Commander at: **Regulatory Branch,
U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207** prior to
commencement of any work authorized by Department of the Army Permit No. 1989-98111
(Standard Permit)

Date:

Town of Rodman
Jefferson County
New York

Mr. David Leput
Regulatory Branch
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

Dear Mr. Leput:

You are hereby notified that the work authorized under Department of the Army Permit
No. 1989-98111, issued to the Development Authority of the North Country, to fill wetlands and
streams for the expansion of the existing Solid Waste Management Facility will be started on or about
_____ (Month/Day/Year)

The first work to be undertaken is as follows: _____

In commencing the work, I accept and agree to comply with the terms and conditions of
the permit.

By: _____ (Authorized Signature) _____ (Title)

Permittee Telephone Number: _____

Date:

File Closed: 02/14/2017

IMPORTANT

This form must be completed and mailed to the District Commander at: **Regulatory Branch,
U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207** Immediately
upon completion of work authorized by Department of the Army Permit No. 1989-98111
(Standard Permit)

Date:

Town of Rodman
Jefferson County
New York

Mr. David Leput
Regulatory Branch
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

Dear Mr. Leput:

You are hereby notified that the work authorized under Department of the Army Permit
No. 1989-98111, issued to the Development Authority of the North Country, to fill wetlands and
streams for the expansion of the existing Solid Waste Management Facility was
(completed/discontinued) on _____ (Month/Day/Year).

If Discontinued:

The work is _____ percent complete. The following remains to be done before all work
authorized by this permit shall have been completed: _____

By: _____ Date: _____
(Authorized Signature) (Title)

Permittee Telephone Number: _____

File Closed: 02/14/2017



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

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

PERMITTEE: Development Authority of the North Country

PERMIT NUMBER: 1989-98111

EFFECTIVE DATE: February 14, 2017

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

PROJECT DESCRIPTION: The Development Authority of the North Country, 317 Washington Street, Watertown, New York 13601, is hereby authorized by the Secretary of the Army to: fill 12.26 acres of wetland and 2,143 linear feet of intermittent and ephemeral streams in association with the expansion of the Solid Waste Management Facility (SWMF), and to conduct stream restoration work at the Skinner Road mitigation site, including the placement of two rock vanes, resloping the bank, and installation of a cofferdam to isolate flows during construction along 650 linear feet of Sandy Creek as part of the wetland and stream mitigation plan in accordance with the general and special conditions, and the plans and drawings and any additional special conditions attached hereto which are incorporated in and made a part of this permit.

PROJECT LOCATION: The project is located at the SWMF, off of NYS Route 177, in the Town of Rodman, Jefferson County, New York.

MITIGATION LOCATION: The off-site component of the required mitigation is located on NYS Department of the Environmental Conservation owned land referred to as the Lakeview Wildlife Management Area, off of Skinner Road, in the Town of Ellisburg, Jefferson County, New York.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

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

PERMITTEE: Development Authority of the North Country

PERMIT NUMBER: 1989-98111

EFFECTIVE DATE: February 14, 2017

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

PROJECT DESCRIPTION: The Development Authority of the North Country, 317 Washington Street, Watertown, New York 13601, is hereby authorized by the Secretary of the Army to: fill 12.26 acres of wetland and 2,143 linear feet of intermittent and ephemeral streams in association with the expansion of the Solid Waste Management Facility (SWMF), and to conduct stream restoration work at the Skinner Road mitigation site, including the placement of two rock vanes, resloping the bank, and installation of a cofferdam to isolate flows during construction along 650 linear feet of Sandy Creek as part of the wetland and stream mitigation plan in accordance with the general and special conditions, and the plans and drawings and any additional special conditions attached hereto which are incorporated in and made a part of this permit.

PROJECT LOCATION: The project is located at the SWMF, off of NYS Route 177, in the Town of Rodman, Jefferson County, New York.

MITIGATION LOCATION: The off-site component of the required mitigation is located on NYS Department of the Environmental Conservation owned land referred to as the Lakeview Wildlife Management Area, off of Skinner Road, in the Town of Ellisburg, Jefferson County, New York.

PERMIT CONDITIONS

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends on February 14, 2067. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you must make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you may obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 404 of the Clean Water Act (33 U.S.C. 1344)

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, state or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

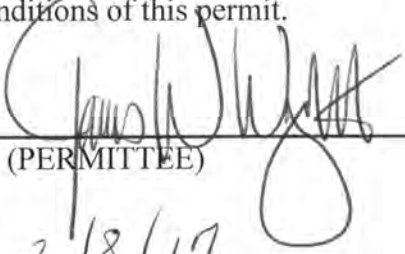
- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be

required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as this specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE)

2/8/17

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



Adam J. Czekanski, Lieutenant Colonel, Corps of Engineers
(DISTRICT COMMANDER)

16 February 2017

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree)

(DATE)

SPECIAL CONDITIONS:

Administrative:

1. This permit was issued on your certification that the mitigation project is consistent with the New York Coastal Zone Management Plan. The New York State Department of State concurs with your certification, attached to this permit as Attachment A, provided you comply with any special conditions imposed by that agency. Noncompliance with the conditions may be a basis for suspension, revocation or modification of this permit.
2. The Section 401 Water Quality Certification issued for this project by the State of New York, attached to this permit as Attachment B, is hereby part of this Department of the Army permit pursuant to Section 401(d) of the Clean Water Act. Noncompliance with any limitations or requirements stated in the certification may be a basis for suspension, revocation or modification of this permit.
3. You are responsible for ensuring that the contractor and/or workers executing the activity(s) authorized by this permit have knowledge of the terms and conditions of the authorization and that a copy of the permit document is at the project site throughout the period the work is underway. For purposes of this permit, the term "project site" means the portion of the SWMF property where impacts to wetlands and stream resources are authorized by this permit. For purposes of this permit, the term "on-site mitigation parcel" means the portion of the SWMF property where mitigation activities required by this permit will occur.
4. At the request of an authorized representative of the Buffalo District, U.S. Army Corps of Engineers, you shall allow access to the project site and the on-site mitigation parcel and you shall coordinate access to the off-site mitigation parcel to determine compliance with the conditions of this permit. For purposes of this permit, the term "off-site mitigation parcel" means the off-site property on Skinner Road in the Town of Ellisburg, Jefferson County, New York owned by the NYS Department of Environmental Conservation ("NYSDEC") and referred to as the Lakeview Wildlife Management Area where the permittee will conduct mitigation activities. The "off-site mitigation parcel" is also referred to in this permit as the "Skinner Road Site."
5. All reports/submittals required under this permit shall be submitted to Mr. Harold Keppner, Chief, Monitoring & Enforcement Section, U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, unless otherwise specified.

Prior to Construction:

6. No work authorized by this permit in waters of the United States on the project site, the on-site mitigation parcel or the off-site mitigation parcel can commence until the respective NYSDEC permits required for the work in each of these areas are authorized.
7. In the event that the authorized work and tree clearing is not completed by March 30, 2022, the permittee must contact Margaret Crawford, USACE, 7413 County House Road, Auburn, New York 13021, (315) 255-8090, prior to March 30, 2021 to reinitiate consultation under the Endangered Species Act.

8. The permittee must notify the Regulatory Branch in writing one week prior to the date the activities authorized in waters of the United States, including wetlands, are scheduled to begin. Notification shall either be by 1) e-mail sent to "david.w.leput2@usace.army.mil <mailto:david.w.leput2@usace.army.mil> " AND "LRB.Regulatory@usace.army.mil <mailto:LRB.Regulatory@usace.army.mil> " or 2) mailed to the following address: Mr.David Leput, Compliance Officer, U.S. Army Corps of Engineers, Buffalo District, 1776 Niagara Street, Buffalo, New York 14207-3199.
9. Prior to any grading or filling operations, siltation fencing or hay bales shall be installed at the toe of the earthwork to minimize damage to undisturbed wetlands. The siltation fence shall be checked periodically to ensure that it is not damaged. Repairs to damaged siltation barriers must be completed promptly, and the siltation barriers must remain in place until the site is stabilized by the re-growth of suitable vegetation. All controls must be completely removed once the area is stabilized.

During Construction:

10. To reduce any potential adverse effects on the Federally threatened Northern long-eared bat (*Myotis septentrionalis*), trees (woody stems > 3 inches Diameter at Breast Height) must not be cut between April 1 and October 31, of any year.
11. If any historic or archeological artifacts or remains are discovered while conducting work authorized by this permit, you must notify the Corps of Engineers in accordance with General Condition 3 and all work in the vicinity of the discovery must be stopped immediately, pending initiation of any required consultation under the National Historic Preservation Act.
12. Should human remains be encountered during any phase of the proposed project, such person or persons encountering the human remains must immediately cease work in the vicinity of the discovery and must not disturb or remove the remains, must protect the exposed portions of the remains from inclement weather and vandalism, and immediately notify the permittee. Continuing work on the project may result in adverse effects to the remains, which may be contrary to the National Historic Preservation Act. After discovery, the permittee must immediately notify (within 24 hours) Margaret Crawford, Project Manager, 7413 County House Road, Auburn, New York 13021 at (315) 255-8090, and the New York State Office of Parks, Recreation, and Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, New York 12188-0189, (518) 237-8643.

Mitigation:

13. As mitigation to compensate for the permanent and unavoidable impacts to 12.26 acres of wetland and 2,143 linear feet of stream, the permittee shall:
 - a. Restore 28.6 acres of wetland, including 7.9 acres of forested wetland, 7.0 acres of scrub-shrub wetland, 6.1 acres of emergent marsh, and 7.6 acres of wet meadow at the Skinner Road Site;
 - b. Restore 650 linear feet of Sandy Creek at the Skinner Road Site;
 - c. Enhance 100 foot buffer along 8,102 linear feet of on-site streams (totaling 30.4 acres) on the SWMF property;

- d. Preserve the Skinner Road Site in accordance with the terms of an Adopt a Natural Resource Agreement between the permittee and NYSDEC (30 acres);
 - e. Preserve on-site remaining wetlands, streams and buffer on the SWMF property in perpetuity (554 acres).
14. The plan entitled 'Proposed Landfill Expansion, Final Aquatic Resource Mitigation Strategy' and dated May 2012, Revised October 2012 (the "compensatory mitigation plan"), is hereby incorporated into and made part of the permit as Attachment C. The permittee must implement the mitigation in accordance with the compensatory mitigation plan and any permit conditions. The mitigation performance standards listed in the Special Conditions of this permit supersede any conflicting standards listed in the compensatory mitigation plan.
15. With the exception of monitoring activities, the permittee must complete all aspects of the on-site and off-site wetland and stream mitigation prior to the commencement of work at the project site authorized by this permit.
16. The permittee shall assume all liability for accomplishing corrective work should the District Engineer determine the compensatory mitigation to be unsuccessful. In the event that the mitigation area does not meet the criteria set forth in this permit, the permittee may be required to undertake additional mitigative measures. These actions may include, but are not limited to, corrective actions on-site including regrading or replanting. If corrective measures are required, additional yearly monitoring, beyond the 10-year monitoring period, may be required at the discretion of the Corps Project Manager.
17. In the event that planting substitutions are proposed (from page 10 of compensatory mitigation plan), prior approval from this office is required. In addition, quantities may only be adjusted after prior approval from the Corps.
18. Performance Goals: on-site
- a. Construction has been completed in accordance with approved plans and specifications of the permit.
 - b. At the end of the first year of monitoring, planted woody species will have a survivorship of at least 75%. Replacement of plantings will be required for any area falling below this level.
 - c. For all monitoring periods, the enhanced stream buffers will support a minimum of 200 individual, surviving, established, and free-to-grow woody plants per acre. Additional plantings will be required for any area falling below this level.
 - d. Invasive species purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) must cumulatively comprise no more than 5%, and reed canary grass (*Phalaris arundinacea*) and buckthorn (*Rhamnus spp.*), must cumulatively comprise no more than 15%, of the total vegetated cover in the enhanced stream buffer areas in any monitored year.
 - e. The percent of total relative cover by any one species will not exceed 60%.
19. Performance Goals: off-site
- a. Construction has been completed in accordance with approved plans and specifications of the permit.

- b. The wetland exhibits a saturated soil condition and/or evidence of inundation during the growing season (April-September). Data will be collected at permanently established observation locations during the monitoring period. Two water gauges will be installed within the mitigation site and monitored during the growing season to evaluate water elevations.
 - c. The wetland areas shall have at least an 80% coverage rate of hydrophytic plants (those with a regional indicator status of FAC, FACW, or OBL). The percent cover calculation will include PEM, PSS and PFO habitats.
 - d. At the end of the first year of monitoring, planted woody species will have a survivorship of at least 75%. Survivorship will be estimated each monitoring year for the duration of monitoring activities on site.
 - e. At the end of the third monitoring year, stem density in PSS and PFO areas shall be at least 200 stems per acre. At the end of the fifth monitoring year, woody plant species in PSS and PFO area shall have a stem density of 300 plants per acre. At the end of the monitoring period, woody plant species in PSS and PFO areas shall have a stem density of 400 plants per acre.
 - f. At the end of the third monitoring year, woody plants in PSS and PFO areas shall have a relative cover rate of 30%. At the end of the fifth monitoring year, woody plants in PSS and PFO area shall have a relative cover rate of 50%. At the end of the 10 year monitoring period, woody plants in PSS and PFO areas shall have a relative cover rate of 80%.
 - g. At the end of the ten year monitoring period, no more than 5% of the vegetation in the restored wetland areas will cumulatively consist of purple loosestrife (*Lythrum salicaria*), common reed (*Phragmites australis*), buckthorn (*Rhamnus* spp.), narrow-leaf cattail (*Typha angustifolia*) or hybrid cattail (*Typha x glauca*), and no more than 15% of reed canary grass (*Phalaris arundinacea*).
 - h. The wetland plant community will exhibit less than 50% total relative cover by any one species.
 - i. At the end of the monitoring period the restored wetland areas will meet the federal wetland criteria outlined in the report entitled "Corps of Engineers Wetlands Delineation Manual", dated January 1987, as modified by the Northeast and Northcentral Regional Supplement (January 2012).
 - j. The riparian buffer plant community will exhibit less than 60% total relative cover by any one species.
 - k. Planted seedlings/trees in the riparian buffer area will have a survivorship of at least 75% for the duration of the monitoring period.
 - l. The stream bank shall exhibit that 70% of its vegetative cover has a deep binding root mass.
 - m. There should be insignificant changes (<10%) from the as-built longitudinal profile and cross-section profiles. Bank pins (i.e., bank profiles) will be installed at permanent cross section locations, as described in the approved plans.
20. Your responsibility to complete the required compensatory mitigation as set forth in Special Conditions 13-19 will not be considered fulfilled until you have demonstrated compensatory project success and have received written verification of that success from the U.S. Army Corps of Engineers.

21. Protective Covenants, On-site: Prior to conducting any work authorized by this permit, the permittee is required to place a Declaration of Conservation Covenants and Restrictions (the "deed restriction") in perpetuity on all remaining wetland and stream channels and the designated upland buffers to guarantee their preservation for wetland and wildlife resources, as depicted in Appendix D of the compensatory mitigation plan (in Attachment C of the permit). The Final deed restriction shall be written in accordance with the DRAFT deed restriction included in Appendix D of the compensatory mitigation plan. This DRAFT deed restriction has been approved by the U.S. Army Corps of Engineers. The deed restrictions shall not be removed without the written approval of the U.S. Army Corps of Engineers, Buffalo District. An approved, certified copy of the recorded deed restriction and a resolution from the permittee adopting the deed restriction and authorizing the signatory to sign the deed restriction on behalf of the permittee are required to be provided to Mr. Harold T. Keppner, Chief, Monitoring & Enforcement Section, U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, prior to conducting work authorized by this permit, or by an extension authorized in writing from this office.
22. Protective Covenants, off-site: The off-site mitigation parcel shall be preserved, in accordance with an 'Adopt a Natural Resource Agreement' between the permittee and the NYSDEC. The agreement shall specifically state: (1) the restricted uses as identified in Special Condition 23 of this permit, (2) that the mitigation wetland, stream and buffer areas are to be preserved and are not to be adversely impacted, and (3) that the permittee will provide materials and/or services valued up to \$1,500 annually for 20 years from the execution date of the agreement to support the protection of the mitigation parcel. A draft copy of the agreement must be submitted to Margaret Crawford, Project Manager, of this office and approved, in writing, prior to execution by the permittee and NYSDEC. Once approved, the agreement will be incorporated into this permit as Attachment D. A copy of the fully executed Corps-approved agreement is required to be provided to Mr. Harold T. Keppner, Chief, Monitoring & Enforcement Section, U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, prior to conducting work authorized by this permit, or by an extension of this condition authorized in writing from this office.
23. The on-site mitigation parcel subject to the deed restriction and the off-site mitigation parcel subject to the Adopt a Natural Resources Agreement must be used solely for the protection of aquatic resources. Any other uses, including but not limited to the placement of buildings, roads, camping accommodations, mobile homes, fences, signs, billboards or other advertising material, filling, dredging, mining or drilling, removal of topsoil, sand, gravel, rock, minerals, or other materials, use of ATVs or other recreational motorized vehicles, or change in topography of the land in any manner (with the exception of the maintenance of small foot trails) are prohibited. There shall be no removal, destruction, or cutting of vegetation, spraying with herbicides, grazing of domestic animals, or disturbance or manipulation of these mitigation areas without first obtaining Department of the Army authorization. Control of nuisance vegetation, or any other manipulation within the mitigation parcels, shall only occur after Corps of Engineers concurrence that such management practices are necessary to ensure the long-term success of the mitigation program.

Financial Assurances:

24. The permittee must establish a reserve fund in the amount of \$677,400 to provide financial assurance for the performance of all the obligations, covenants, terms, conditions, and agreements required of the permittee under this permit. The reserve fund will be established and maintained in accordance with Section 10.0 of the above incorporated compensatory mitigation plan (Attachment C). The fund shall be established prior to impacts, and a copy of the signed resolution is hereby incorporated into the permit as Attachment D.
25. The permittee shall provide materials and/or services valued up to \$1,500 annually to the NYSDEC for 20 years in accordance with the Adopt a Natural Resource Agreement referenced in Special Condition No. 22.

Monitoring, Off-site Wetland Restoration:

26. A baseline wetland construction report must be forwarded to this office by December 31 in the year of completion of all mitigation construction activities, or by a Corps-approved extension date. For purposes of this special condition, "completion" means all activities associated with site grading and seeding and/or planting. The baseline report must include the following:
 - a. An "as-built" topographic survey of the mitigation parcel at 0.5 foot contour intervals.
 - b. Photographs from fixed locations with a photo-location map.
 - c. A list of plants introduced through seeding and/or planting.
 - d. Water depth and date of measurement from representative locations within the mitigation parcel. The sample points will be fixed locations and shall be plotted on a map.
 - e. A list of any modifications that were made from the original compensatory mitigation plan.
27. The permittee is required to submit annual monitoring reports for the off-site wetland restoration project to this office for the first ten (10) years following completion of the mitigation construction based upon data collected during each monitored year between June and October. The reports must follow the requirements outlined in Regulatory Guidance Letter No. 08-03 (Minimum Monitoring Requirements for Compensatory Mitigation Projects Involving the Restoration, Establishment, and/or Enhancement of Aquatic Resources). The first annual report is due by December 31 in the year following completion of mitigation construction, or by a Corps-approved extension date. For purposes of this special condition, "completion" means all activities associated with site grading and seeding and/or planting. All reports must be submitted to Mr. Harold Keppner, Chief, Monitoring & Enforcement Section by December 31 of the year due, or by a Corps-approved extension date. This requirement may be waived for years 3, 5, 7 and 9 if the mitigation is shown to meet performance criteria listed in the permit and compensatory mitigation plan. These reports must include:
 - a. Comparison of site conditions to an as-built survey.

- b. Wetland Delineation, including a map of wetland boundary.
- c. Photographs (minimum 5) from fixed locations with a photo location reference map.
- d. Plant species list with the following information:
 - Wetland Indicator Status and strata;
 - Dominant plants and percent cover; and
 - A list of plants introduced through seeding or planting.
- e. Water depth and date of measurement from representative locations within the mitigation parcel during the growing season. The sample points will be fixed locations and shall be plotted on a map.
- f. Fish and wildlife observations at the mitigation parcel.
- g. Summary statement regarding the perceived success of the wetland creation project. The report will evaluate the goals/performance standards as set forth in the permit or compensatory mitigation plan as well as current wetland functions. These reports must also address any potential problem areas and include suggestions and timetable for correction if it is anticipated that projected goals may not be met.
- h. Date(s) of field inspection(s).

Monitoring, Off-site Stream Restoration:

- 28. A baseline stream restoration construction report must be forwarded to this office by December 31 in the year of completion of all mitigation construction activities, or by a Corps-approved extension date. For purposes of this special condition, "completion" means all activities associated with site grading and seeding and/or planting. The baseline report must include the following:
 - a. An "as-built" topographic survey of the stream bank, including water level elevations, and linear feet of stream bank. Monitoring stations, boundaries of various vegetation communities, planting zones and rock vanes will also be identified on the drawings.
 - b. Color photographs from monitoring stations and a photograph location map showing all representative areas along the stream restoration site.
 - c. A list of plants introduced through seeding and/or planting.
 - d. A list of any modifications that were made from the original compensatory mitigation plan.
- 29. The permittee is required to submit monitoring and/or compliance reports for the off-site stream restoration project to this office for the first five (5) years following completion of the stream restoration construction based upon data collected during each monitored year. Data on the stream portion of the mitigation project will be collected annually for a five-year monitoring period with no less than two bankfull events recorded throughout the monitoring period. To ensure the structural integrity and functions of the restored in-stream structures and riparian buffers, monitoring data will be collected twice (at a minimum) during the first monitoring year, once following the first spring flood event (i.e., March-April), and once at the end of the first full growing season following the completion of site construction. Monitoring years 2, 3, 4, and 5 will be completed annually at the end of the growing season (i.e., August-September). The reports must follow the requirements outlined in Regulatory Guidance Letter No. 08-03 (Minimum

Monitoring Requirements for Compensatory Mitigation Projects Involving the Restoration, Establishment, and/or Enhancement of Aquatic Resources). The first annual report is due by December 31 in the year following completion of mitigation construction, or by a Corps-approved extension date. For purposes of this special condition, "completion" means all activities associated with site grading and seeding and/or planting. All reports must be submitted to Mr. Harold Keppner, Chief, Monitoring & Enforcement Section by December 31 of the year due, or by a Corps-approved extension date. These reports must include:

- a. A surveyed drawing of the stream bank, including water level elevations, and linear feet of stream bank. Monitoring stations, boundaries of various vegetation communities, planting zones and rock vanes will also be identified on the drawings.
- b. Color photographs from monitoring stations and a photograph location map showing all representative areas along the stream restoration site.
- c. A collection of basic information on the vegetative buffer and bank stability at three fixed locations within the stream enhancement areas. Data will include, bankfull height, bank angle, streambank root mass (total number of species with deep roots, such as trees, shrubs, sedges), plant species composition, percent areal cover, and buffer width. Collected woody vegetation data will include average species height and average species diameter at breast height of individuals greater than 7 meters in height.
- d. A survival estimate and growth observations (height and dbh) of planted shrubs and trees.
- e. An evaluation of stream restoration and stabilization. This will be completed by collecting baseline data such as longitudinal and cross-section bank profiles (max depth at bankfull, bank height ratio, substrate characteristics, and bank elevation).
- f. A final post-construction habitat assessment and as-built survey will be completed to document existing conditions along the restored stream bank. A comparison of the pre-and post site conditions will assist with quantifying the ecological gain of the mitigation.

Monitoring, On-site Stream Buffer Enhancement:

30. A baseline stream enhancement report must be forwarded to this office by December 31 in the year of completion of on-site stream buffer enhancement activities, or by a Corps-approved extension date. For purposes of this special condition, "completion" means all activities associated with site grading and seeding and/or planting. The baseline report must include the following:
 - a. An "as-built" survey identifying completed activities
 - b. Photographs from fixed locations with a photo-location map.
 - c. A list of plants introduced through seeding or planting.
 - d. A list of any modifications that were made from the original plan.
31. The permittee is required to submit monitoring and/or compliance reports for the on-site stream buffer enhancement project to this office for the first ten (10) years following completion of the mitigation construction based upon data collected during each

monitored year between June and October. Monitoring shall be conducted in years 1, 2, 4, 6, 8 and 10 after completion of stream buffer enhancement activities. The reports must follow the requirements outlined in Regulatory Guidance Letter No. 08-03 (Minimum Monitoring Requirements for Compensatory Mitigation Projects Involving the Restoration, Establishment, and/or Enhancement of Aquatic Resources). The first report is due by December 31 in the year following completion of stream buffer enhancement activities, or by a Corps-approved extension date. For purposes of this special condition, "completion" means all activities associated with site grading and seeding and/or planting. All reports must be submitted to Mr. Harold Keppner, Chief, Monitoring & Enforcement Section by December 31 of the year due, or by a Corps-approved extension date. These reports must include:

- a. A map showing the locations of the enhancements, monitoring stations and photo points.
- b. Color photographs from monitoring stations and photo points.
- c. Comparison of site conditions to an as-built survey.
- d. A list of plants introduced through seeding or planting.
- e. Existing plant species list including dominant plants and percent cover.
- f. Summary statement regarding the perceived success of the stream buffer enhancement project. The report will evaluate the goals/performance standards as set forth in the permit or compensatory mitigation plan. These reports must also address any potential problem areas and include suggestions and timetable for correction if it is anticipated that projected goals may not be met.
- g. Date(s) of field inspection(s).
- h. A collection of basic information on the vegetative buffer at 10 fixed locations in the enhanced stream buffer areas, including plant species composition, percent areal cover, and buffer width. Collected woody vegetation data will include average species height and average species diameter at breast height (dbh) of individuals greater than 7 meters in height.
- i. A survival estimate and growth observations (height and dbh) of planted shrubs and trees.
- j. A list of wildlife species observed within the enhanced stream segments and associated riparian buffer areas.
- k. A quantitative assessment of monitoring data and a statement as to whether or not the goals of the mitigation project are being met. If required, a plan with an implementation timetable to correct any deficiencies will also be provided.

LIST OF ATTACHMENTS, DA PERMIT NO. 1989-9811:

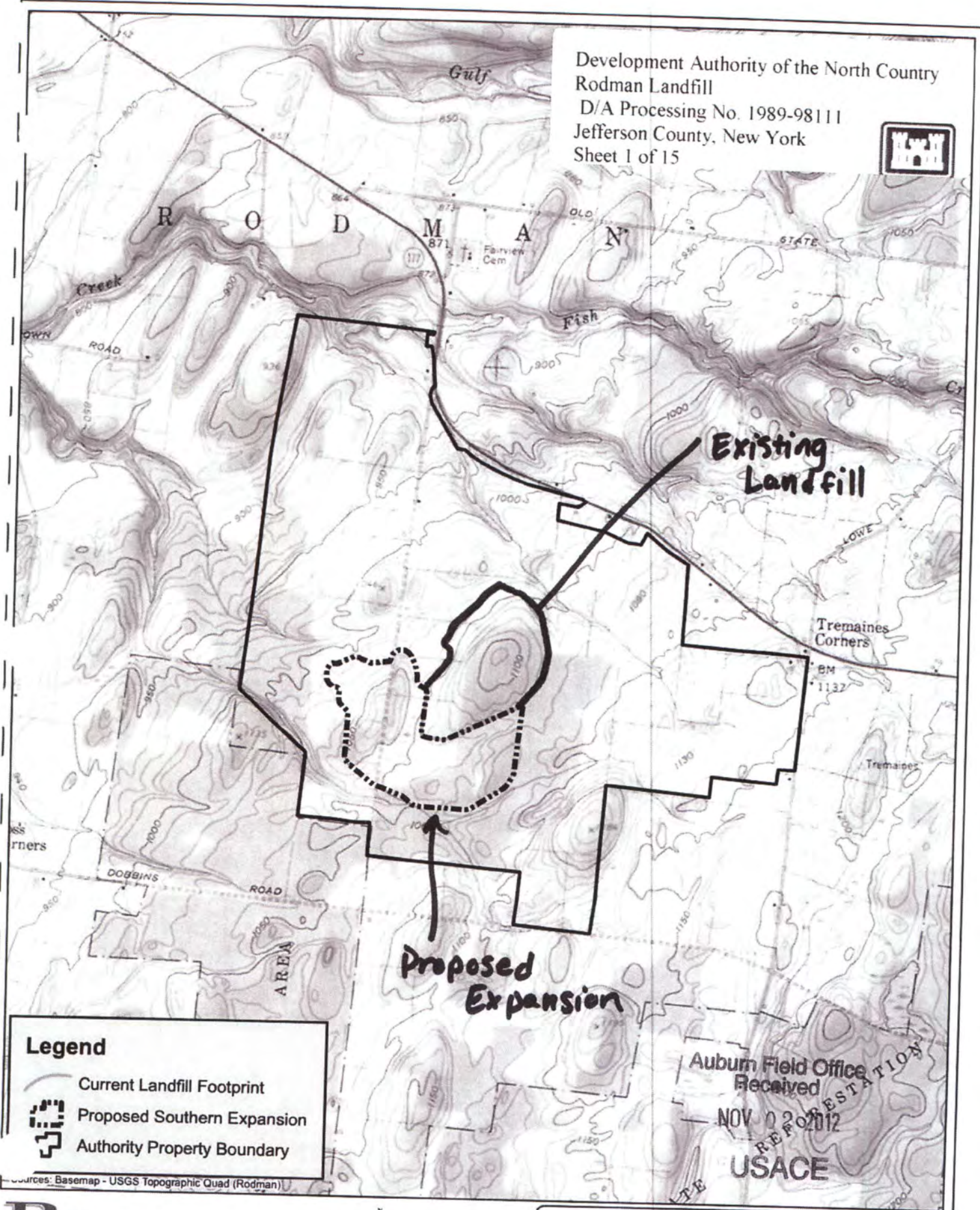
Attachment A: The New York State Department of State concurrence with the New York Coastal Zone Management Plan certification for the mitigation site at Skinner Road, in the Town of Ellisburg, Jefferson County, New York.

Attachment B: The Section 401 Water Quality Certification issued for this project by the State of New York (dated January 3, 2017).

Attachment C: The compensatory wetland mitigation plan entitled 'Proposed Landfill Expansion, Final Aquatic Resource Mitigation Strategy' and dated May 2012, Revised October 2012.

Attachment D: Signed resolution establishing the reserve fund providing for financial assurance (Board Resolution No. 2015-01-13; January 29, 2015)

Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 1 of 15



Legend

-  Current Landfill Footprint
-  Proposed Southern Expansion
-  Authority Property Boundary

Sources: Basemap - USGS Topographic Quad (Rodman)

Barton
E. Loguidice, P.C.

Engineers • Environmental Scientists • Planners • Scientists • Architects



1 inch = 2,000 feet

Rodman Landfill Bat Survey

Site Location Map

Jefferson County

October 2012

New York

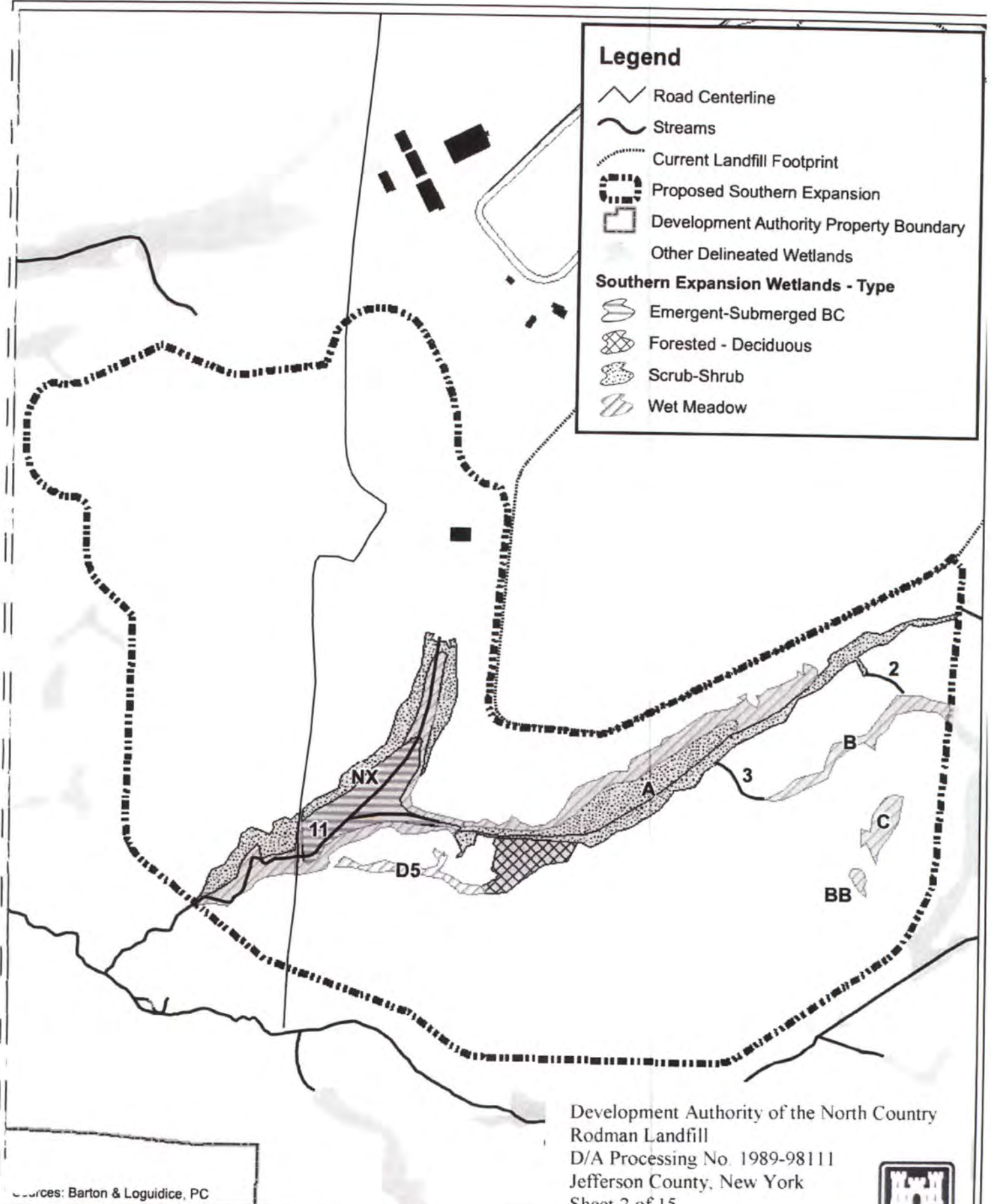
Figure
 1
 Project
 No.
 394.041

Legend

-  Road Centerline
-  Streams
-  Current Landfill Footprint
-  Proposed Southern Expansion
-  Development Authority Property Boundary
-  Other Delineated Wetlands

Southern Expansion Wetlands - Type

-  Emergent-Submerged BC
-  Forested - Deciduous
-  Scrub-Shrub
-  Wet Meadow

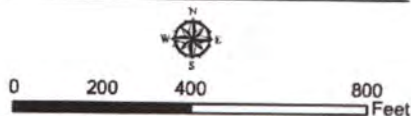


Development Authority of the North Country
Rodman Landfill
D/A Processing No. 1989-98111
Jefferson County, New York
Sheet 2 of 15



Sources: Barton & Loguidice, PC

Barton & Loguidice, P.C.
Engineers, Planners, Architects, and Scientists



USACE RAI and Public Comment Response
**Proposed Southern Expansion -
Aquatic Resources**

Jefferson County

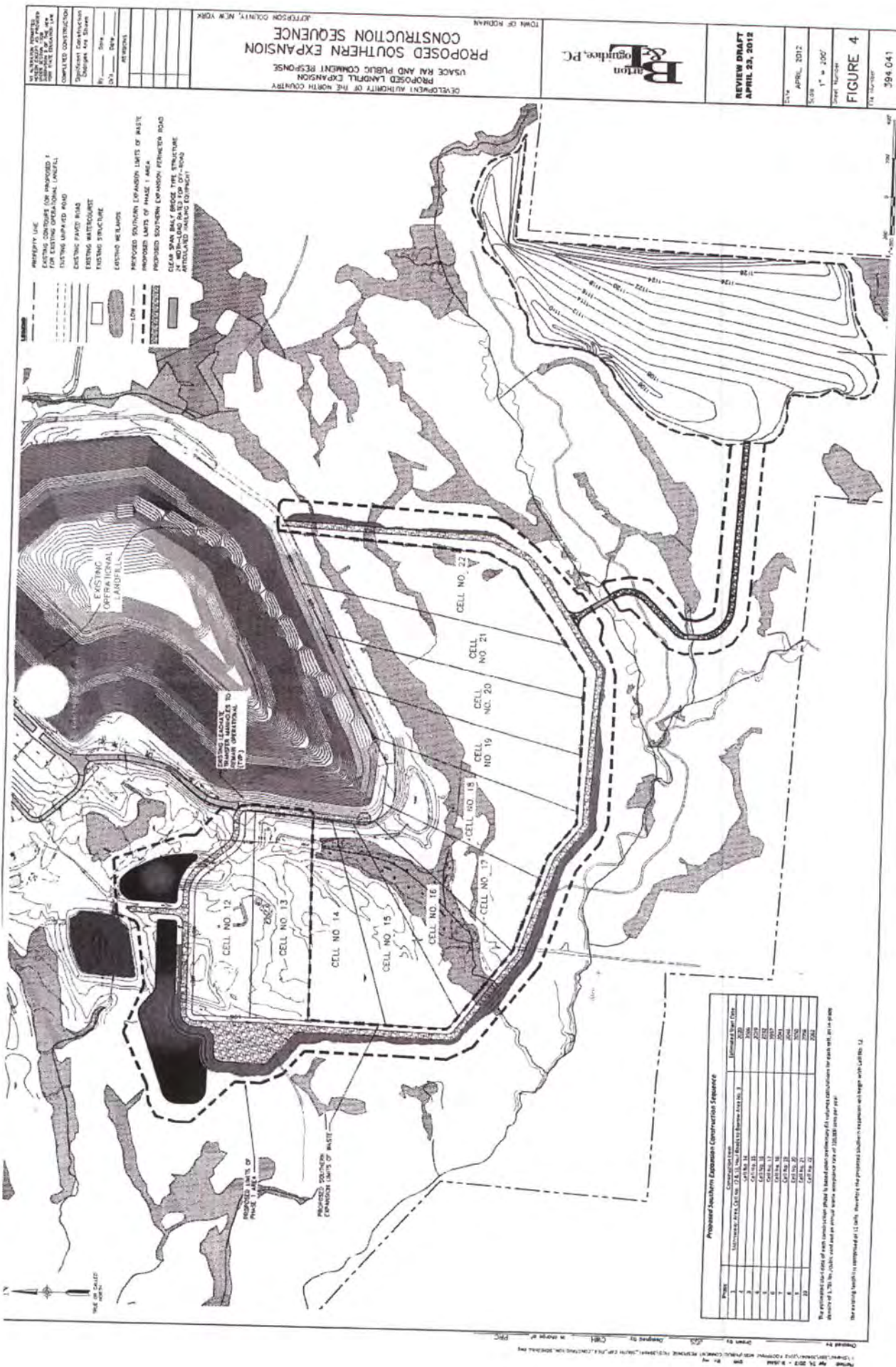
May 2012

New York

Figure
5
Project
No.
394.041

Development Authority of the North Country Proposed Southern Expansion – Wetland and Stream Impacts		
Resource ID	Calculated Impact	Total Impact
Wetland A	5.43 acres	12.26 acres
Wetland B	0.72 acres	
Wetland BB	0.08 acres	
Wetland C	0.38 acres	
Wetland D5	0.36 acres	
Wetland NX	5.29 acres	
Stream 2	156.28 linear feet	2,143 linear feet
Stream 3	229.28 linear feet	
Stream 11	1,757.41 linear feet	





Proposed Southern Expansion Construction Sequence

Cell No.	Construction Type	Estimated Area (Acres)
1	Existing Landfill	1.00
2	Existing Landfill	1.00
3	Existing Landfill	1.00
4	Existing Landfill	1.00
5	Existing Landfill	1.00
6	Existing Landfill	1.00
7	Existing Landfill	1.00
8	Existing Landfill	1.00
9	Existing Landfill	1.00
10	Existing Landfill	1.00
11	Existing Landfill	1.00
12	Existing Landfill	1.00
13	Proposed Expansion	1.00
14	Proposed Expansion	1.00
15	Proposed Expansion	1.00
16	Proposed Expansion	1.00
17	Proposed Expansion	1.00
18	Proposed Expansion	1.00
19	Proposed Expansion	1.00
20	Proposed Expansion	1.00
21	Proposed Expansion	1.00
22	Proposed Expansion	1.00

The estimated area of each construction phase is based upon preliminary fill volume calculations for each cell. An average fill rate of 1.76 cubic feet per square foot per year was used for the calculations. The actual fill rate may vary.

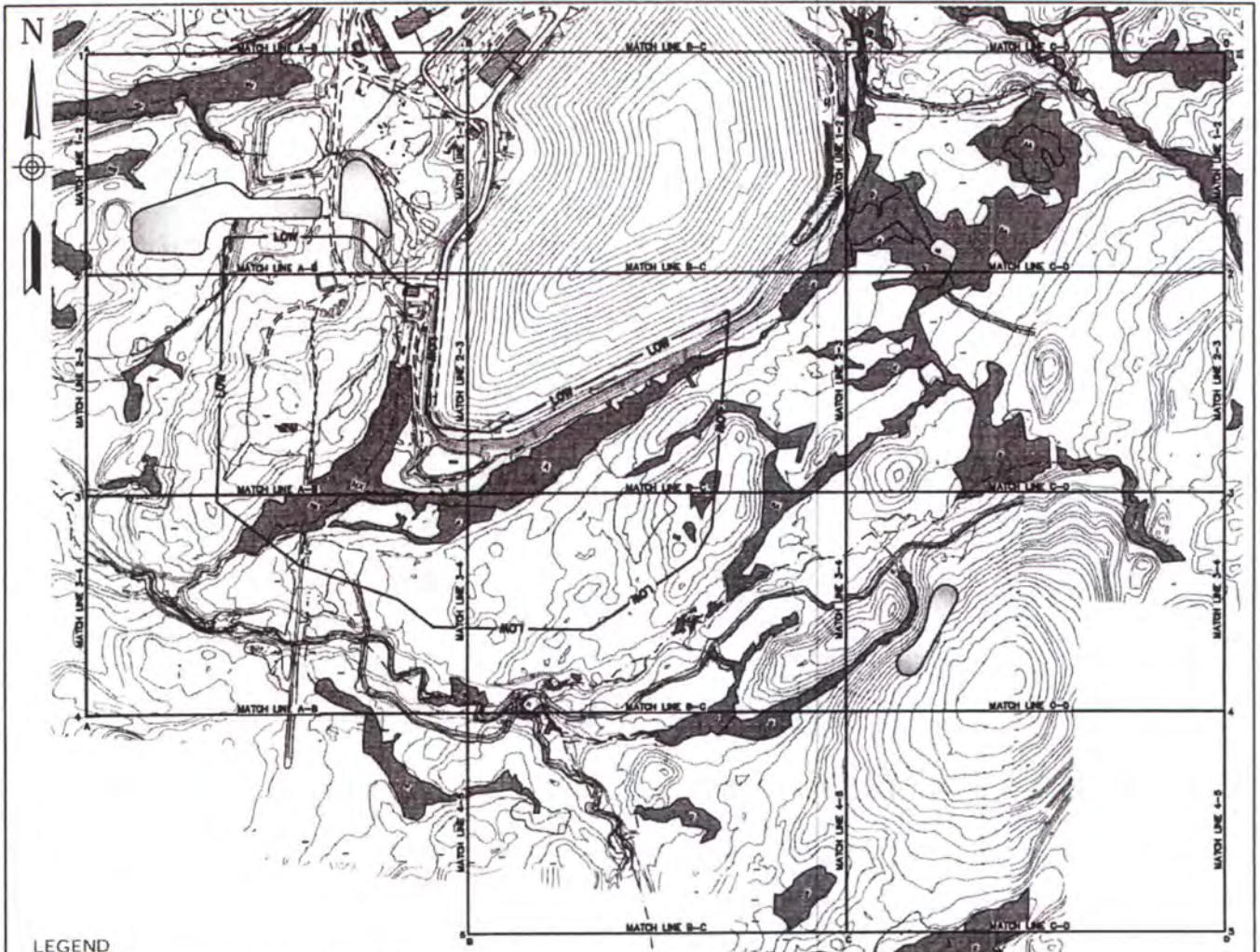
Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 4 of 15



Table 6 – Estimated Timeline of Aquatic Resource Impacts				
Phase	Impact Area/ Cell Number	Estimated Construction Start Date	Wetland Impacts (acre)	Stream Impacts (linear feet)
1	12, 13, Haul Road, Stormwater Area, Perimeter Road	2020	0.66	216.75
2	14	2026	0.22	94.66
3	15	2029	0.60	161.84
4	16	2032	3.62	1088.86
5	17	2037	0.75	195.33
6	18	2041	1.47	0.00
7	19	2046	1.55	0.00
8	20	2050	1.35	63.91
9	21	2056	0.79	165.37
10	22	2062	1.25	156.28



Plotted: Feb 07, 2013 - 4:33PM
 I:\Shared\300\394041\US ARMY CORPS FIGS 2012\394041_SOUTH_EXP_FIG1_EXPAN_COMPARISON_USAC.dwg
 SYR By: J95



LEGEND

	PROPERTY LINE		PROPOSED RIPRAP LINED DOWNCHUTE
	EXISTING CONTOURS (OR PROPOSED FINAL CONTOURS FOR EXISTING OPERATIONAL LANDFILL)		PROPOSED RIPRAP LINED SWALE
	EXISTING UNPAVED ROAD		PROPOSED GRASS LINED SWALE
	EXISTING PAVED ROAD		PROPOSED SOUTHERN EXPANSION FINAL CONTOUR
	EXISTING WATERCOURSE		SOIL BORROW ARE 3 CONTOUR
	EXISTING STRUCTURE		PROPOSED STORMWATER MANAGEMENT AREA
	EXISTING WETLANDS		PROPOSED LIMITS OF PHASE 1 AREA
	PROPOSED SOUTHERN EXPANSION LIMITS OF WASTE		CLEAR SPAN BAILY BRIDGE TYPE STRUCTURE 24' WIDTH-LOAD RATED FOR OFF-ROAD ARTICULATED HAULING EQUIPMENT
	PROPOSED SOUTHERN EXPANSION LIMITS OF DISTURBANCE		
	PROPOSED SOUTHERN EXPANSION PERIMETER ROAD		

Barton & Loguidice, P.C.

Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 6 of 15



Figure Number
 0

Project Number
 394.041

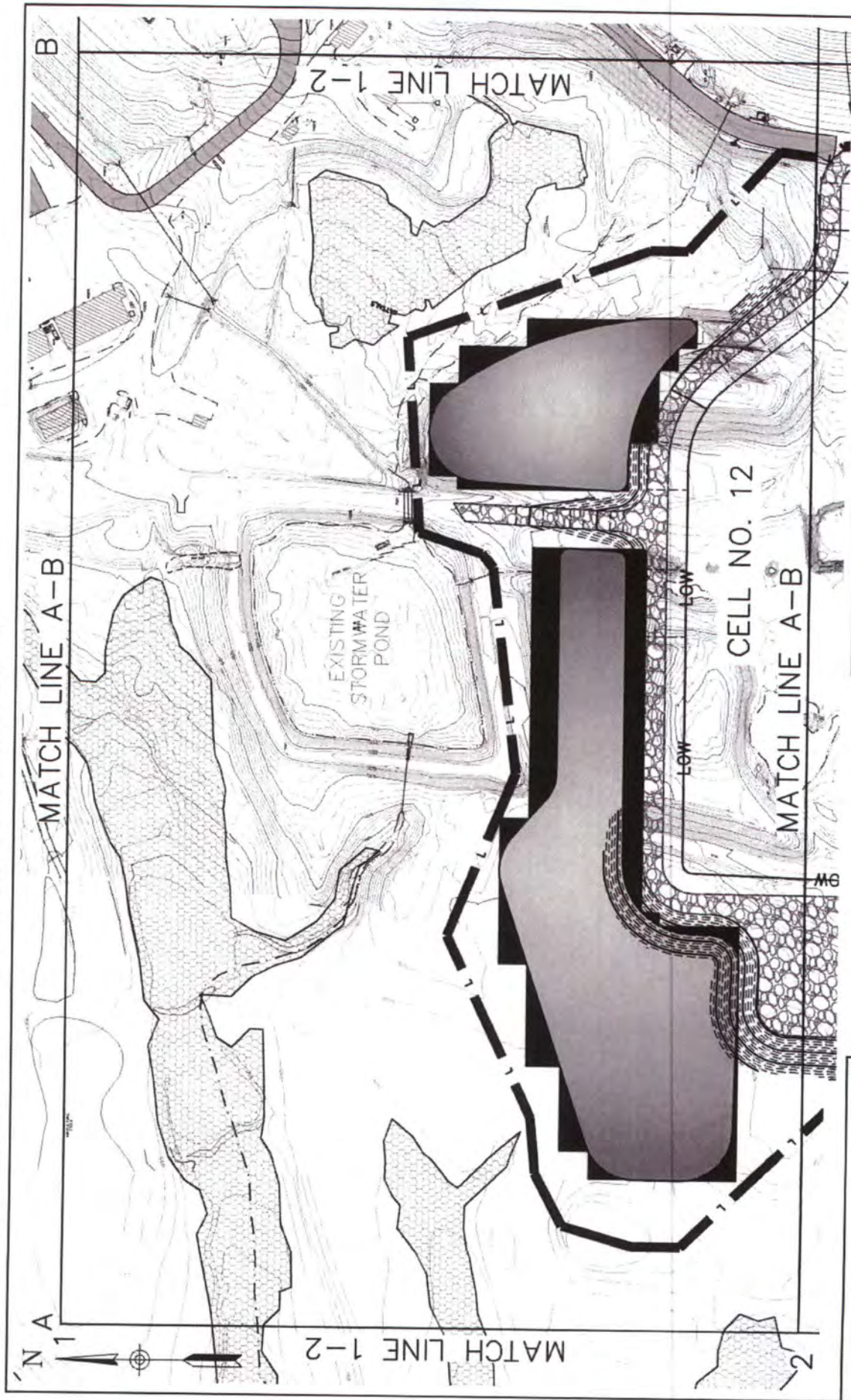
COVER SHEET
 AND LEGEND

Date
 MAY, 2012

Scale
 AS SHOWN

TOWN OF RODMAN

JEFFERSON COUNTY, NEW YORK



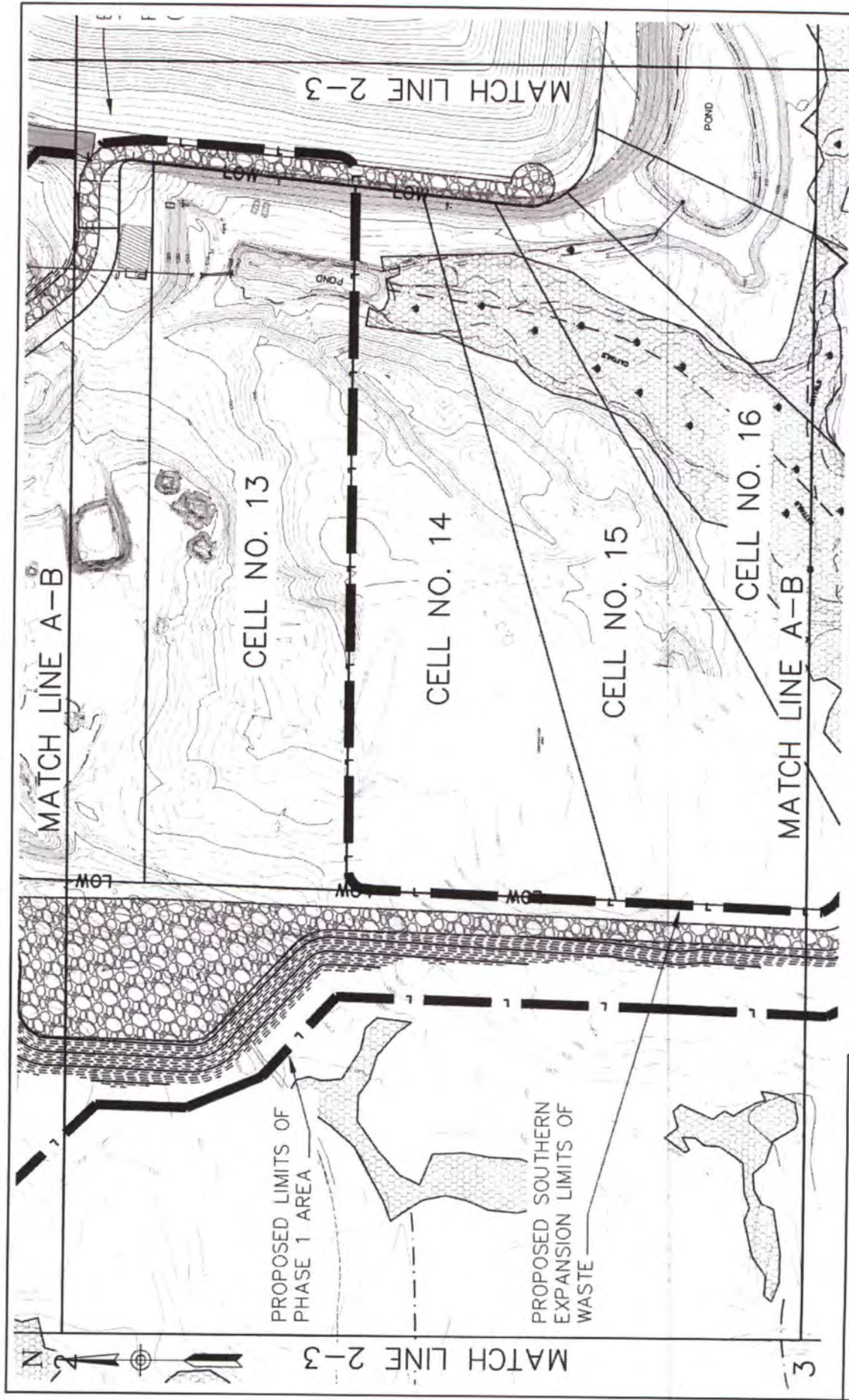
Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 7 of 15

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
 PROPOSED LANDFILL EXPANSION
 USACE RAI AND PUBLIC COMMENT RESPONSE
 PROPOSED SOUTHERN EXPANSION
 CONSTRUCTION SEQUENCE

Figure Number
 4.1

Project Number
 394.041

TOWN OF RODMAN
 JEFFERSON COUNTY, NEW YORK



DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY PROPOSED LANDFILL EXPANSION USACE RAI AND PUBLIC COMMENT RESPONSE PROPOSED SOUTHERN EXPANSION CONSTRUCTION SEQUENCE	Figure Number 4.2
TOWN OF RODMAN JEFFERSON COUNTY, NEW YORK	Project Number 394.041

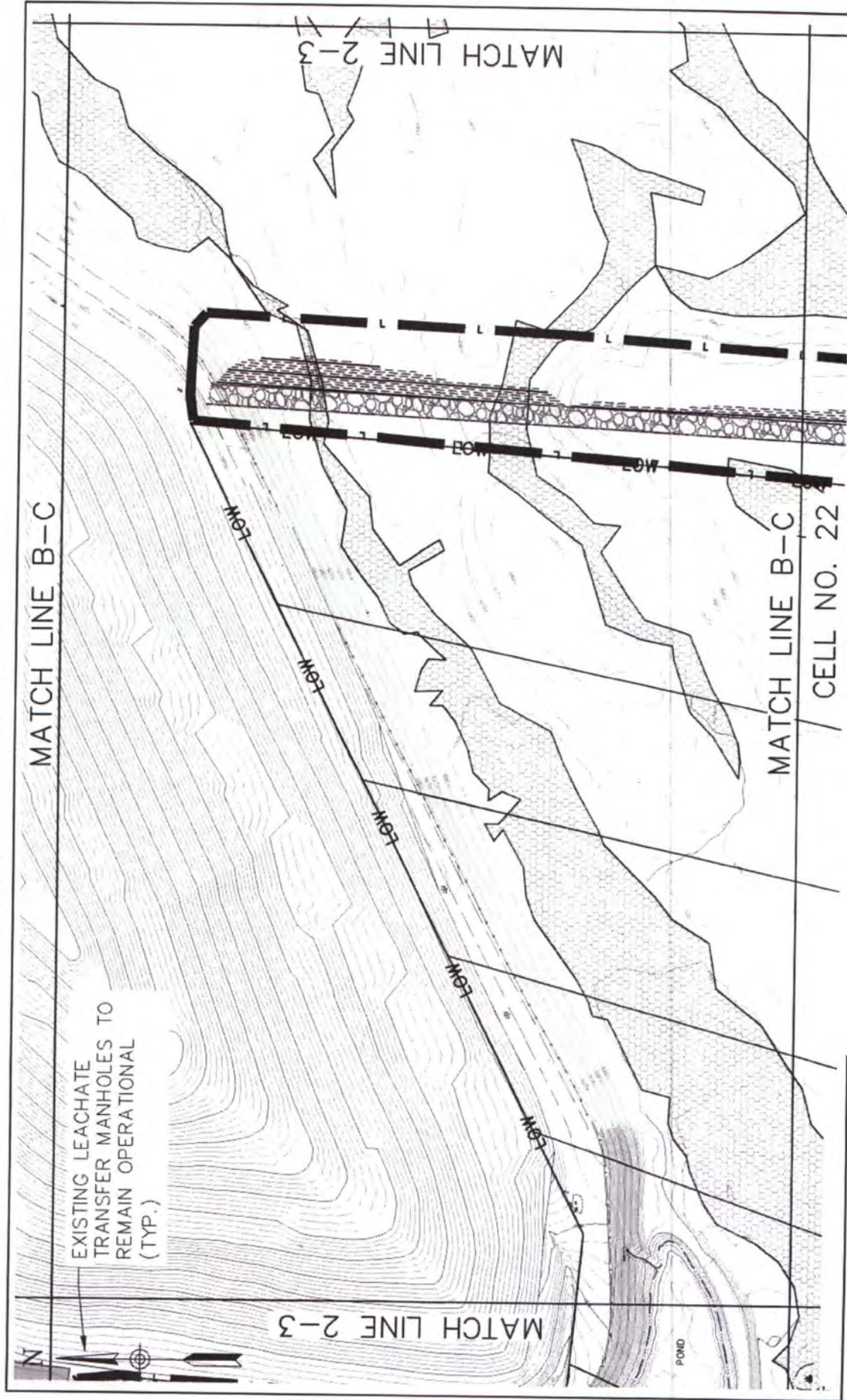
Development Authority of the North Country

Rodman Landfill

D/A Processing No. 1989-98111

Jefferson County, New York

Sheet 8 of 15

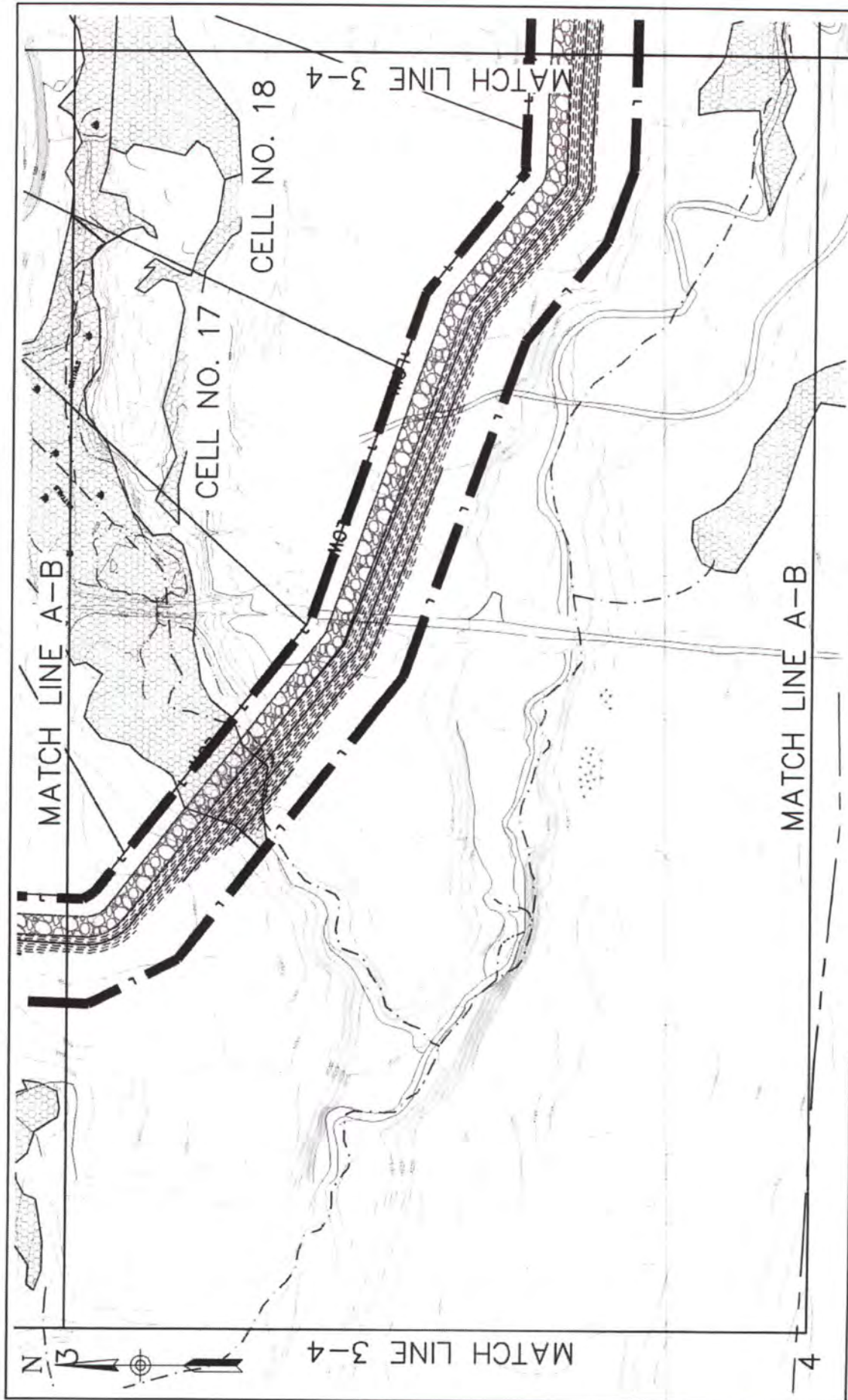


DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY PROPOSED LANDFILL EXPANSION USACE RAI AND PUBLIC COMMENT RESPONSE	Figure Number 4.3
PROPOSED SOUTHERN EXPANSION CONSTRUCTION SEQUENCE	Project Number 394,041
TOWN OF RODMAN JEFFERSON COUNTY, NEW YORK	

Development Authority of the North Country
 Rodman Landfill

D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 9 of 15





DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY PROPOSED LANDFILL EXPANSION USACE RAI AND PUBLIC COMMENT RESPONSE	Figure Number 4.4
PROPOSED SOUTHERN EXPANSION CONSTRUCTION SEQUENCE	Project Number 394.041
TOWN OF RODMAN JEFFERSON COUNTY, NEW YORK	

Development Authority of the North Country

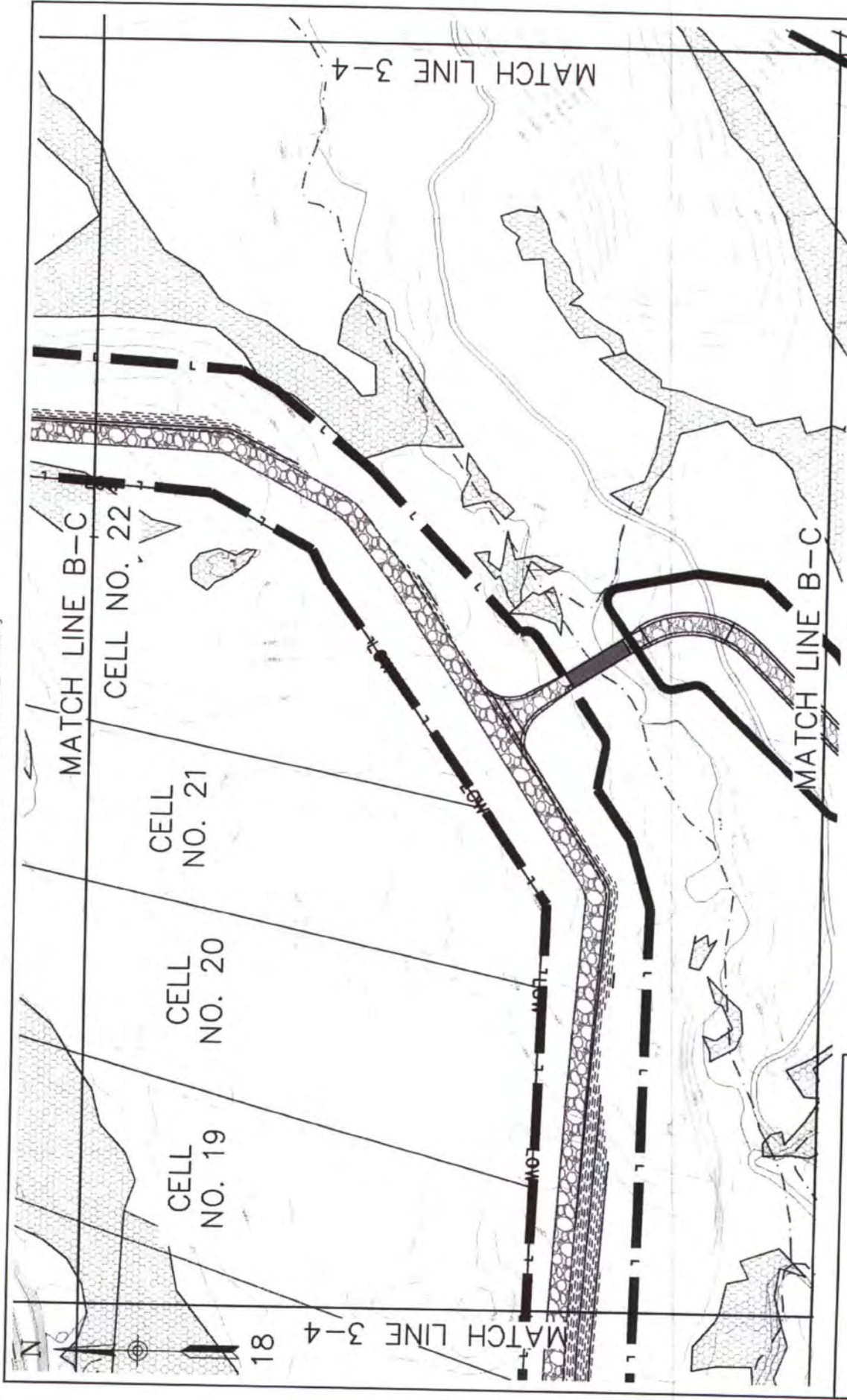
Rodman Landfill

D/A Processing No 1989-98111

Jefferson County, New York

Sheet 10 of 15



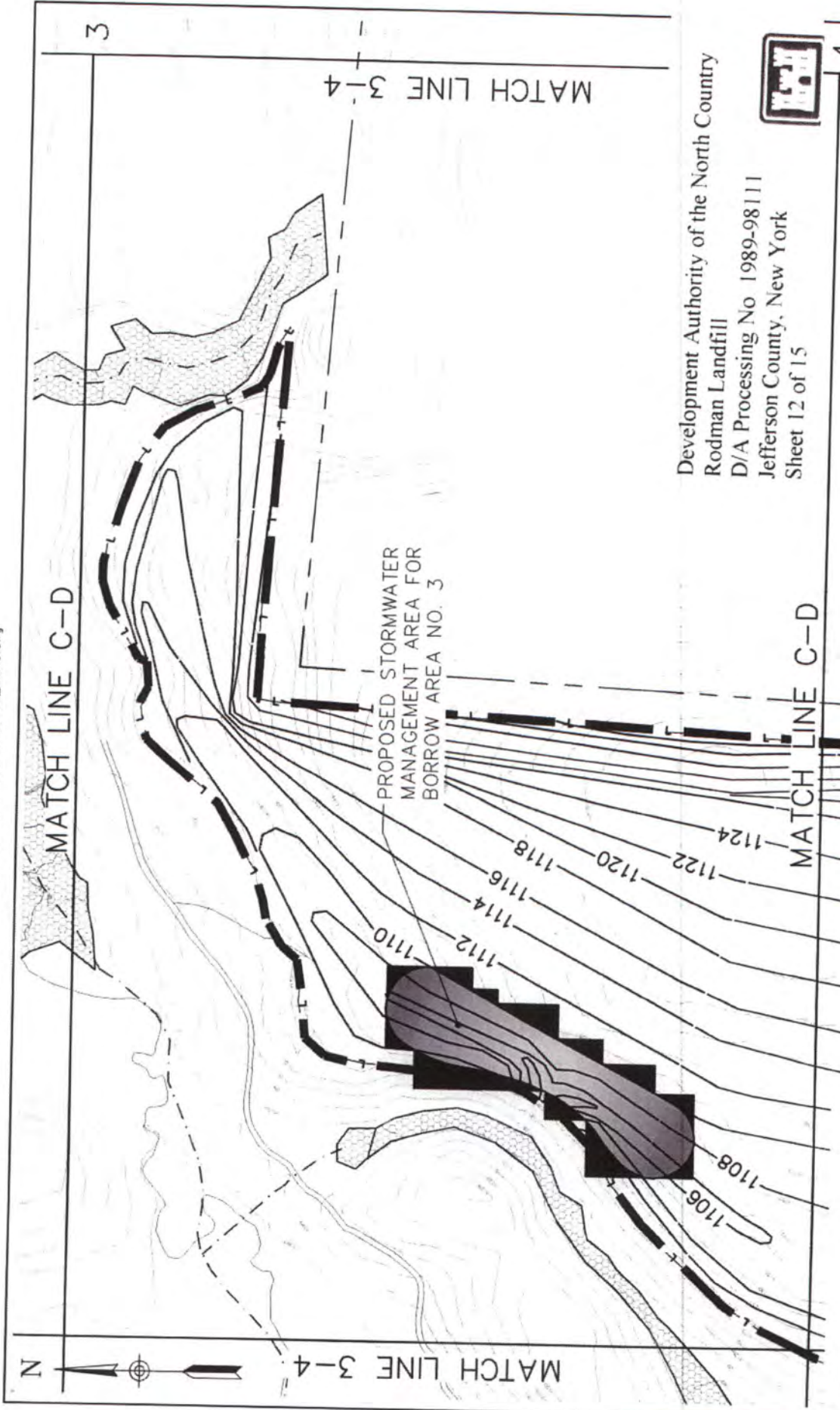


Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 11 of 15

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
 PROPOSED LANDFILL EXPANSION
 USACE RAI AND PUBLIC COMMENT RESPONSE
 PROPOSED SOUTHERN EXPANSION
 CONSTRUCTION SEQUENCE

Figure Number
 4.5
 Project Number
 394.041

TOWN OF RODMAN
 JEFFERSON COUNTY, NEW YORK



Development Authority of the North Country
 Rodman Landfill
 D/A Processing No 1989-98111
 Jefferson County, New York
 Sheet 12 of 15

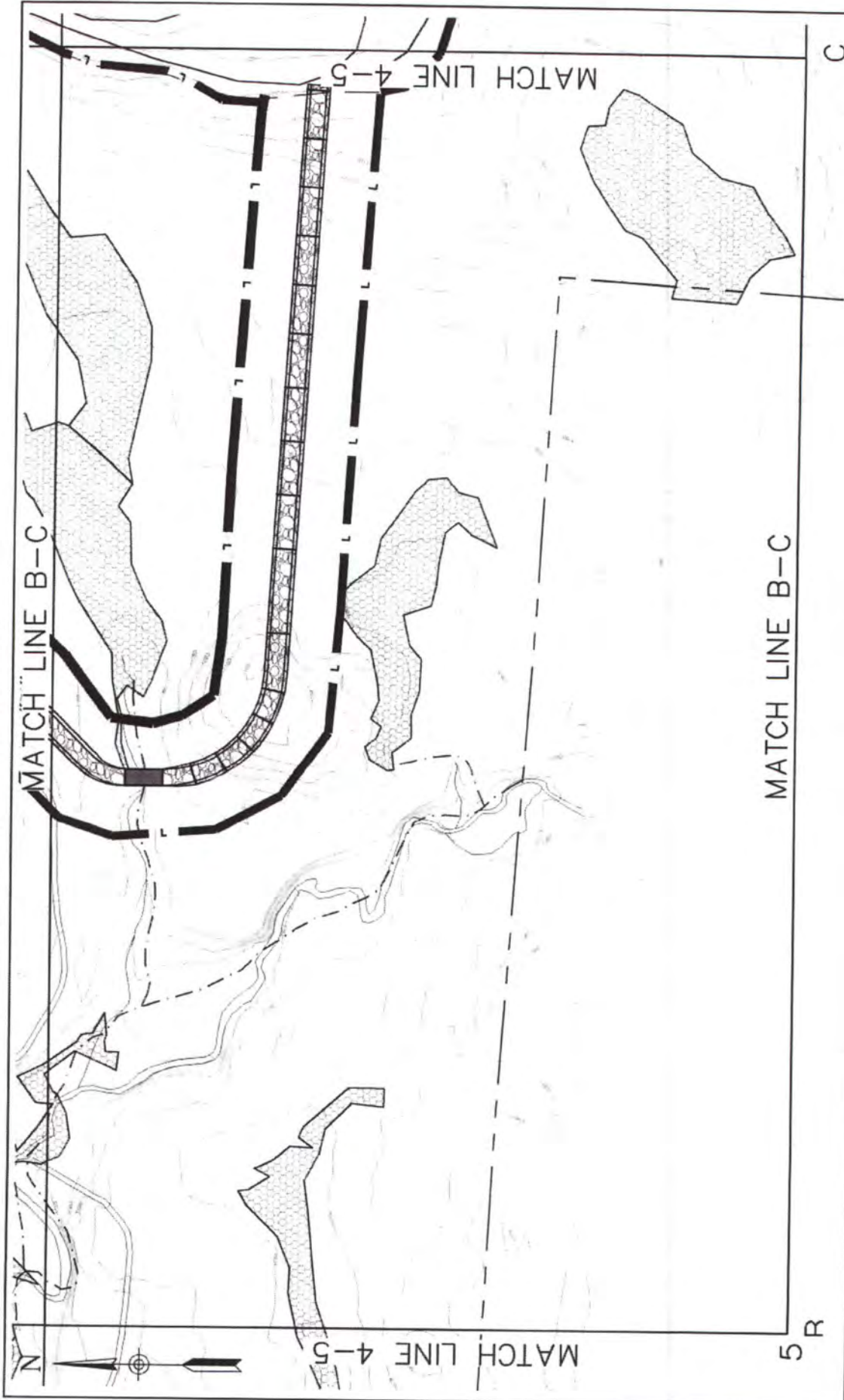


4

Barton B&L oguidice, P.C.	Date
	MAY, 2012
Scale	AS SHOWN

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY PROPOSED LANDFILL EXPANSION USACE RAI AND PUBLIC COMMENT RESPONSE PROPOSED SOUTHERN EXPANSION CONSTRUCTION SEQUENCE TOWN OF RODMAN JEFFERSON COUNTY, NEW YORK	Figure Number
	4.6
Project Number	394.041

Plot: 07, 2012 - 11:48AM SYR By: mj
 I:\Shore\300\394041\US ARMY CORPS FIGS 2012\394041_SOUTH_EXP_FIG4_CONSTRUCTION_SCHEDULE_USAC.dwg



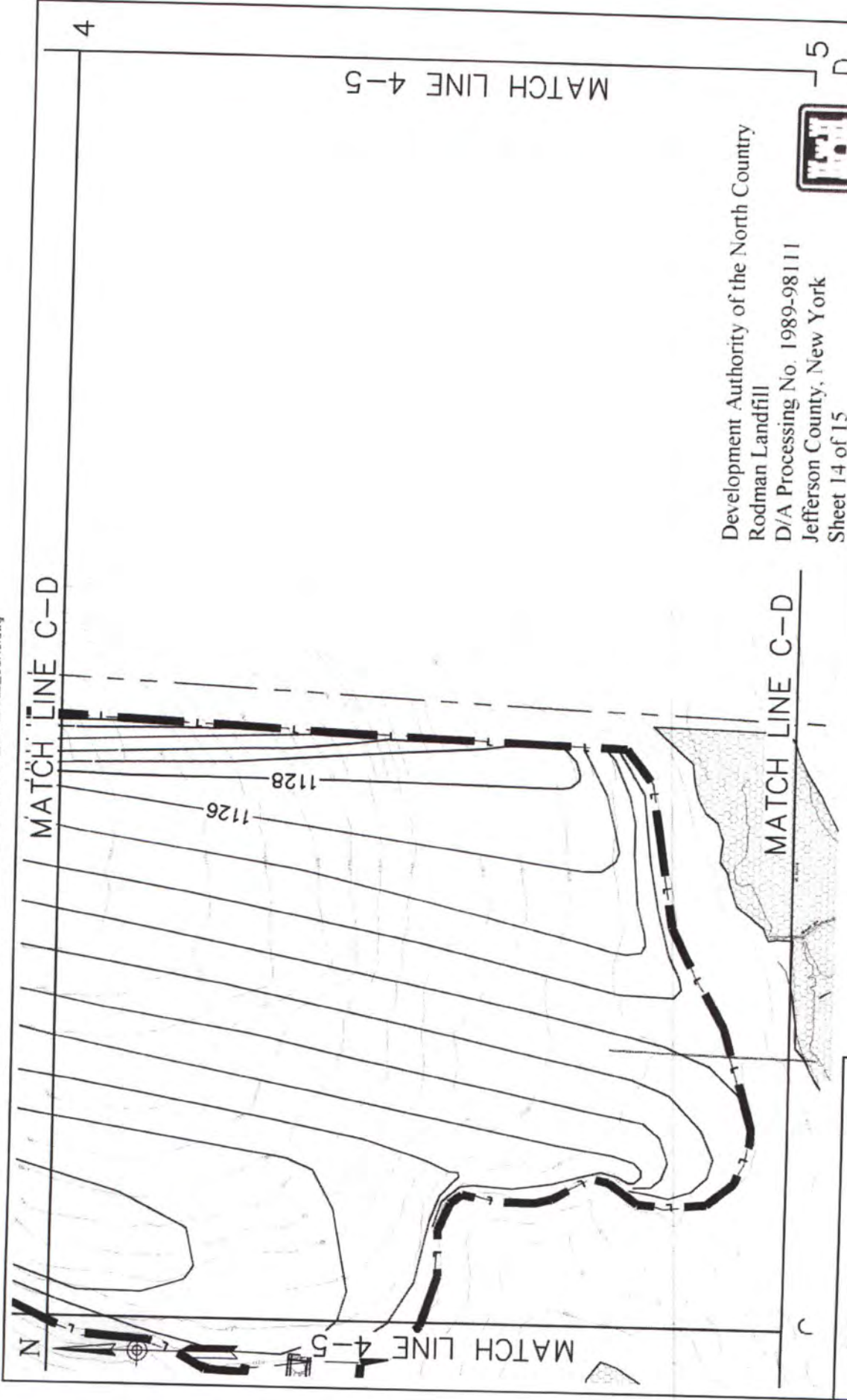
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY PROPOSED LANDFILL EXPANSION USACE RAI AND PUBLIC COMMENT RESPONSE PROPOSED SOUTHERN EXPANSION CONSTRUCTION SEQUENCE		Figure Number 4.7
TOWN OF RODMAN JEFFERSON COUNTY, NEW YORK		Project Number 394.041

Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 13 of 15



0 200'
 1" = 200'

Plot: 07, 2012 - 11:50AM SyR By: m.j
 I:\Share\300\394041\US ARMY CORPS FIGS 2012\394041_SOUTH_EXP_FIG4_CONSTRUCTION_SCHEDULE_USAC.dwg



Development Authority of the North Country
 Rodman Landfill
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 14 of 15

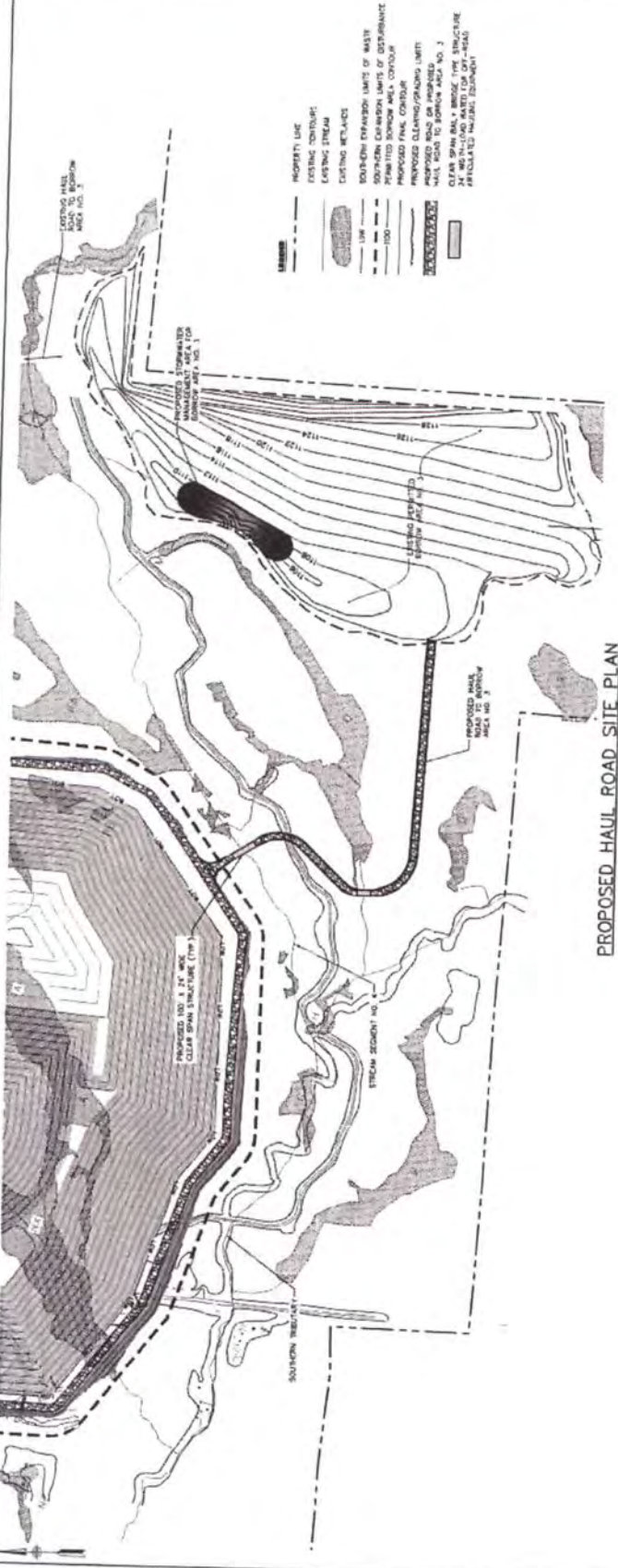
Barton
BL
 oguidice, P.C.

Date	Scale
MAY, 2012	AS SHOWN

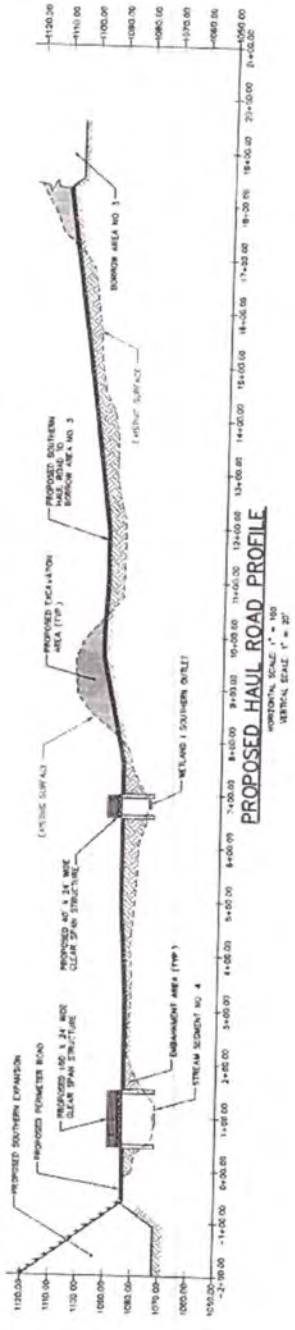
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
 PROPOSED LANDFILL EXPANSION
 USACE RAI AND PUBLIC COMMENT RESPONSE
**PROPOSED SOUTHERN EXPANSION
 CONSTRUCTION SEQUENCE**
 TOWN OF RODMAN
 JEFFERSON COUNTY, NEW YORK

Figure Number	4.8
Project Number	394.041

Development Authority of the North Country
 D/A Processing No. 1989-98111
 Jefferson County, New York
 Sheet 15 of 15



PROPOSED HAUL ROAD SITE PLAN
 SCALE: 1" = 300'



PROPOSED HAUL ROAD PROFILE
 HORIZONTAL SCALE: 1" = 100'
 VERTICAL SCALE: 1" = 30'

Attachment A

NYSDOS Concurrence on Mitigation Site



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
ACTING SECRETARY OF STATE

November 18, 2011

Mr. James W. Wright, Executive Director
Development Authority of the North Country
317 Washington Street, Suite 406
Watertown, New York 13601

Auburn Field Office
Received

NOV 27 2011

Re: F-2011-0713

USACE

U.S. Army Corps of Engineers/ Buffalo District Permit Application; a) Proposed southern expansion of existing landfill facility and associated wetland and streambank mitigations; Town of Rodman, Jefferson County, NY; b) Proposed off-site wetland restoration and streambank enhancements; Skinner Road, Ellisburg, Jefferson County, NY.

General Concurrence

Dear Mr. Wright:

The Department of State received your new Federal Consistency Assessment Form along with your consistency certification and supporting information for this proposal on October 31, 2011 for work to be undertaken within the State's coastal area as "off-site mitigation" in association with the Proposed Southern Expansion of the existing Development Authority landfill located within the Town of Rodman. This notification applies only to the submitted activities comprising "off-site mitigation" within the Lakeview Marsh Wildlife Management Area in the Town of Ellisburg along Skinner Road.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State and the Department's concurrence with an individual consistency certification for the proposed activity are not required.

This General Concurrence is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, other forms of authorization or approval that may be required pursuant to existing State statutes.

When communicating with us regarding this matter, please contact Terra Sturn at (518) 474-1757 (e-mail: tsturn@dos.state.ny.us) and refer to our file # F-2011-0713.

Sincerely,

Jeffrey Zappieri
Supervisor, Consistency Review Unit
Division of Coastal Resources

c: COE/Buffalo District - Maggie Crawford
NYSDEC - Region 6 - Lawrence Ambeau
Barton & Loguidice - Johanna Duffy

Attachment B

NYSDEC Water Quality Certification

(Dated January 3, 2017)



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

DEVELOPMENT AUTHORITY OF THE
NORTH COUNTRY
DULLES STATE OFFICE BLDG
317 WASHINGTON ST
WATERTOWN, NY 13601-3744
(315) 785-2593

Facility:

SOLID WASTE MANAGEMENT FACILITY

23400 ST RTE 177
RODMAN, NY 13682

Environmental Contact:

JAMES W WRIGHT
DEVELOPMENT AUTHORITY OF THE
NORTH COUNTRY
317 WASHINGTON ST
WATERTOWN, NY 13601
(315) 785-2593

Facility Location: in RODMAN in JEFFERSON COUNTY

Facility Principal Reference Point: NYTM-E: 426.124 NYTM-N: 4852.073
Latitude: 43°49'04.9" Longitude: 75°55'07.1"

Authorized Activity: This 401 Water Quality Certification authorizes discharges to federally protected streams and wetlands due to the proposed Rodman Solid Waste Management Facility expansion in Rodman, NY and the associated wetland and stream mitigation projects on site and on Lakeview Wildlife Management Area lands in Ellisburg, NY. This Article 24 Freshwater Wetland Permit authorizes disturbance to the NYS Regulated Wetland E-1 and the protected 100' adjacent area surrounding it due to mitigation activities associated with the off-site mitigation for the solid waste facility expansion.

Permit Authorizations

Freshwater Wetlands - Under Article 24

Permit ID 6-2252-00007/00020

Renewal

Effective Date: 1/3/2017

Expiration Date: 1/2/2027

Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 6-2252-00007/00021

Renewal

Effective Date: 1/3/2017

Expiration Date: No Exp. Date



NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JESSICA J HART, Deputy Permit Administrator
Address: NYSDEC Region 6 Headquarters
State Office Building - 317 Washington St
Watertown, NY 13601

Authorized Signature: _____

Jessica Hart

Date 1 / 3 / 17

Distribution List

JAMES W WRIGHT
Law Enforcement
Maggie Crawford, USACE
Sheila Hess, CC Environment and Planning
Judy Drabicki, NYSDEC
Gregg Townsend, NYSDEC
Kate Smith, NYSDEC
Fred Munk, NYSDEC
Irene Mazzocchi, NYSDEC
Chris Balk, NYSDEC
Bob Jacobs, NYSDEC
Jennifer Lauzon, NYSDEC
Dave Smith, NYSDEC
Mike Contino, NYSDEC
Randy Young, NYSDEC

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS
WATER QUALITY CERTIFICATION SPECIFIC CONDITION
GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS
NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS



Permit Attachments

Permit Sign
Notice of Intent to Commence Work

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS; WATER QUALITY CERTIFICATION

1. **Work Prohibition Period** Construction activities in the Sandy Creek are prohibited during the period from September 15th through June 1st.
2. **Tree Clearing Restriction** No trees shall be cut between April 1st and October 31st.
3. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
4. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the Development Authority of the North Country, Barton and Loguidice PC, and Ducks Unlimited.
5. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
6. **Temporary Revocable Permit** Before any work on state land can occur, the applicant must obtain coverage under a Temporary Revocable Permit from the NYSDEC.
7. **Water Clarity** Stream reaches downstream of construction areas shall always remain as clear (non-turbid) as the reaches upstream of the construction areas.
8. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
9. **Human or Archaeological Remains** If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC Region 6 Headquarters
State Office Building - 317 Washington St
Watertown, NY 13601

Work shall not resume until written permission to do so has been received from the Department.



10. Materials Disposed at Upland Site Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of on an approved upland site more than 100 feet from any regulated freshwater wetland. These materials shall be suitably stabilized so as not to re-enter any water body, wetland, or wetland adjacent area.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.



3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 6 Headquarters
State Office Building - 317 Washington St
Watertown, NY13601

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Attachment C

Wetland Mitigation Plan entitled 'Proposed Landfill Expansion,
Final Aquatic Resource Mitigation Strategy'

Dated May 2012, Revised October 2012



Proposed Landfill Expansion Final Aquatic Resource Mitigation Strategy

Prepared by:

Development Authority of the North Country
Dulles State Office Building
317 Washington Street
Watertown, New York 13601

In association with:

Barton & Loguidice, P.C., 290 Elwood Davis Road, Syracuse, New York 13220
Conservation Connects, LLC, P.O. Box 358, Alexander, New York 14005
Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York 13202

**May 2012
Revised October 2012**

Table of Contents

<u>Title</u>	<u>Page</u>
1.0 Introduction.....	1
2.0 Mitigation Goals and Objectives.....	2
3.0 Site Selection.....	4
4.0 Baseline Information	5
4.1 Expansion Area.....	5
4.2 On-Site Mitigation Area.....	7
4.3 Off-Site Mitigation Area.....	7
5.0 Work Plan	8
5.1 On-Site Work Plan.....	8
5.1.1 Planting Plan	8
5.2 Off-Site Work Plan.....	10
5.2.1 Planting Plan	11
6.0 Site Protection.....	18
6.1 On-Site Mitigation Area.....	18
6.2 Off-Site Mitigation Area.....	18
7.0 Performance Standards	19
7.1 On-Site Mitigation	19
7.2 Off-Site Mitigation	19
8.0 Monitoring Requirements.....	21
8.1 On-Site Mitigation	21
8.2 Off-Site Mitigation	22
9.0 Maintenance, Adaptive and Long-Term Management	24
10.0 Financial Assurances	25
11.0 References	27

Table of Contents – Continued

<u>Tables</u>	<u>Page</u>
Table 1. Summary of On- and Off-site Mitigation	3
Table 2. Summary of Proposed Aquatic Resource Impacts.....	6
Table 3. On-site Riparian Shrub Buffer	9
Table 4. On-site Riparian Tree Buffer	9
Table 5. Palustrine Emergent Marsh Cover Mix	12
Table 6. Palustrine Scrub-shrub Cover Mix	13
Table 7. Wet Meadow Cover Mix	14
Table 8. Palustrine Forested Cover Mix	15
Table 9. Upland Buffer Cover Mix.....	16
Table 10. Stream Buffer Riparian Area Cover Mix.....	17
Table 11. Board Designated Reserve Fund Details.....	26

Figures

- Figure 1. Proposed Southern Expansion
Figure 2. On-site Wetland and Stream Mitigation
Figure 3. Off-site Mitigation Plan

Appendices

- Appendix A Stream Mitigation Worksheets
Appendix B On-Site Mitigation Planting Plan
Appendix C Off-Site Mitigation Plan Set and Planting Plan
Appendix D Declaration of Conservation Covenants and Restrictions
Appendix E Adopt a Natural Resource Management Agreement

1.0 Introduction

The Development Authority of the North Country (the Authority) has developed the following Final Aquatic Resource Mitigation Strategy to compensate for proposed impacts to aquatic resources associated with the Proposed Southern Expansion of the existing landfill at the Authority's Solid Waste Management Facility (SWMF) in the Town of Rodman, Jefferson County, NY (Figure 1). This document describes the components of the Authority's Final Aquatic Resource Mitigation Strategy to facilitate regulatory review of the Joint Permit Application (JPA) No. 1989-98111 and may serve as an attachment to the final permit once a permit decision is reached. The original mitigation strategy and associated details may be found in the JPA submitted March 18, 2011.

The Authority has revised the footprint of the 2011 Southern Expansion. These revisions were made after careful consideration of agency and public comments on the JPA and revised solid waste projections based on the Authority's most current information and solid waste management practices. The primary objective of these revisions is to minimize or eliminate impacts to aquatic resources including Stream Segment 4 and potential indirect impacts to the Southern Tributary. This document details changes to the original mitigation strategy based on revisions made to the 2011 Southern Expansion and includes additional information and updates in response to requests for additional information (RAI) from the U.S. Army Corps of Engineers (USACE), as discussed in a letter from the USACE to the Authority dated February 1, 2012 and subsequent emails from the USACE dated June 25, 2012 and June 26, 2012.

2.0 Mitigation Goals and Objectives

The principal goal of the mitigation strategy is to compensate for impacts to 12.26 acres of wetlands and approximately 2,413 feet of first order stream due to the proposed landfill expansion (Figure 1). The proposed mitigation objectives will replace functions and services of impacted wetlands and focus on high priority functions in the surrounding watershed. These functions include flood flow attenuation and storage, sediment retention, food chain support, breeding and migration habitat for migratory birds, breeding and over-wintering habitat for amphibians, increased nutrient cycling, increased connectivity of habitat types, and water quality improvements for surface outflow to Sandy Creek.

Wetland mitigation objectives will replace wetland functions and values impacted by the Proposed Southern Expansion by restoring wetlands of similar type in the same watershed at a 2.3:1 replacement ratio and by preserving wetlands of similar type and equal or greater value on-site at an 8.7:1 ratio. The proposed stream mitigation strategy will compensate for impacted stream functions by preserving high quality streams of greater value on-site at a preservation ratio of 21.3:1 and by enhancing segments of these preserved streams. Enhancement of additional stream habitat off-site, in the same watershed, at a combined stream enhancement ratio of 4.1:1, is also a component of the stream mitigation plan.

To accomplish the proposed wetland mitigation objectives, approximately 107 acres of wetlands will be protected in perpetuity on the SWMF (Figure 2, Table 1) and 28.6 acres of wetlands will be restored off-site along Sandy Creek, including 7.9 acres of palustrine forested (PFO) wetland, 7.0 acres of palustrine scrub-shrub (PSS) wetland, 6.1 acres of palustrine emergent marsh (PEM), and 7.6 acres of PEM-wet meadow/transitional wetland (Figure 3, Table 1).

To accomplish the proposed stream mitigation objectives, approximately 45,651 linear feet of streams will be preserved on-site. The off-site mitigation project along Sandy Creek will contribute to the stream mitigation objectives by restoring approximately 650 feet of stream bank and stream channel (Figure 3, Table 1). A total of 328 acres of associated uplands surrounding protected wetlands and streams will also be preserved on site (Figure 2, Table 1). Preservation of these adjacent buffers will enhance and strengthen the functions and values of these on-site resources.

In addition to the wetland and stream preservation and restoration actions outlined above, approximately 8,102 linear feet of existing on-site streams will be enhanced through tree and shrub plantings within their 100-foot stream buffer areas, as needed (Figure 2, Table 1). The areas of stream targeted for enhancements have been impacted by

agricultural activities or other human activity primarily involving the clearing of stream bank vegetation. The proposed stream enhancement aims to reforest and connect these stream bank areas to create a mature, intact, riparian corridor that provides important functions to headwater stream ecosystems. The protection of streams and stream buffers will augment on-site wetland preservation, also proposed as part of this mitigation strategy, and will contribute toward providing greater ecological connectivity with State and County preservation areas located immediately adjacent to the SWMF property.

Table 1 – Summary of On and Off-site Mitigation	
On-site Actions	
Wetland preservation	107 acres
Stream preservation	45,651 linear feet
Wetland and stream buffer preservation (100 feet around streams and wetlands)	328 acres
Stream buffer enhancement (100 feet on both sides of selected stream segments will be enhanced – linear footage also included in stream preservation above)	8,102 linear feet
Off-site Actions	
Wetland restoration	28.6 acres
Stream bank restoration	650 linear feet

As requested by USACE, stream impacts and stream mitigation goals were evaluated to determine compatibility with USACE Savannah District 2004 Guidance for Stream Mitigation. The Savannah guidance is based on a credit system, whereby evaluation of the degree of impact and existing quality of the stream system being impacted are used to calculate a corresponding number of “mitigation credits required” to offset impacts. In turn, the type of and extent of proposed mitigation is evaluated to develop a corresponding number of “mitigation credits generated.” Using the Savannah stream mitigation worksheets, total stream mitigation credits required are approximately 13,501. Total stream mitigation credits generated by the proposed mitigation strategy are approximately 28,648 (Appendix A).

3.0 Site Selection

A thorough review of potential mitigation sites was conducted over several years to identify the locations with the highest likelihood of success in compensating for impacts to aquatic resources within the Salmon-Sandy Creek Watershed. The original JPA submission provides a detailed account of the sites that were reviewed and the site selection process. The primary criteria used to evaluate potential mitigation sites include:

- Location, size and quality of existing habitat;
- Quality of mitigation options and likelihood of success based on both ecological and economic factors;
- Land ownership and availability;
- Adjacent land use;
- Value to existing conservation plans, projects and watershed priorities;
- Connectivity of habitat types;
- Possible benefits to threatened and endangered species; and
- Stewardship capabilities and public use opportunity and benefits.

4.0 Baseline Information

4.1 Expansion Area

The proposed landfill expansion project is on a 1,536-acre property owned by the Authority in the south-central portion of the Town of Rodman, Jefferson County, New York (Figure 1). The currently permitted landfill footprint is approximately 78 acres in size and is south of NYS Route 177 near its intersection with County Route (CR) 95 and Lowe Road (also known as Tremaines Corners). The disturbance area for the Proposed Southern Expansion is approximately 110 acres in size and is located to the south and west of the existing landfill (Figure 1).

Descriptions of the land use, soils, topography, and watershed characteristics for the Authority's SWMF and surrounding property, including the area of the Proposed Southern Expansion, were provided in the 2011 JPA. The 110-acre Proposed Southern Expansion area includes 33.55 acres of operational and disturbed Borrow Area No.1 and several upland and wetland vegetative covertypes including approximately 64.54 acres of upland vegetative communities (predominately forest communities) and 12.26 acres of wetland communities. There are approximately 2,143 linear feet of stream resources mapped within the Proposed Southern Expansion (Figure 1). The delineated wetlands located within the Proposed Southern Expansion consist of the following classes, as denoted in the March 2011 Wetland Delineation Report: Class B (wetlands B, C, and BB) and Class C (wetlands NX, A, and D5). Aside from the revised footprint, the currently permitted 33.20-acre Borrow Area No. 3 and 3.10-acre proposed haul road are also included as part of this project, though both of these elements are located outside and southeast of the Proposed Southern Expansion area. Activities associated with the borrow area and haul road do not include additional impacts to aquatic resources.

The Proposed Southern Expansion significantly reduces potential impacts to aquatic resources, as compared to the 2011 Southern Expansion. The Proposed Southern Expansion will impact approximately 12.26 acres of federally jurisdictional wetlands and 2,143 linear feet of unmapped stream. Potential wetland impacts consist of: 0.79 acres of PFO (deciduous) wetland, 4.96 acres of PSS wetland, 4.80 acres of PEM marsh/wet meadow wetland, and 1.71 acres of PEM marsh/submerged beaver complex wetland (Table 2).

Table 2 – Summary of Proposed Aquatic Resource Impacts		
	2011 Southern Expansion	Proposed Southern Expansion
Wetland Communities		
Palustrine Forested – Deciduous (PFO)	1.70 acres	0.79 acres
Palustrine Emergent/Wet Meadow (PEM)	8.66 acres	4.80 acres
Palustrine Emergent/Submerged Beaver Complex (PEM)	0.02 acres	1.71 acres
Palustrine Scrub-Shrub (PSS)	3.13 acres	4.96 acres
Wetland Communities Total	13.50 acres	12.26 acres
Stream – Mapped type		
NYSDEC Perennial Mapped Water	2,425 linear feet	0
NYSDEC Intermittent Mapped Water	0	0
Other Intermittent Water of U.S.	1,184 linear feet	2,143 linear feet

Stream Segments 2 and 3, which total approximately 386 linear feet of potentially impacted stream resources within the Proposed Southern Expansion, consist of small ephemeral drainages which convey overflow from wetlands to receiving areas in the spring, during snowmelt and spring rains. Stream Segment 11 represents a New York State Department of Environmental Conservation (NYSDEC) unmapped stream and side tributary that originate in wetlands NX and A, respectively. This stream segment continues southwest through the remainder of wetland NX and discharges into the Southern Tributary outside of the Proposed Southern Expansion limits. Approximately 234 linear feet of Stream Segment 11 are located outside of the Proposed Southern Expansion area. Proposed impacts to Stream Segment 11 include the removal of the majority of the stream's original drainage area (wetlands NX and A). However, this remaining stream portion will receive stormwater runoff from the adjacent landfill expansion embankment that will be constructed at the southwest terminus of wetland NX (Figure 1).

A watershed assessment was conducted to evaluate potential impacts at a landscape scale and to inform a mitigation strategy (2011 JPA). From a watershed perspective, preservation of existing, high quality resources that secure connectivity between existing habitat and preservation areas is most important in the upper reaches of the watershed where the SWMF is located. Restoration of forest blocks, wetlands, and stream buffers is a priority in the lower reaches of the watershed toward Lake Ontario. The proposed mitigation strategy, which includes on- and off-site mitigation, will yield the greatest benefit to the function of the watershed as a whole through protection and enhancement of forest blocks, headwater streams and stream buffers in the upper reaches, and restoration

of wetland communities and stream buffers in the highly fragmented lower portion of the Sandy Creek subwatershed.

4.2 On-Site Mitigation Area

The proposed on-site mitigation area consists of 435 acres including wetlands, streams and associated 100-foot upland buffers on lands owned by the Authority immediately adjacent to and surrounding the existing landfill and Proposed Southern Expansion area (Figure 2). The on-site mitigation strategy includes the preservation of approximately 45,651 feet of first and second order headwater streams and approximately 107 acres of wetlands, along with 328 acres of associated upland buffer around all wetland and stream resources. Of the stream length to be preserved, approximately 8,102 feet of stream will be enhanced by planting tree and shrub species in 100-foot buffer areas, where needed.

Much of the area slated for preservation includes high quality riparian and wetland habitat integrated into intact, somewhat contiguous forest stands dominated by mature second-growth northern hardwood species. Areas intended for enhancement include those portions of the existing riparian corridor that currently feature less robust riparian areas with lower diversity and lack of forest cover. These enhancement areas are adjacent to existing or recently reverting agricultural fields. Vegetation includes little or no tree and shrub cover and a greater amount of invasive species (primarily *Phalaris arundinacea*) than in the intact stream corridors.

4.3 Off-Site Mitigation Area

The proposed off-site mitigation area, referred to as the Skinner Road Site, is located 3.8 miles northwest of Ellisburg and 7.0 miles south of Henderson Harbor in the Town of Ellisburg, Jefferson County, New York, in the Eastern Lake Ontario Region (Salmon-Sandy Creek Watershed, HUC 04140102, Figure 3). The 40-acre area designated as the mitigation site is owned and managed by the NYSDEC as part of the Lakeview Wildlife Management Area (WMA) and is currently in row crops with little or no riparian buffer along Sandy Creek (Figure 3). The soils and hydrology at the site are suitable to restore approximately 28 acres of wetland habitat, enhance streambank buffer and reduce streambank erosion. Restoration of this site will provide significant water quality and wildlife habitat benefits by restoring buffer and creating forest blocks and wetland communities. These benefits are conservation priorities in this part of the Sandy Creek subwatershed.

5.0 Work Plan

Implementation of the Final Aquatic Resource Mitigation Strategy is scheduled to begin in 2017 or the spring of 2018 depending on permit approval. This schedule places mitigation activity well in advance of actual impacts to wetlands and streams in the proposed expansion area. This will serve to significantly reduce the temporal loss typically associated with permittee responsible mitigation projects. Planting plans have been developed for each mitigation area and are provided in Tables 3-10 below and illustrated in Appendices A and B. Qualified contractors will be secured to construct mitigation elements and to provide professional oversight and management of project implementation. All reasonable measures will be utilized to prevent the establishment of invasive species within the mitigation sites. All equipment brought to the sites either from offsite or elsewhere on the site, will be thoroughly cleaned of all soil before entry into any of the mitigation zones. All soil materials and amendments brought to the mitigation sites from offsite locations will require pre-approval by the site inspector to ensure that these materials are not sources of potential invasive species contamination.

5.1 On-Site Work Plan

The proposed wetland and stream preservation and stream enhancement areas are shown on Figure 2, while Appendix B illustrates the proposed planting plan location for the on-site mitigation area. Measures will be put in place to provide protection to all wetlands and streams and upland buffers identified on the plan views as detailed in Section 6.0 and Appendix D.

5.1.1 Planting Plan

The on-site mitigation area will be planted to establish native plant communities (Edinger et al. 2002). Buffer enhancement along 8,102 feet of stream will occur where woody buffers are currently absent (i.e. adjacent to agricultural fields) and will consist of planting native woody tree and shrub species to establish 100-foot wide wooded buffers on each side of these stream sections. These buffers will be established, in most cases, by conforming buffers to the existing floodplain topography to maximize the re-establishment of a viable riparian buffer in close proximity to the stream channel. In the areas where a significant portion of the 100-foot buffer extends into a distinct upland zone, plantings will include species targeted at providing improved habitat and/or food sources for wildlife species. Shrubs will be planted on 15-foot centers out to 100-feet from the stream on each side. Trees will be planted on 25-foot centers from the stream out to 100 feet on each side (Appendix B). In addition to plantings, natural regeneration of native species will be encouraged to support the desired development of the riparian buffer.

Plantings will consist of native woody species found on site in existing riparian buffers and include native plants that are known to be less palatable to deer or that can withstand heavy browsing. Individual plant species may be substituted with an ecologically similar species if a recommended species is not available by the contracted plant distributor. Quantities may also be adjusted based on availability. Proposed planting details for the on-site stream enhancement component of the mitigation strategy are included in Tables 3 and 4, below.

Table 3 - On-Site Riparian Shrub Buffer					
Container Species Common Name	Scientific Name	Form	Size	Spacing	Percent Composition
Speckled Alder	<i>Alnus rugosa</i>	Bare Root	6"-12"	15' x 15'	20
Red Osier Dogwood	<i>Cornus stolonifera</i>	Bare Root	3"-12"	15' x 15'	25
Hophornbeam	<i>Ostrya virginiana</i>	Bare Root	6"-12"	15' x 15'	5
Pussy Willow	<i>Salix discolor</i>	Bare Root	6"-12"	15' x 15'	10
Silky Dogwood	<i>Cornus amomum</i>	Bare Root	3"-12"	15' x 15'	15
Sandbar Willow	<i>Salix interior</i>	Bare Root	3"-12"	15' x 15'	5
White Meadowsweet	<i>Spiraea alba</i>	Bare Root	3"-12"	15' x 15'	10
Arrowwood	<i>Viburnum recognitum</i>	Bare Root	3"-12"	15' x 15'	10
Area = 30.4 Acres		Total Shrubs		5,885	100

Table 4 - On-Site Riparian Tree Buffer					
Container Species Common Name	Scientific Name	Form	Size	Spacing	Percent Composition
Red Maple	<i>Acer rubrum</i>	Bare Root	5"-14"	25' x 25'	10
Silver Maple	<i>Acer saccharinum</i>	Bare Root	5"-14"	25' x 25'	10
Sugar Maple	<i>Acer saccharum</i>	Bare Root	5"-14"	25' x 25'	10
Yellow Birch	<i>Betula alleghaniensis</i>	Bare Root	5"-14"	25' x 25'	10
Shagbark Hickory	<i>Carya ovata</i>	Bare Root	6"-12"	25' x 25'	15
American Beech	<i>Fagus grandifolia</i>	Bare Root	6"-12"	25' x 25'	10
Tamarack	<i>Larix laricina</i>	Bare Root	6"-12"	25' x 25'	10
Black Willow	<i>Salix nigra</i>	Bare Root	6"-12"	25' x 25'	15
Eastern Hemlock	<i>Tsuga canadensis</i>	Bare Root	6"-12"	25' x 25'	10
Area = 30.4 Acres		Total Trees		2,119	100

Plant sources:

- New York State Tree Nursery: <http://www.dec.ny.gov/animals/7127.html>
- Sylva Native Nursery & Seed Company: <http://www.sylvanative.com/>
- Schictel's Nursery Inc: <http://www.schichtels.com/>

5.2 Off-Site Work Plan

The off-site final design plan and planting plan for the Skinner Road Site set is located in Appendix C. The Skinner Road Site includes a “north field” and a “south field” divided by the existing North Skinner Road. As part of this construction plan, the section of road that bisects the north and south fields will be removed and a parking lot will be installed to provide public access to the site at the new termination of North Skinner Road. The north field will be restored by creating a series of shallow ridges to retain runoff and floodwaters from Sandy Creek. These ridges will have a 25-foot top width and shallow side slopes to limit or eliminate the need for long term maintenance. These ridges will be established through low areas of the north field to impound water at sufficient depths to support a mixture of PFO/PSS/PEM wetland communities. The most inundated areas will support PEM vegetation, while the edge areas will transition into wet meadow, PSS, and ultimately PFO covertypes. A small ditch will be constructed to connect the small easterly pool with the larger southwesterly pool. The connectivity between these wetland pools will provide a hydrological evenness across the wetland and provide consistent hydrological support for both pools. A small area will be excavated in the southeast lobe of the north field to support PSS wetland habitat. The purpose of this excavation is to retain water at the beginning of the growing season, anticipating that the water level will recede throughout the growing season. The south field will be restored by excavating three shallow pools to sustain PEM and PSS habitat types, with the surrounding area seeded to PEM wet meadow or planted with PFO vegetation with the expectation that the entire area will form a forested wetland over time.

Construction of the stream enhancement component of the Skinner Road Site is divided into two sections. Section 1 is the upstream section and includes installation of three (3) rock vanes, resloping the eroding stream bank, and seeding and planting the resloped stream bank. Section 2 is the downstream section and includes resloping the eroding stream bank and seeding and planting the resloped stream bank. Section 1 construction requires in-stream work to install the rock vanes. The first activity associated with construction of the Section 1 stream enhancement will be to install sheet pile coffer dams upstream and downstream of the work area. The sheet pile coffer dam on the upstream side of the construction area shall have a top elevation of 248.0. The downstream sheet pile coffer dam shall be set at an elevation to prevent back water flooding from Lake Ontario at a minimum elevation of 246.0. The proposed rock vanes (as per USDA-NRCS National Engineering Handbook: Part 654 Stream Restoration Design) will be installed next. Footer rocks shall be placed such that they interlock with each other and provide a stable foundation for the vane rocks. Deep pools adjacent to rock vanes shall be filled to promote a firm foundation for the footer rocks. Soils used to fill the deep pools shall be approved by the site engineer prior to placement. Upon completion of vane installation,

bank slopes will be resloped to 4:1 horizontal to vertical. Resloped areas will be seeded, planted, and mulched to promote quick establishment of vegetation. Sheet pile coffer dams will be removed at the completion of planting. Section 2 construction involves resloping the stream bank and seeding and planting the resloped stream bank. The first activity associated with construction of the Section 2 stream enhancement is to install silt fence on the downstream edge of all proposed construction areas. The stream bank will be resloped to 4:1 horizontal to vertical. Resloped areas will be seeded, planted, and mulched to promote quick establishment of vegetation.

5.2.1 *Planting Plan*

A seed bank should be present in the proposed wetland restoration area and pioneering of the restored wetland areas is expected from surrounding intact wetlands. The site will also be seeded and planted to increase the likelihood of successfully establishing target communities and to minimize the opportunity for invasive species to become established. Presence of exotic and invasive species, primarily reed canary grass, in adjacent wetlands will require an intensive approach to vegetation establishment. Therefore, the seeding regime is based on wetland plant species that will recruit quickly and develop dense communities. Wetland communities and the upland buffer will be seeded to most closely represent the typical species found in these target ecotypes in Jefferson County (Garber and Moorhead 1999, Edinger et al. 2002, NRCS 2010). Seeds were selected if they were adapted to northern ecotypes and will be applied in a manner and at a rate that will allow effective establishment of the wetland area and wetland margins. Ernst Conservation Seeds Catalog Establishment Guide was used to create a list of potential wetland seed mixtures. Individual plant species may be substituted with an ecologically similar species if the below listed species is not available by the contracted seed distributor. Seed quantities may also be adjusted based on availability. The following Tables 5 through 10 provide species lists and associated details for the off-site mitigation area.

Table 5 - Palustrine Emergent Marsh Cover Mix
Acreage = 6.1
Seeding Rate = 15 lbs/acre

Seed Mix Species List: WIS	Scientific Name	Percent Seed by Weight (%)
common water plantain: FACW	<i>Alisma subcordatum</i>	2
blue joint grass: FACW	<i>Calamagrostis canadensis</i>	5
bristly sedge: OBL	<i>Carex comosa</i>	2
fringed sedge: OBL	<i>Carex crinita</i>	2
porcupine sedge: OBL	<i>Carex hystericina</i>	2
blunt broom sedge: FACW	<i>Carex scoparia</i>	8
upright sedge: OBL	<i>Carex stricta</i>	2
fox sedge: OBL	<i>Carex vulpinodea</i>	20
joe-pye weed: FACW	<i>Eupatorium fistulosum</i>	1
boneset: FACW	<i>Eupatorium perfoliatum</i>	1
rattlesnake grass: OBL	<i>Glyceria Canadensis</i>	2
common sneeze weed: FACW	<i>Helenium autumnale</i>	2
harlequin blue flag iris: OBL	<i>Iris versicolor</i>	2
dudley's rush: FACW	<i>Juncus dudleyi</i>	2
soft rush: FACW	<i>Juncus effuses</i>	4
poverty rush: FAC	<i>Juncus tenuis</i>	2
rice cutgrass: OBL	<i>Leersia oryzoides</i>	5
square stemmed monkey flower: OBL	<i>Mimulus ringens</i>	3
spatterdock: OBL	<i>Nuphar variegata</i>	1
arrowleaf: OBL	<i>Peltandra virginica</i>	1
ditch stonecrop	<i>Penthorum sedoides</i>	1
pondweed: OBL	<i>Potamogeton amplifolius</i>	2
arrowhead: OBL	<i>Sagittaria latifolia</i>	1
hard-stemmed bulrush: OBL	<i>Scirpus acutus</i>	2
green bulrush: OBL	<i>Scirpus atrovirens</i>	2
river bulrush: OBL	<i>Scirpus fluviatilis</i>	2
soft-stem bulrush: OBL	<i>Scirpus validus</i>	2
eastern lesser bur-reed: OBL	<i>Sparganium americanum</i>	2
giant bur-reed : OBL	<i>Sparganium eurycarpum</i>	10
prairie cord grass: OBL	<i>Spartina pectinata</i>	5
blue vervain: FACW	<i>Verbena hastate</i>	2
Total		100

Table 6 - Palustrine Scrub-Shrub Cover Mix
Acreage = 7.0

Container Species: WIS	Scientific Name	Size	Mean Spacing	Percent Composition
speckled alder: FACW	<i>Alnus rugosa</i>	18"-24"	10' x 10'	5
smooth alder: OBL	<i>Alnus serrulata</i>	18"-24"	10' x 10'	5
silky dogwood: FACW	<i>Cornus amomum</i>	18"-24"	10' x 10'	11
gray dogwood: FACW	<i>Cornus foemina ssp. racemosa</i>	18"-24"	10' x 10'	10
red osier dogwood: FACW	<i>Cornus sericea</i>	18"-24"	10' x 10'	11
water-willows: OBL	<i>Decodon verticillatus</i>	18"-24"	10' x 10'	5
winterberry: FACW	<i>Ilex verticillata</i>	18"-24"	10' x 10'	9
spicebush: FACW	<i>Lindera benzoin</i>	18"-24"	10' x 10'	10
Bebb willow: FACW	<i>Salix bebbiana</i>	18"-24"	10' x 10'	5
pussy willow: FACW	<i>Salix discolor</i>	18"-24"	10' x 10'	8
meadow-sweet: FACW	<i>Spiraea alba var. latifolia</i>	18"-24"	10' x 10'	5
steep-le-bush: FACW	<i>Spiraea tomentosa</i>	18"-24"	10' x 10'	5
arrowwood: FACW	<i>Viburnum recognitum</i>	18"-24"	10' x 10'	11
Total Plants				~3,000

Seeding Rate	15 lbs/acre	Percent Seed by Weight (%)
Seed Mix Species: WIS	Scientific Name	
fox sedge: OBL	<i>Carex vulpinoidea</i>	20
rough barnyard grass: FACW	<i>Echinochloa muricata</i>	10
big bluestem: FAC	<i>Andropogon gerardii</i>	10
swamp milkweed: OBL	<i>Asclepias incarnate</i>	2
New England aster: FACW	<i>Symphyotrichum novae-angliae</i>	2
beggars ticks: FACW	<i>Bidens frondosa</i>	1
blue joint grass: FACW	<i>Calamagrostis Canadensis</i>	1
bristly sedge: OBL	<i>Carex comosa</i>	2
blunt broom sedge: FACW	<i>Carex scoparia</i>	5
buttonbush: OBL	<i>Cephalanthus occidentalis</i>	2
silky dogwood: FACW	<i>Cornus amomum</i>	5
gray dogwood: FACW	<i>Cornus foemina spp. Racemosa</i>	5
spotted joe-pye-weed: FACW	<i>Eupatoriadelphus maculatus</i>	2
boneset: FACW	<i>Eupatorium perfoliatum</i>	2
saw-tooth sunflower: FACW	<i>Helianthus grosseserratus</i>	2
monkey flower: OBL	<i>Mimulus ringens</i>	1
sweet black-eyed susan: FAC	<i>Rudbeckia subtomentosa</i>	1

Seeding Rate	15 lbs/acre	Percent Seed by Weight (%)
Seed Mix Species: WIS	Scientific Name	
green bulrush: OBL	<i>Scirpus atrovirens</i>	5
wool grass: FACW	<i>Scirpus cyperinus</i>	10
goldenrod: FACW	<i>Solidago gigantea</i>	2
meadow sweet: FACW	<i>Spiraea alba</i>	1
St. John's-wort: OBL	<i>Triadenum virginicum</i>	1
arrowwood: FAC	<i>Virburnum dentatum</i>	8
Total		100

Table 7 - Wet Meadow Cover Mix
Acreage = 7.6
Seeding Rate = 15 lbs/acre

Seed Mix Species: WIS	Scientific Name	Percent Seed by Weight (%)
big bluestem:FAC	<i>Andropogon gerardii</i>	10
swamp milkweed: OBL	<i>Asclepias incarnate</i>	2
New England aster: FACW	<i>Symphyotrichum novae-angliae</i>	2
beggars ticks: FACW	<i>Bidens frondosa</i>	1
blue joint grass: FACW	<i>Calamagrostis Canadensis</i>	2
bristly sedge: OBL	<i>Carex comosa</i>	2
blunt broom sedge: FACW	<i>Carex scoparia</i>	8
fox sedge: OBL	<i>Carex vulpinoidea</i>	20
buttonbush: OBL	<i>Cephalanthus occidentalis</i>	3
rough barnyard grass: FACW	<i>Echinochloa muricata</i>	15
Virginia Wild Rye: FACW	<i>Elymus virginus</i>	8
spotted joe-pye-weed: FACW	<i>Eupatoriadelphus maculatus</i>	2
boneset: FACW	<i>Eupatorium perfoliatum</i>	2
saw-tooth sunflower: FACW	<i>Helianthus grosseserratus</i>	2
monkey flower: OBL	<i>Mimulus ringens</i>	1
sweet black-eyed susan: FAC	<i>Rudbeckia subtomentosa</i>	1
green bulrush: OBL	<i>Scirpus atrovirens</i>	5
wool grass: FACW	<i>Scirpus cyperinus</i>	10
goldenrod: FACW	<i>Solidago gigantea</i>	2
St. John's-wort: OBL	<i>Triadenum virginicum</i>	2
Total		100

Table 8 - Palustrine Forested Cover Mix
Acreage = 7.9

Container Species: WIS	Scientific Name	Size	Spacing	Percent Composition
northern red maple: FAC	<i>Acer rubrum</i>	48"-72"	20' x 20'	6
northern red maple: FAC	<i>Acer rubrum</i>	18"-24"	10' x 10'	8
silver maple: FACW	<i>Acer saccharinum</i>	48"-72"	20' x 20'	2
silver maple: FACW	<i>Acer saccharinum</i>	18"-24"	10' x 10'	8
shellbark hickory: FACW	<i>Carya laciniosa</i>	48"-72"	20' x 20'	2
shellbark hickory: FACW	<i>Carya laciniosa</i>	18"-24"	10' x 10'	8
silky dogwood: FACW	<i>Cornus amomum</i>	18"-24"	10' x 10'	8
gray dogwood: FACW	<i>Cornus foemina ssp. racemosa</i>	18"-24"	10' x 10'	8
red osier dogwood: FACW	<i>Cornus sericea</i>	18"-24"	10' x 10'	8
swamp white oak: FACW	<i>Quercus bicolor</i>	48"-72"	20' x 20'	2
swamp white oak: FACW	<i>Quercus bicolor</i>	18"-24"	10' x 10'	8
Bebb willow: FACW	<i>Salix bebbiana</i>	18"-24"	10' x 10'	8
pussy willow: FACW	<i>Salix discolor</i>	18"-24"	10' x 10'	8
meadow-sweet: FACW	<i>Spiraea alba var. latifolia</i>	18"-24"	10' x 10'	8
slippery elm: FAC	<i>Ulmus rubra</i>	18"-24"	10' x 10'	8
Total Plants				~5,000

Table 9 - Upland Buffer Cover Mix Acreage = 4.5 Seeding Rate = 15 lbs/acre		
Seed Mix Species: WIS	Scientific Name	Percent Seed by Weight (%)
slim pigweed: NI	<i>Amaranthus hybridus</i>	5
big blue stem: FAC	<i>Andropogon gerardii</i>	10
field brome: FACU	<i>Bromus arvensis</i>	10
showy tick trefoil: FAC	<i>Desmodium canadense</i>	2
northern panic grass: FACU	<i>Dichanthelium boreale</i>	5
quack grass: FACU	<i>Elymus repens</i>	10
Virginia Wild Rye: FACW	<i>Elymus virginus</i>	20
eastern daisy fleabane: FACU	<i>Erigeron annuus</i>	2
ox eye sunflower: NI	<i>Heliopsis helianthoides</i>	2
morning-glory: UPL	<i>Ipomoea purpurea</i>	2
prairie goldenrod: NI	<i>Oligoneuron album</i>	2
curly dock: FACU	<i>Rumex crispus</i>	2
little blue stem: FACU	<i>Schizachyrium scoparium</i>	20
yellow fox-tail: FAC	<i>Setaria pumila</i>	4
ironweed: FAC	<i>Vernonia gigantea</i>	2
Total		100

Table 10 - Stream Area Riparian Buffer Cover Mix
Acreage = 650 linear feet (~0.40 acres)

Container Species: WIS	Scientific Name	Size	Spacing	Percent Composition
northern red maple: FAC	<i>Acer rubrum</i>	18"-24"	10' x 10'	5
common hackberry: FACU	<i>Celtis occidentalis</i>	18"-24"	10' x 10'	5
silky dogwood: FACW	<i>Cornus amomum</i>	18"-24"	10' x 10'	20
gray dogwood: FACW	<i>Cornus foemina ssp. racemosa</i>	18"-24"	10' x 10'	20
red osier dogwood: FACW	<i>Cornus sericea</i>	18"-24"	10' x 10'	20
American sycamore: FACW	<i>Platanus occidentalis</i>	18"-24"	10' x 10'	5
Bebb willow: FACW	<i>Salix bebbiana</i>	18"-24"	10' x 10'	10
pussy willow: FACW	<i>Salix discolor</i>	18"-24"	10' x 10'	15
Total Plants				~180

Seeding Rate = 15 lbs/acre		Percent Seed by Weight (%)
Seed Mix Species: WIS	Scientific Name	
speckled alder: FACW	<i>Alnus rugosa</i>	5
fox sedge: OBL	<i>Carex vulpinoidea</i>	10
silky dogwood: FACW	<i>Cornus amomum</i>	5
gray dogwood: FACW	<i>Cornus foemina ssp. racemosa</i>	5
red osier dogwood: FACW	<i>Cornus sericea</i>	5
cypress panicum: FAC	<i>Dichanthelium dichotomum</i>	5
rough barnyard grass: FACW	<i>Echinochloa muricata</i>	7
coast cockspur grass: FACW	<i>Echinochloa walteri</i>	7
Virginia wild rye: FACW	<i>Elymus virginus</i>	5
common rush : FACW	<i>Juncus effusus</i>	10
rice cut grass: OBL	<i>Leersia oryzoides</i>	10
witchgrass: FAC	<i>Panicum capillare</i>	6
switchgrass: FAC	<i>Panicum virgatum</i>	8
little blue stem: FACU	<i>Schizachyrium scoparium</i>	7
pussy willow: FACW	<i>Salix discolor</i>	5
Total		100

6.0 Site Protection

6.1 On-Site Mitigation Area

The on-site mitigation area will be permanently protected by a Declaration of Conservation Covenants and Restrictions (Appendix D). This Declaration will be filed with Jefferson County prior to impacts to wetlands and streams in the proposed expansion area.

6.2 Off-Site Mitigation Area

Protection of the off-site mitigation area will be supported by a management agreement to maintain the mitigation area and to protect it from incompatible uses. The management agreement for this site is in the form of an Adopt a Natural Resource Agreement (AANR) between NYSDEC and the Authority (Appendix E) that will be executed prior to the commencement of mitigation activities. As an additional measure to support off-site mitigation activities and wide-ranging conservation in the watershed, the Authority will provide materials and/or services valued up to \$1,500 annually for 20 years from the execution date of the Adopt a Natural Resource Agreement. The NYSDEC Bureau of Wildlife will provide direction each year as to the use of the materials or services for the management and stewardship of the Lakeview Wildlife Management Area. The Authority will be annually notified in writing of the material and/or service needs for the Lakeview WMA and will be given 30 days to respond to the notification. The Regional Wildlife Manager, or his/her designated representative, will work with the Authority to fulfill the material and/or service request. An updated copy of the Adopt a Natural Resource Agreement will be provided to USACE once executed.

7.0 Performance Standards

The following performance standards are based on the goals and objectives of the mitigation strategy, as well as the character of existing wetlands surrounding the on- and off-site mitigation areas. These standards will be used to evaluate development and overall success of the wetland mitigation areas.

7.1 On-Site Mitigation

1. Construction has been completed in accordance with approved plans and specifications of the permit.
2. At the end of the first year of monitoring, planted woody species will have a survivorship of at least 75%. Replacement of plantings will be required for any area falling below this level.
3. For all monitoring periods, the enhanced stream buffers will support a minimum of 200 individual, surviving, established, and free-to-grow woody plants per acre. Additional plantings will be required for any area falling below this level.
4. Invasive species *Phragmites australis* and *Lythrum salicaria* must comprise no more than 5%, and *Phalaris arundinacea* must comprise no more than 15%, of the total vegetated cover in the enhanced stream buffer areas.
5. The percent of total relative cover by any one species will not exceed 60%.

7.2 Off-Site Mitigation

1. Construction has been completed in accordance with approved plans and specifications of the permit.
2. The wetland exhibits a saturated soil condition and/or evidence of inundation during the growing season (April-September). Data will be collected at permanently established observation locations during the monitoring period. Two water gauges will be installed within the mitigation site and monitored during the growing season to evaluate water elevations.
3. The wetland areas shall have at least an 80% coverage rate of hydrophytic plants (those with a regional indicator status of FAC, FACW, or OBL in the report entitled "National List of Plant Species that Occur in Wetlands, Northeast [Region 1]", published by the U.S. Fish and Wildlife Service (USFWS). The percent cover calculation will include PEM, PSS and PFO habitats.

4. At the end of the first year of monitoring, planted woody species will have a survivorship of at least 70%. Survivorship will be estimated each monitoring year for the duration of monitoring activities on site.
5. At the end of the third monitoring year, stem density in PSS and PFO areas shall be at least 200 stems per acre. At the end of the fifth monitoring year, woody plant species in PSS and PFO area shall have a stem density of 300 plants per acre. At the end of the monitoring period, woody plant species in PSS and PFO areas shall have a stem density of 400 plants per acre.
6. At the end of the third monitoring year, woody plants in PSS and PFO areas shall have a relative cover rate of 30%. At the end of the fifth monitoring year, woody plants in PSS and PFO area shall have a relative cover rate of 50%. At the end of the monitoring period, woody plants in PSS and PFO areas shall have a relative cover rate of 80%.
7. At the end of the ten year monitoring period no more than 5% of the vegetation in the restored wetland areas will consist of *Lythrum salicaria* and *Phragmites australis*, and no more than 15% of *Phalaris arundinacea*.
8. The wetland plant community will exhibit less than 50% total relative cover by any one species.
9. At the end of the monitoring period the restored wetland areas will meet the federal wetland criteria outlined in the report entitled "Corps of Engineers Wetlands Delineation Manual", dated January 1987, as modified by the Northeast and Northcentral Regional Supplement (January 2012).
10. The riparian buffer plant community will exhibit less than 60% total relative cover by any one species.
11. Planted seedlings/trees in the riparian buffer area will have a survivorship of at least 75% for the duration of the monitoring period.
12. The stream bank shall exhibit that 70% of its vegetative cover has a deep binding root mass.
13. There should be insignificant changes (<10%) from the as-built longitudinal profile and cross-section profiles. Bank pins (i.e., bank profiles) will be installed at permanent cross section locations, as described in the approved plans.

8.0 Monitoring Requirements

A monitoring program will be implemented to evaluate the success of the on- and off-site wetland and stream mitigation areas over a period of 5 years (off-site stream mitigation) or 10 years (on-site stream enhancement and off-site wetland mitigation) from completion of mitigation site construction. The first monitoring year will commence at the end of the first full growing season following site construction. One copy of the monitoring report will be submitted to the USACE by December 31st of every monitoring year in electronic format and as a hard copy. The success of the wetland mitigation project will be assessed based on the performance standards listed in Section 7.0 above. Monitoring reports will include any methodologies used to control invasive vegetation and a quantitative assessment of monitoring data. A statement as to whether or not the goals of the mitigation project are being met and a plan with an implementation time table to correct any deficiencies will be provided as well. A final mitigation status report will be submitted to the USACE in conjunction with the final year's monitoring report.

8.1 On-Site Mitigation

Monitoring for the on-site mitigation area will be conducted at 1, 2, 4, 6, 8, and 10 years after completion of the stream buffer enhancement activities. The on-site mitigation monitoring report will include the following components:

1. A report referencing the USACE permit and approved mitigation plan;
2. A map showing the locations of the enhancements, monitoring stations and photo points;
3. A statement indicating that construction has been completed in accordance with the approved plans and specifications referenced in the permit;
4. Color photographs from monitoring stations and photo points;
5. A collection of basic information on the vegetative buffer at 10 fixed locations in the enhanced stream buffer areas, including plant species composition, percent areal cover, and buffer width. Collected woody vegetation data will include average species height and average species diameter at breast height (dbh) of individuals greater than 7 meters in height;
6. A survival estimate and growth observations (height and dbh) of planted shrubs and trees;
7. A list of wildlife species observed within the enhanced stream segments and associated riparian buffer areas; and

8. A quantitative assessment of monitoring data and a statement as to whether or not the goals of the mitigation project are being met. If required, a plan with an implementation timetable to correct any deficiencies will also be provided.

8.2 Off-Site Mitigation

For the Skinner Road off-site mitigation activities, a surveyed drawing showing the as-built conditions of the mitigated areas will be submitted within 60 days following completion of site construction. Data on the wetland portion of the mitigation project will be collected and reported at years 1, 2, 4, 6, 8, and 10 after completion of restoration activities. Data on the stream portion of the mitigation project will be collected annually for a five-year monitoring period with no less than two bankfull events recorded throughout the monitoring period. To ensure the structural integrity and functions of the restored in-stream structures and riparian buffers, monitoring data will be collected twice during the first monitoring year, once following the first spring flood event (i.e., March-April), and once at the end of the first full growing season following the completion of site construction. Monitoring years 2, 3, 4, and 5 will be completed annually at the end of the growing season (i.e., August-September). The annual/biennial wetland and stream mitigation monitoring report will include:

1. A clear reference to the USACE permit and approved mitigation plan;
2. A surveyed drawing of the mitigation area, including water level elevations, acreage of wetland and linear feet of stream bank. Monitoring stations and/or transect locations, boundaries of various vegetation communities, and planting zones will also be identified on the drawings;
3. Color photographs from monitoring stations and a photograph location map showing all representative areas of each cover type within the mitigation site;
4. A plant species list that gives the USFWS Wetland Indicator Status and strata (herb, shrub, tree) for each species. Dominant plants will be highlighted and the percent of the areal cover noted. Plant species introduced through seeding or planting will be indicated;
5. A map showing the locations of open water areas in the PEM habitats. Water depths and the date of measurement from fixed locations within the wetland will be recorded. These sample points will be plotted on the survey drawings;
6. A list of wildlife species observed within the restored wetland areas;

7. A collection of basic information on the vegetative buffer and bank stability at three fixed locations within the stream enhancement areas. Data will include, bankfull height, bank angle, streambank root mass (total number of species with deep roots, such as trees, shrubs, sedges), plant species composition, percent areal cover, and buffer width. Collected woody vegetation data will include average species height and average species diameter at breast height of individuals greater than 7 meters in height;
8. A survival estimate and growth observations (height and dbh) of planted shrubs and trees;
9. An evaluation of stream restoration and stabilization. This will be completed by collecting baseline data such as longitudinal and cross-section bank profiles (max depth at bankfull, bank height ratio, substrate characteristics, and bank elevation); and
10. A final post-construction habitat assessment and as-built survey will be completed to document existing conditions along the restored stream bank. A comparison of the pre-and post site conditions will assist with quantifying the ecological gain of the mitigation.

9.0 Maintenance, Adaptive and Long-Term Management

Necessary steps will be taken to ensure the proper establishment and maintenance of all proposed components of this mitigation strategy. The on- and off-site mitigation areas will be visited during the monitoring period as specified in Section 8.0 by qualified contractors to satisfy standard maintenance requirements and to identify any conditions that threaten the proper protection, function or development of the wetlands, streams and associated buffer areas. Any deficiencies in plant survival rates will be noted and appropriate corrective measures will be implemented.

If monitoring indicates that a performance standard is not being met, that standard will be evaluated to determine if simply more time is needed or if a remedial action may be required. Remedial measures may include additional seeding or planting, non-native plant control, and erosion control measures. In less common circumstances, remedial actions associated with the wetland basin may require the removal or addition of dikes, spillways, or other water control structures, or changes in access control. Should adaptive management be required, the Authority will develop an adaptive management plan and implementation timetable and submit it to the USACE for review and approval. Upon approval by the USACE, and in cooperation with the NYSDEC if the plan applies to the off-site mitigation area, the Authority will proceed with implementation of the proposed adaptive management activities.

Once performance standards have been met, the Authority will be the party responsible for the long-term management of the on- and off-site wetland and stream resources. The Authority will protect and manage the aquatic resources as needed and as specified in the on-site restrictive covenant (Appendix D) and off-site stewardship agreement (Appendix E).

10.0 Financial Assurances

In accordance with the provisions of 33 CFR §332.3(n)(1), the Authority requests the District Engineer to permit it to establish a reserve fund to support the implementation and maintenance of the proposed mitigation strategy. A reserve fund in the amount of \$677,400 will be established for the costs associated with the implementation, monitoring, contingency and long-term management of the work described in the on- and off-site mitigation plans. The costs associated with the tasks described in the mitigation plans are shown in Table 11 below.

Since its creation in 1985, the Authority has funded capital improvement projects in excess of \$120,000,000. Thus, the Authority has an established record of fiscal stability and success and is well positioned to establish a reserve fund for the mitigation projects. The reserve fund will be identified in the Authority's financial statements as specifically reserved for implementation of the on- and off-site mitigation plans. The mitigation reserve fund will be similar to an existing reserve fund established to pay for future closure and post-closure maintenance costs at the SWMF. The existing reserve fund was established to satisfy U.S. Environmental Protection Agency (USEPA) and NYSDEC financial assurance requirements for closure costs, and the fund is evaluated annually to determine whether the reserve is adequate to pay for the anticipated closure costs. If the fund is adequate, no adjustments to the reserved amounts are required, but if the closure costs are anticipated to be higher than the amount in the reserve fund, the Authority must increase the reserve fund. The proposed reserve fund for mitigation-related costs will be evaluated annually to determine whether the funds are adequate to support future mitigation tasks. If not, additional funds will be allocated to the reserve fund.

The mitigation reserve fund will cover the cost to construct and monitor the proposed mitigation and will also provide a potential source of funds to correct or replace unsuccessful mitigation. Upon commencement of mitigation and prior to impacts, the Authority will provide USACE a copy of a resolution of the Authority's Board of Directors establishing the reserve fund in the amount of \$677,400. The Authority will provide a report annually to USACE regarding the dispersal of funds for mitigation plan implementation. Contingency and maintenance funds will be used as needed post-construction to ensure that mitigation satisfies applicable performance standards. Contingency and maintenance funds will be released from the reserve fund only after performance standards have been met to the satisfaction of USACE staff and at the conclusion of the monitoring period. Long-term management funds will be used as needed thereafter at the discretion of Authority staff. These procedures will be recited in the Board resolution to establish the reserve fund.

Table 11 – Reserve Fund Details

Item	Mitigation Area		
	Off-site Wetland (28.6 ac) and Stream (650 lf)	On-site Mitigation (435 acres of wetland, stream, buffer preservation and 8,102 lf of stream buffer enhancement)	Total
Earthwork	\$185,417.00	NA	\$185,417.00
Planting	\$99,983.00	\$47,600.00	\$147,583.00
Construction oversight, as-built survey/report	\$75,000.00	\$12,900.00	\$ 87,900.00
Protection/Deed restriction	NA	\$24,500.00	\$ 24,500.00
Monitoring	\$55,000.00	\$38,000.00	\$ 93,000.00
Contingency, maintenance ¹	\$72,000.00	\$17,000.00	\$ 89,000.00
Long term management ²	\$30,000.00	\$20,000.00	\$ 50,000.00
Total	\$517,400.00	\$160,000.00	\$677,400.00
¹ Contingency funds based on 20% of construction/planting costs and will be used for maintenance during monitoring period as needed.			
² Long term management funds based on projection of the types of management actions that may be required long-term. These funds will be used by the NYSDEC for necessary management actions off site and by Authority staff on site.			

11.0 References

- Development Authority of the North Country. 2011. Joint Permit Application for the Development Authority of the North Country Proposed Landfill Expansion, March 2011.
- Edinger, G.J., D.J. Evans, S. Gebauer, T.G. Howard, D.M. Hunt, and A.M. Olivero (editors). 2002. Ecological Communities of New York State. Second Edition. A revised and expanded edition of Carol Reschke's Ecological Communities of New York State. (Draft for review). New York Natural Heritage Program, New York State Department of Environmental Conservation, Albany, NY.
- Garber, M.P., and D.J. Moorhead. 1999. *Selection, production, and establishment of wetland trees and shrubs. Cooperative Extension Service Bulletin 1082*, University of Georgia, Athens, GA. Available online at <http://pubs.caes.uga.edu/caespubs/pubs/PDF/B1082.pdf>.
- U.S. Department of Agriculture, Natural Resources Conservation Service. 2010. USDA Plants Database. <http://plants.usda.gov/>. Accessed 20 August 2010.

Figure 1

Proposed Southern Expansion

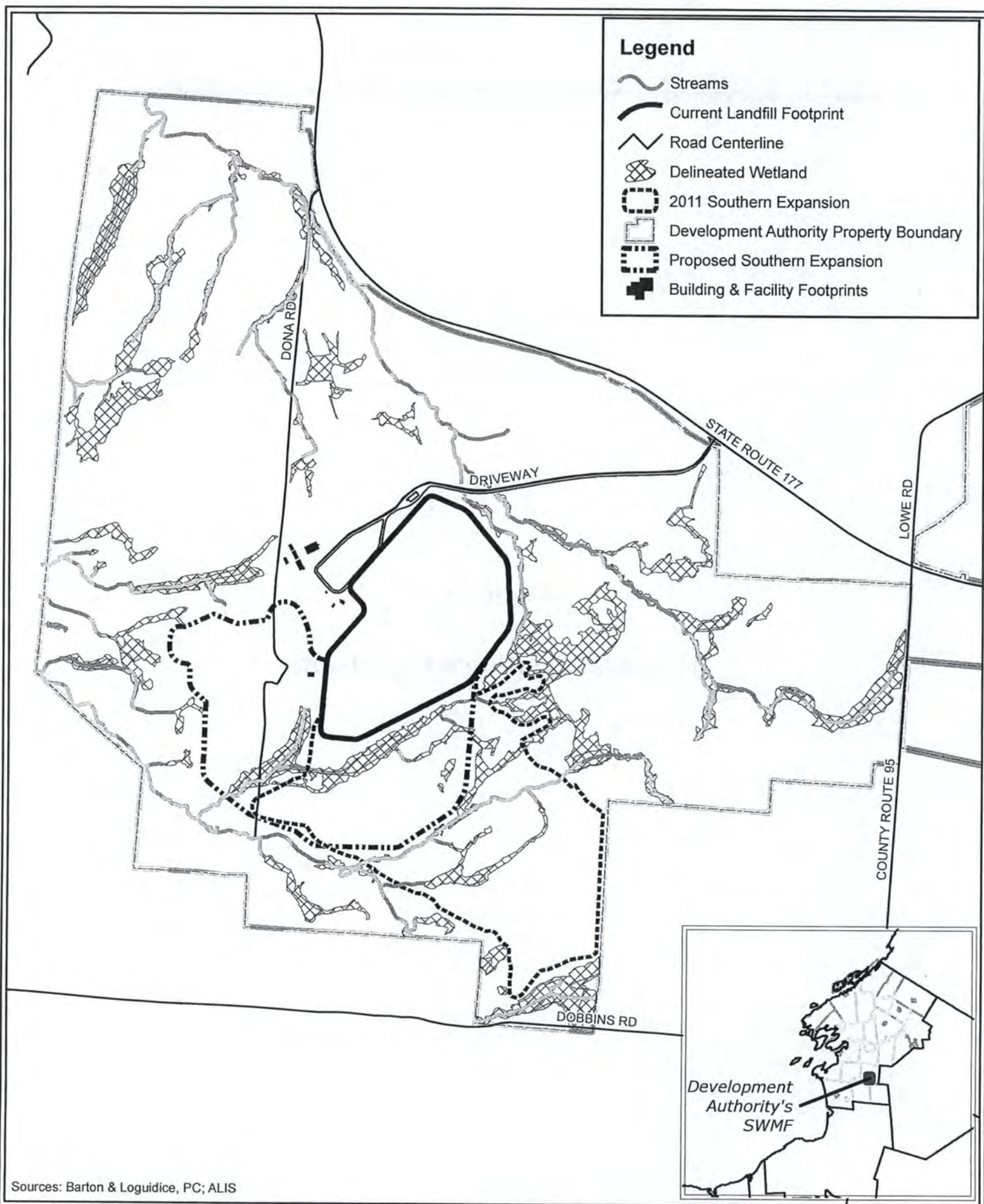
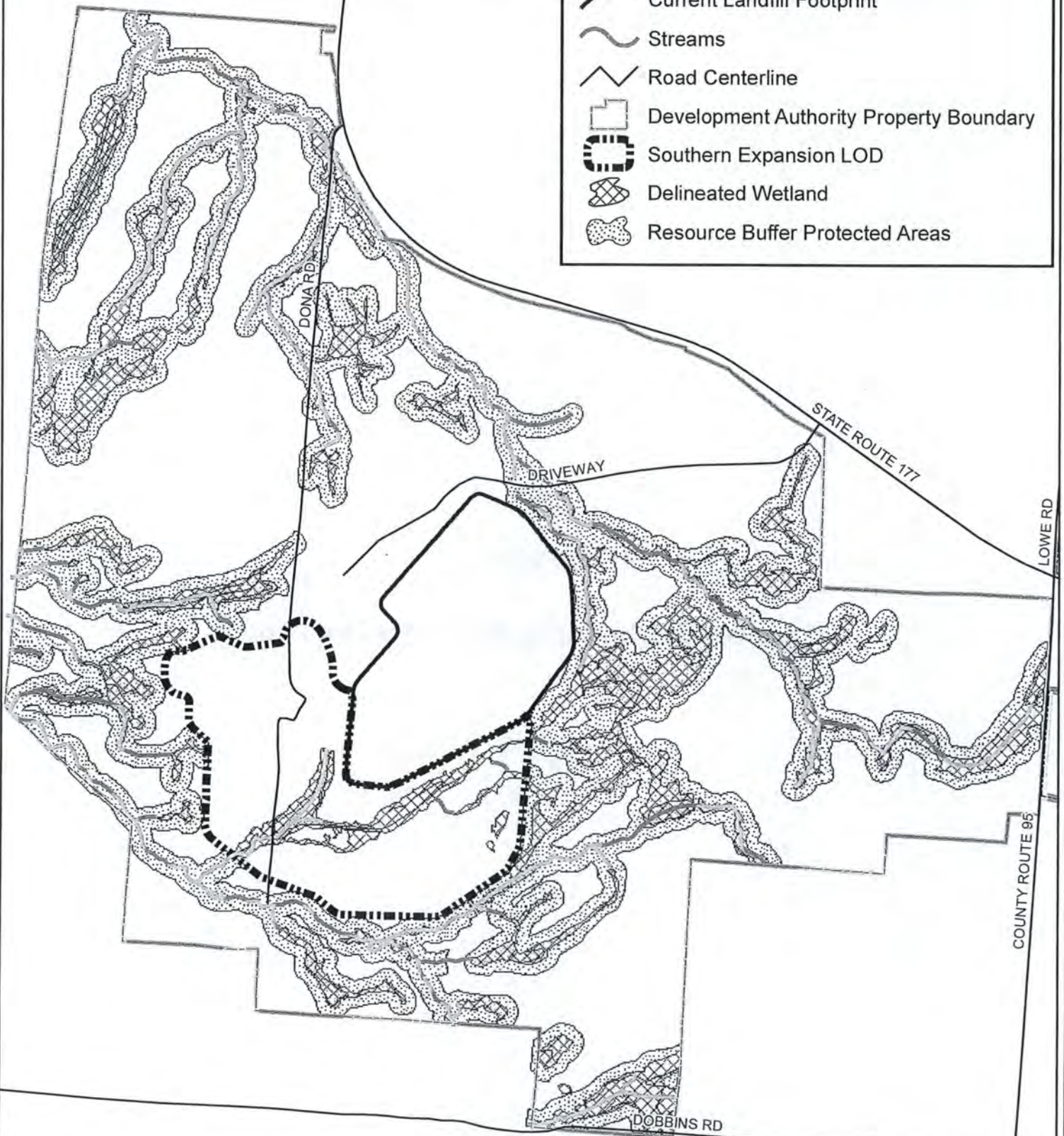


Figure 2

On-site Wetland and Stream Mitigation

Legend

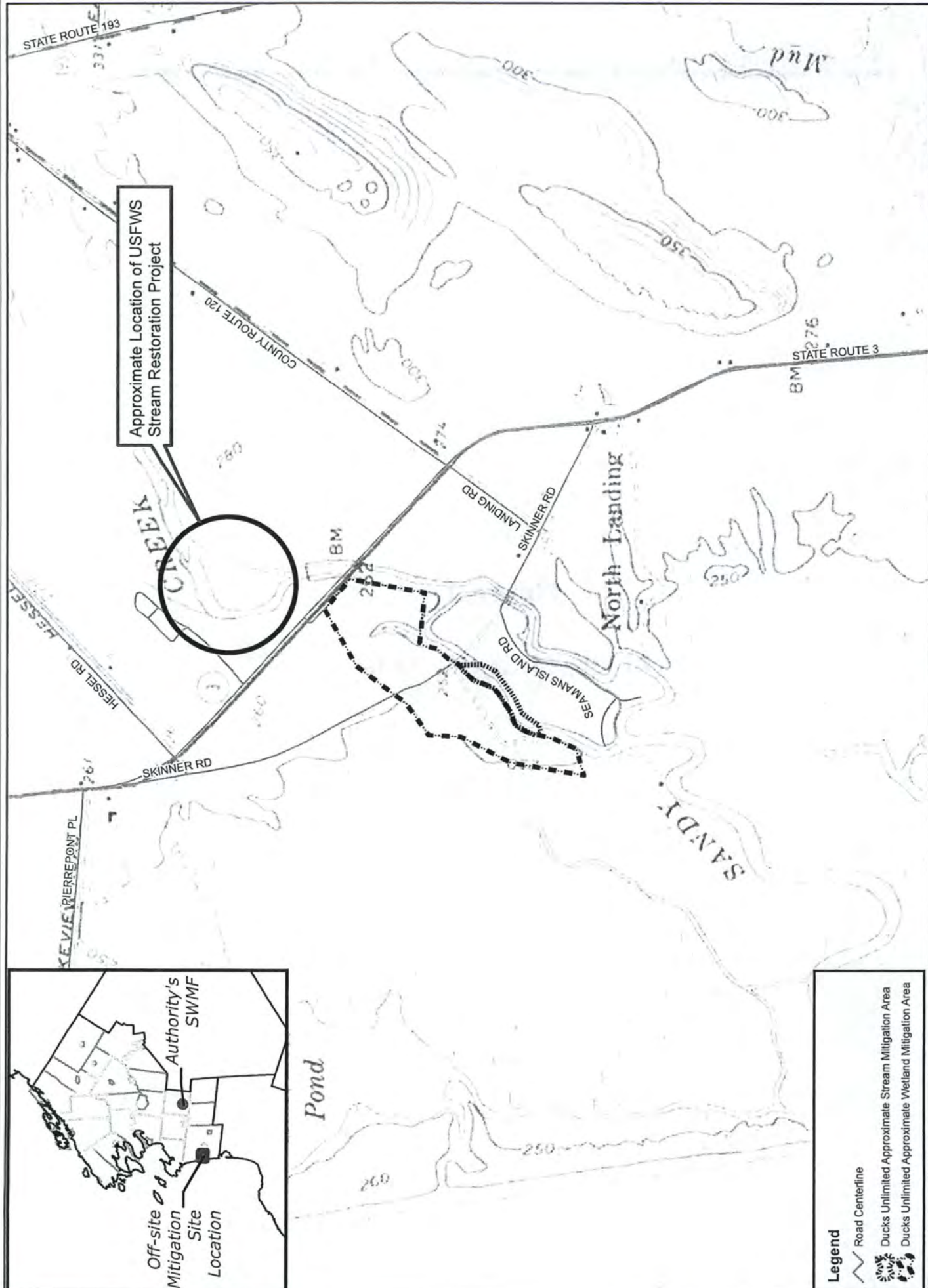
-  Current Landfill Footprint
-  Streams
-  Road Centerline
-  Development Authority Property Boundary
-  Southern Expansion LOD
-  Delineated Wetland
-  Resource Buffer Protected Areas



Sources: Barton & Loguidice, PC

Figure 3

Off-site Mitigation Plan



Legend

- Road Centerline
- Ducks Unlimited Approximate Stream Mitigation Area
- Ducks Unlimited Approximate Wetland Mitigation Area

Appendix A

Stream Mitigation Worksheets

WORKSHEET 1: ADVERSE IMPACT FACTORS FOR RIVERINE SYSTEMS WORKSHEET

Stream Type Impacted	Intermittent 0.1			Perennial Stream > 15' in width 0.4			Perennial Stream ≤ 15' in width 0.8		
Priority Area	Tertiary 0.5			Secondary 0.8			Primary 1.5		
Existing Condition	Fully Impaired 0.25			Somewhat Impaired 0.5			Fully Functional 1.0		
Duration	Temporary 0.05			Recurrent 0.1			Permanent 0.2		
Dominant Impact	Shade/ Clear 0.05	Utility X-ing 0.4	Bank Armor 0.7	Deten- tion 1.5	Stream Crossing (≤ 100') 1.7	Impound 2.7	Morpho- logic Change 2.7	Pipe >100' 3.0	Fill 3.0
Scaling Factor (Based on # linear feet impacted)	< 100' impact 0	100-200' impact 0.05	201-500' impact 0.1	501- 1000' impact 0.2	> 1000' impact 0.4 for each 1000' feet of impact (round impacts to the nearest 1000') (example: 2,200' of impact – scaling factor = 0.8; 2,800' of impact – scaling factor = 1.2)				

Reaches to Be Impacted	Reach 1	Reach 2	Reach 3	Reach 4
Complete the Following for Each Reach to Be Impacted				
Simon Channel Evolution Stage				
Rosgen Stream Type/D50				
Criteria for Selecting Existing Condition for Each Reach				
Bankfull Width and Depth	Width: Depth:	Width: Depth:	Width: Depth:	Width: Depth:
Bankfull Indicators (attach photograph showing bankfull for each reach)				
Factors	Reach 1	Reach 2	Reach 3	Reach 4
Stream Type Impacted	0.8			
Priority Area	0.5			
Existing Condition	1.0			
Duration	0.2			
Dominant Impact	3.0			
Scaling Factor	0.8			
Sum of Factors M =	6.3			
Feet Stream in Reach Impacted LF =	2143			
M X LF =	13,500.90			

Total Mitigation Credits Required = (M X LF) = 13,500.90

WORKSHEET 2: STREAM CHANNEL RESTORATION, STREAM RELOCATION, AND STREAMBANK RESTORATION WORKSHEET

Net Benefit	All proposals must include at least a 25' riparian buffer on both banks Buffers $\geq 50'$ +2'/%slope also may generate riparian credit (use see buffer worksheet)				
	Streambank Stabilization	Structure Removal	Stream Channel Restoration and Stream Relocation		
	2.0	4.0 to 8.0	Priority 4 1.0	Priority 3 4.0	Priority 1 or 2 8.0
Monitoring/ Contingency	Minimal (Required) 0	Moderate 0.3	Substantial 0.4	Excellent 1.0	
Priority Area	Tertiary 0.05		Secondary 0.2	Primary 1.0	
Control	RC on restored channel and 25' buffer (Required) 0.1		Required RC + CE or GPP 0.3	Required RC + CE + GPP 0.5	
Mitigation Timing	Schedule 3 0		Schedule 2 (Use for all banks) 0.1	Schedule 1 0.5	

Factors	Reach 1	Reach 2	Reach 3	Reach 4
	Submit Representative Photographs a Completed Table 2 and Conceptual Restoration Design for Each Restored or Relocated Reach; Submit Photographs of Each Bank Where Streambank Stabilization will be Conducted			
Net Benefit	2.0			
Monitoring/Contingency (at least minimal M&C required)	0.3			
Priority Area	0.05			
Control (at least a RC required)	.3			
Mitigation Timing	0.5			
Sum of Factors M =	3.15			
Feet Stream in Reach (do not count each bank separately) LF =	650			
M X LF =	2,047.50			

Total Channel Restoration/Relocation Credits Generated = (M X LF) = 2,047.50

WORKSHEET 3: RIPARIAN RESTORATION AND PRESERVATION WORKSHEET

Net Benefit - select value for each stream	Riparian Restoration/Habitat Improvement/Preservation Factors – MBW = Minimum Buffer Width = 50'+2'/% slope Select Values from Table 1 side			
System Credit Condition 1	Condition 1: MWB restored or protected on both streambanks To Calculate Value: Average of the Net Benefit values for Stream Side A and Stream Side B			
System Credit Condition 2	RC Placed on Channel 0.05		RC and CE Placed on Channel 0.1	
M&C - select value for each stream side	Mimimal (Required) 0	Moderate 0.2	Substantial 0.25	Excellent 0.3
Priority Area	Tertiary 0.05		Secondary 0.2	Primary 0.7
Control	RC on restored channel and 25' buffer (Required) 0.1		Required RC + CE or GPP 0.3	Required RC + CE + GPP 0.5
Mitigation Timing - select value for each stream side	Schedule 3 0		Schedule 2 (Use for all banks) 0.05	Schedule 1 0.15

Riparian Reaches		Reach 1	Reach 2	Reach 3	Reach 4
Complete the Following for Each Riparian Reach					
Simon Channel Evolution Stage					
Rosgen Stream Type/D50					
Criteria for Selecting Existing Condition for Each Reach					
Bankfull Width and Depth		Width: Depth:	Width: Depth:	Width: Depth:	Width: Depth:
Bankfull Indicators (attach photograph showing bankfull for each reach)					
Factors		Preservation	Enhancement	Reach 3	Reach 4
Net Benefit	Stream Side A	0.1	0.4		
	Stream Side B	0.1	0.4		
System Credit: Condition 1 Met		0.1	0.4		
System Credit: Condition 2 met (applicable only if Condition 1 met)		0.1	0.1		
M&C (at least minimal M&C required)	Stream Side A	0.2	0.2		
	Stream Side B	0.2	0.2		
Priority Area		0.05	0.05		
*Control (at least a RC required)		0.3	0.3		
*Mitigation Timing (none for riparian preservation)	Stream Side A	0	0.15		
	Stream Side B	0	0.15		
Sum of Factors M =		1.15	2.45		
Linear Feet of Stream Buffered (do not count each bank separately) LF =		45,651	8,102		
M X LF =		52,498.65	19,849.90		

Total Riparian Restoration Credits Generated = (M + LF) = 72,348.55

Riparian Preservation Credits (52,498.65) can only account for up to 50% of total required credits = 6,750.45

TOTAL Mitigation Credits Required = 13,500.90

Stream Mitigation Credits Generated = 2,047.50

Riparian Enhancement Mitigation Credits Generated = 19,849.90

Riparian Preservation Mitigation Credits Generated = 6,750.45

TOTAL Mitigation Credits Generated = 28,647.85

Appendix B

On-site Mitigation Planting Plan



Legend

- Current Landfill Footprint
- Streams
- Enhanced Stream Buffer
- Preserved Stream Buffer
- Development Authority Property Boundary
- Existing Wetland Types**
 - PEM - Palustrine Emergent Types
 - PFO - Palustrine Forested
 - PSS - Palustrine Scrub-shrub



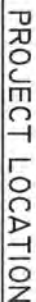
Appendix C

Off-site Mitigation Plan Set and Planting Plan

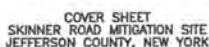


DUCKS UNLIMITED INC.
SKINNER ROAD
MITIGATION SITE
JEFFERSON COUNTY, NEW YORK

101	GENERAL CONDITIONS
102	SUPPLEMENTAL CONDITIONS
201	MOBILIZATION
202	SITE PREPARATION
203	EXCAVATION
204	EMBANKMENT CONSTRUCTION
205	CONSTRUCTED TOPOGRAPHY
206	WATER
207	RIPPAP AND AGGREGATE PLACEMENT
312	TIE DRAIN LOCATION AND REMOVAL
401	DRAIN AND ACCESS ROAD SURFACING
402	SOIL EROSION AND POLLUTION CONTROL
403	SEEDING & MULCHING
404	TRAFFIC MAINTENANCE AND CONTROL

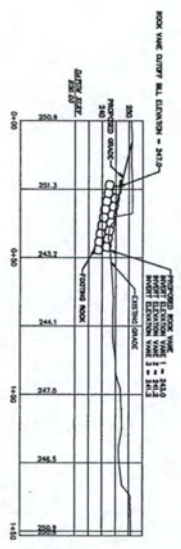


1. COVER-SHEET
2. OVERALL SITE PLAN
3. NORTH FIELD SITE AND GRADING PLAN
4. SOUTH FIELD SITE AND GRADING PLAN
5. STREAM MITIGATION SITE AND GRADING PLAN
6. STREAM MITIGATION SECTION 1 PROFILE AND CROSS SECTIONS
7. STREAM MITIGATION SECTION 2 PROFILE AND CROSS SECTIONS
8. PLANTING PLAN
9. SOIL EROSION AND SEDIMENT CONTROL PLAN

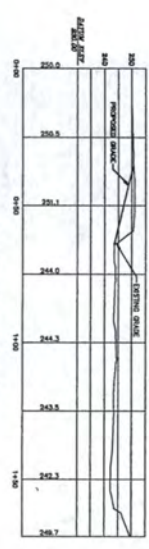


DUCKS UNLIMITED

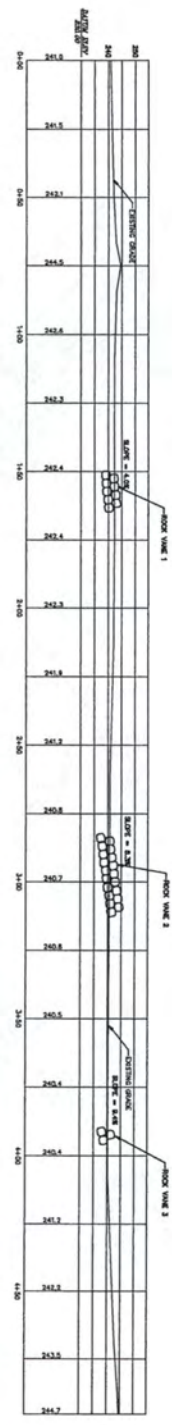
NOTICE: THE USER OF THIS DRAWING IS TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA PROVIDED HEREON. THE USER OF THIS DRAWING IS TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA PROVIDED HEREON. THE USER OF THIS DRAWING IS TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA PROVIDED HEREON.



CROSS SECTION A-A
SCALE 1" = 20'



CROSS SECTION B-B
SCALE 1" = 20'



PROFILE SECTION I
SCALE 1" = 20'

BOOK NO. -
DATE
10/21/2010
PROJECT NO.
US-NY-135-2
GLARO-NY1-014-07



CROSS SECTION C-C
SCALE 1" = 20'



PROFILE SECTION 2
SCALE: 1" = 20'

STREAM MITIGATION SECTION 2
PROFILE AND CROSS SECTIONS
SKINNER ROAD MITIGATION SITE
JEFFERSON COUNTY, NEW YORK

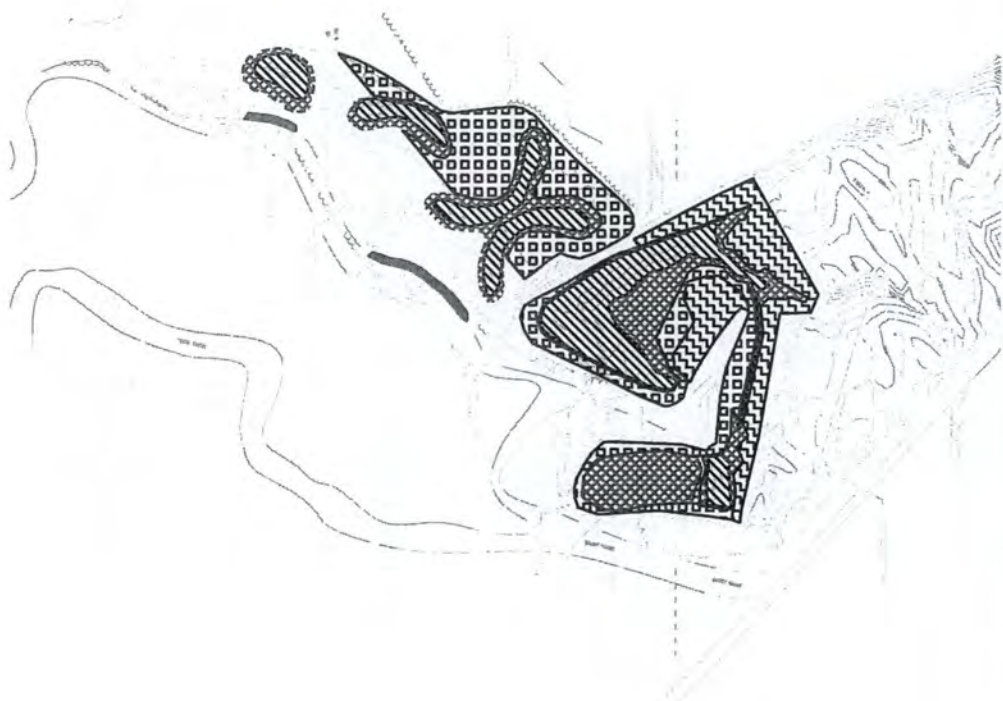


Global Leader in Wetlands & Wildlife Conservation
GREAT LAKES/ATLANTIC REGIONAL OFFICE
 ANN ARBOR, MICHIGAN (734) 623-2000

DUCKS UNLIMITED

[illegible]

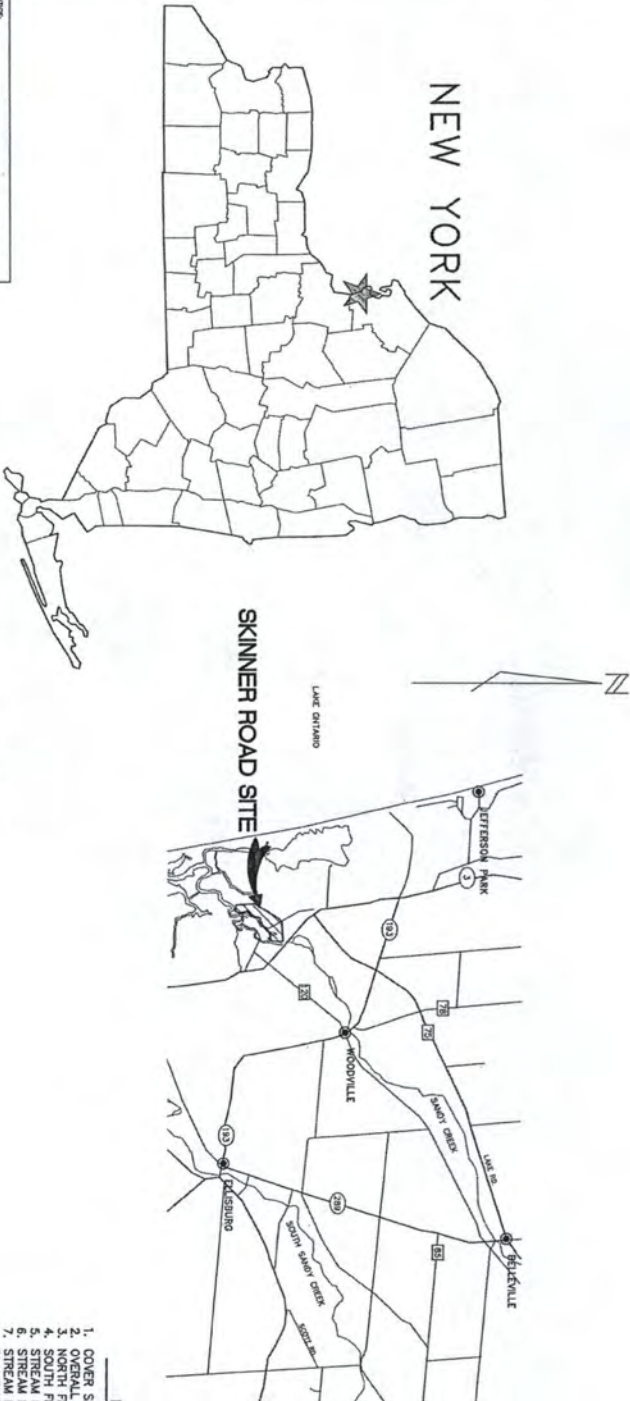
PLANTING PLAN PAGE 8A





DUCKS UNLIMITED INC. SKINNER ROAD MITIGATION SITE JEFFERSON COUNTY, NEW YORK

SPECIFICATIONS	
101	GENERAL CONDITIONS
102	SUPPLEMENTAL CONDITIONS
201	MOBILIZATION
202	SITE PREPARATION
203	EXCAVATION
204	EMBANKMENT CONSTRUCTION
205	CONSTRUCTED TOPOGRAPHY
206	WATER
305	RRAP AND AGGREGATE PLACEMENT
312	TILE DRAIN LOCATION AND REMOVAL
318	DIKE AND ACCESS ROAD SURFACING
401	SOIL EROSION AND POLLUTION CONTROL
402	SEEDING & MULCHING
404	TRAFFIC MAINTENANCE AND CONTROL

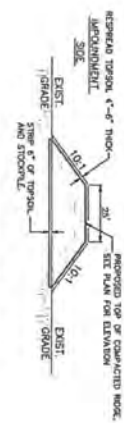


PROJECT LOCATION

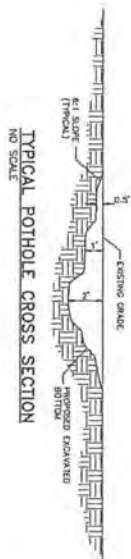
INDEX

1. COVER SHEET
2. OVERALL SITE PLAN
3. SOUTH FIELD SITE AND GRADING PLAN
4. SOUTH FIELD SITE AND GRADING PLAN
5. STREAM MITIGATION SECTION 1 PROFILE AND CROSS SECTIONS
6. STREAM MITIGATION SECTION 2 PROFILE AND CROSS SECTIONS
7. PLANTING PLAN
8. SOIL EROSION AND SEDIMENT CONTROL PLAN





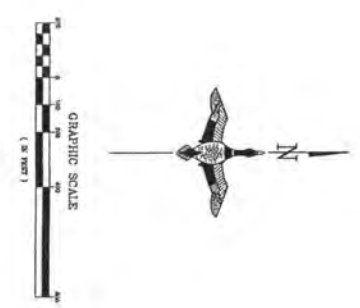
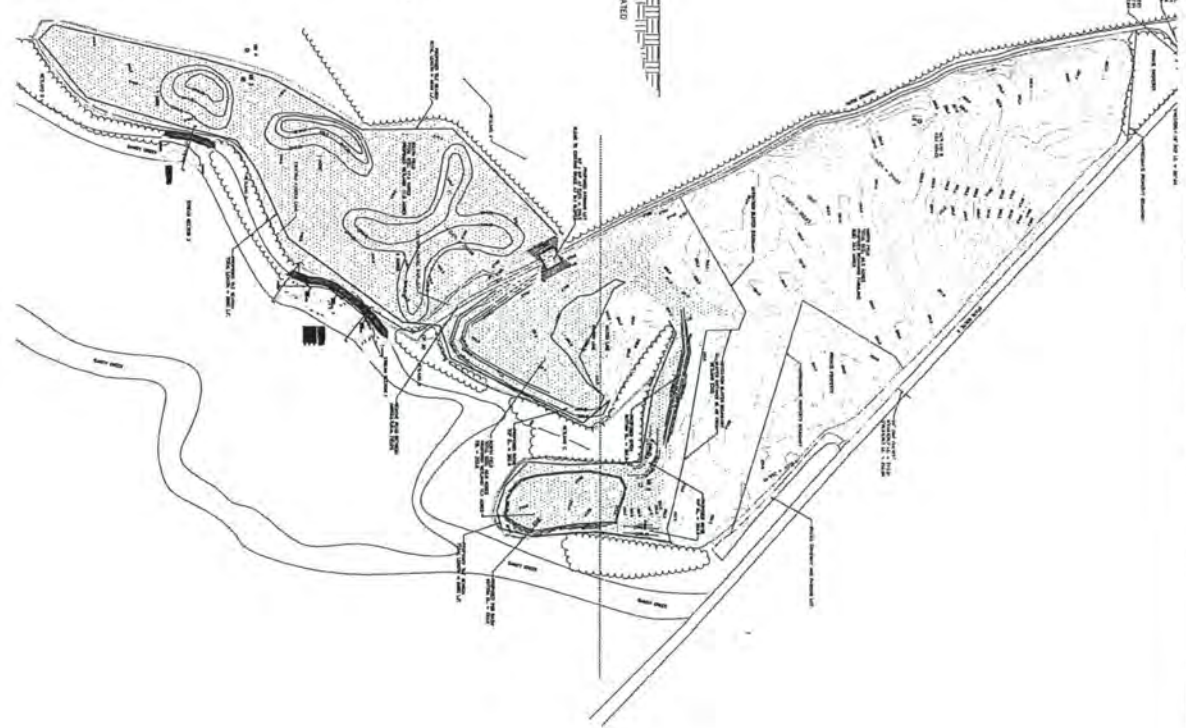
TYPICAL SECTION OF RIDGE
NO SCALE



TYPICAL POT HOLE CROSS SECTION
NO SCALE



TYPICAL DITCH SECTION
NO SCALE



- LEGEND**
- EXISTING PIPE LINE
 - ROAD
 - EXISTING POND
 - EXISTING DRAINAGE
 - EXISTING CONTAINMENT
 - SOIL BORING
 - WETLAND & WETLAND CONTROL
 - EXISTING WETLAND
 - EDGE OF ADJACENT WETLAND
 - PROPOSED TIE SEARCH

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. ALL ELEVATIONS ARE IN FEET ABOVE SEA LEVEL UNLESS OTHERWISE NOTED.
3. ALL EXISTING AND PROPOSED FEATURES ARE SHOWN AS THEY EXIST OR AS THEY WILL BE AFTER CONSTRUCTION.
4. ALL EXISTING AND PROPOSED FEATURES ARE SHOWN AS THEY EXIST OR AS THEY WILL BE AFTER CONSTRUCTION.
5. ALL EXISTING AND PROPOSED FEATURES ARE SHOWN AS THEY EXIST OR AS THEY WILL BE AFTER CONSTRUCTION.

[illegible]

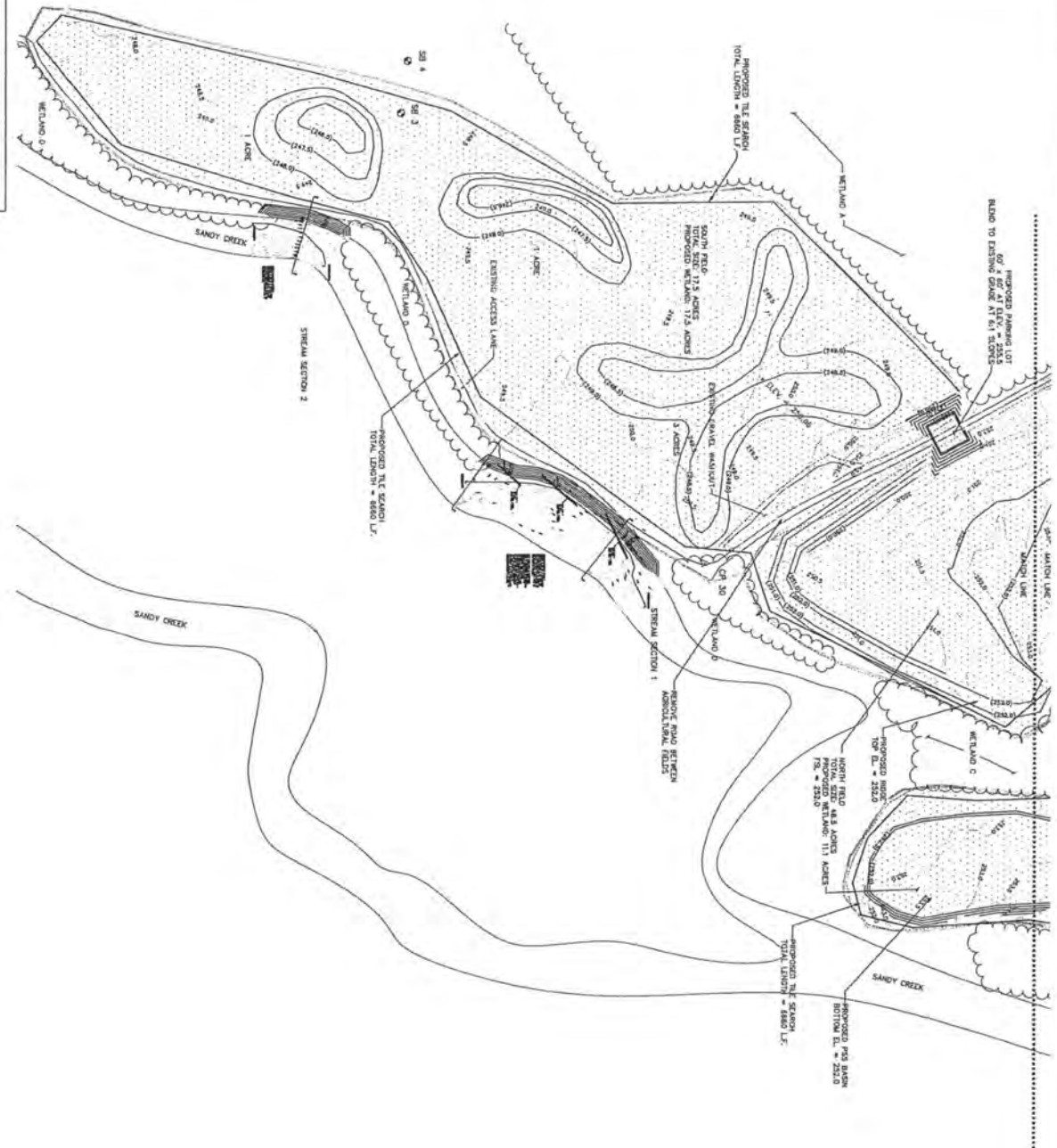
NORTH FIELD SITE AND GRADING PL
SKINNER ROAD MITIGATION SITE
JEFFERSON COUNTY, NEW YORK



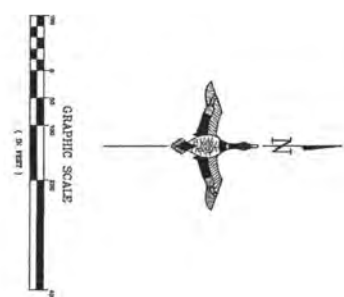
Global Leader in Wetlands & Wildlife Conservation
GREAT LAKES/ATLANTIC REGIONAL OFFICE
 ANN ARBOR, MICHIGAN (734) 623-2000

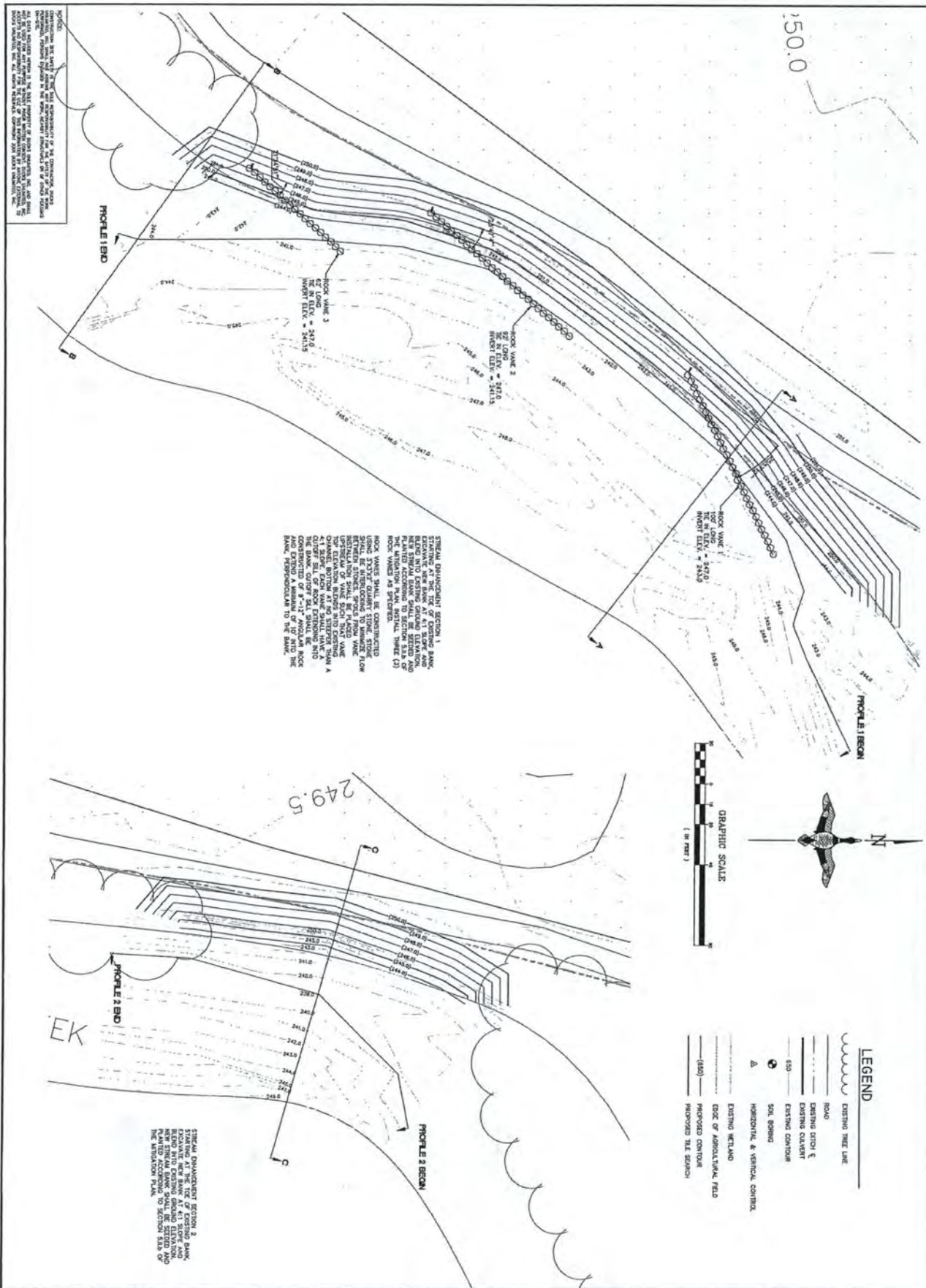
DUCKS UNLIMITED

NOTICE: THIS MAP IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS MAP. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE MITIGATION SITE AND GRADING PLAN. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE PROTECTION OF THE ENVIRONMENT. THE ENGINEER'S OFFICE IS LOCATED AT 1000 N. ZEEB ROAD, ANN ARBOR, MICHIGAN 48106-1500. PHONE: (734) 769-1234. FAX: (734) 769-1235. E-MAIL: INFO@DUCKSUNLIMITED.COM. WEBSITE: WWW.DUCKSUNLIMITED.COM.

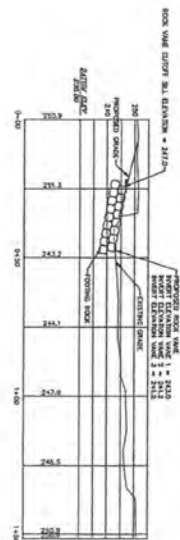


- LEGEND**
- EXISTING TRAIL LINE
 - ROAD
 - EXISTING DITCH & EXISTING DRAINAGE
 - 450' EXISTING CONTOUR
 - SOIL BORING
 - HORIZONTAL & VERTICAL CONTROL
 - EXISTING WETLAND
 - EDGE OF AGRICULTURAL FIELD
 - 1450' PROPOSED CONTOUR
 - PROPOSED TLE SKETCH





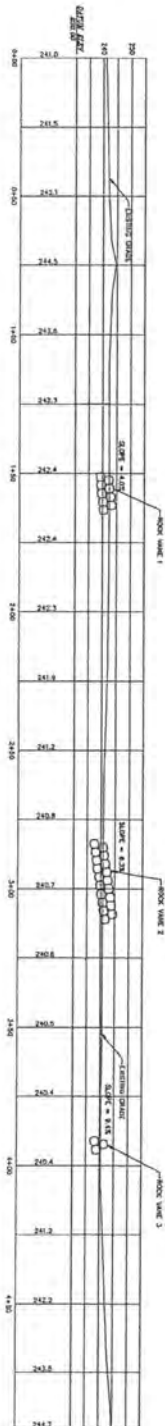
NOTES:
 1. THIS DRAWING IS THE PROPERTY OF THE CONSULTING ENGINEER.
 2. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CONSULTING ENGINEER.
 3. THE CONSULTING ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN. THE CONSULTING ENGINEER DOES NOT WARRANT THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR THE ADEQUACY OF THE DESIGN FOR ANY OTHER PURPOSES.
 4. THE CONSULTING ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN. THE CONSULTING ENGINEER DOES NOT WARRANT THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR THE ADEQUACY OF THE DESIGN FOR ANY OTHER PURPOSES.



CROSS SECTION A-A
 SCALE: 1" = 20'



CROSS SECTION B-B
 SCALE: 1" = 20'



PROFILE SECTION I
 SCALE: 1" = 20'



Global Leader in Wetlands & Wildlife Conservation
 GREAT LAKES/ATLANTIC REGIONAL OFFICE
 ANN ARBOR, MICHIGAN (734) 623-2000

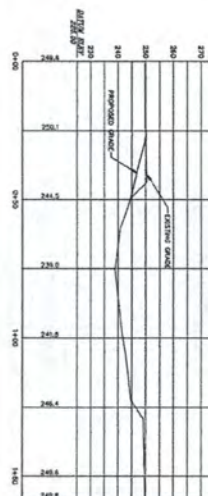
DUCKS UNLIMITED

STREAM MITIGATION SECTION 1
 PROFILE AND CROSS SECTIONS
 SKINNER ROAD MITIGATION SITE
 JEFFERSON COUNTY, NEW YORK

REVISIONS

NO.	DATE	DESCRIPTION
1	10/27/2010	ISSUED FOR PERMIT
2	11/15/2010	REVISED PERMIT & ONE
3	12/21/2010	REVISED PERMIT
4	01/27/2011	REVISED PERMIT
5	02/27/2011	REVISED PERMIT
6	03/27/2011	REVISED PERMIT
7	04/27/2011	REVISED PERMIT
8	05/27/2011	REVISED PERMIT
9	06/27/2011	REVISED PERMIT
10	07/27/2011	REVISED PERMIT
11	08/27/2011	REVISED PERMIT
12	09/27/2011	REVISED PERMIT
13	10/27/2011	REVISED PERMIT
14	11/27/2011	REVISED PERMIT
15	12/27/2011	REVISED PERMIT
16	01/27/2012	REVISED PERMIT
17	02/27/2012	REVISED PERMIT
18	03/27/2012	REVISED PERMIT
19	04/27/2012	REVISED PERMIT
20	05/27/2012	REVISED PERMIT
21	06/27/2012	REVISED PERMIT
22	07/27/2012	REVISED PERMIT
23	08/27/2012	REVISED PERMIT
24	09/27/2012	REVISED PERMIT
25	10/27/2012	REVISED PERMIT
26	11/27/2012	REVISED PERMIT
27	12/27/2012	REVISED PERMIT
28	01/27/2013	REVISED PERMIT
29	02/27/2013	REVISED PERMIT
30	03/27/2013	REVISED PERMIT
31	04/27/2013	REVISED PERMIT
32	05/27/2013	REVISED PERMIT
33	06/27/2013	REVISED PERMIT
34	07/27/2013	REVISED PERMIT
35	08/27/2013	REVISED PERMIT
36	09/27/2013	REVISED PERMIT
37	10/27/2013	REVISED PERMIT
38	11/27/2013	REVISED PERMIT
39	12/27/2013	REVISED PERMIT
40	01/27/2014	REVISED PERMIT
41	02/27/2014	REVISED PERMIT
42	03/27/2014	REVISED PERMIT
43	04/27/2014	REVISED PERMIT
44	05/27/2014	REVISED PERMIT
45	06/27/2014	REVISED PERMIT
46	07/27/2014	REVISED PERMIT
47	08/27/2014	REVISED PERMIT
48	09/27/2014	REVISED PERMIT
49	10/27/2014	REVISED PERMIT
50	11/27/2014	REVISED PERMIT
51	12/27/2014	REVISED PERMIT
52	01/27/2015	REVISED PERMIT
53	02/27/2015	REVISED PERMIT
54	03/27/2015	REVISED PERMIT
55	04/27/2015	REVISED PERMIT
56	05/27/2015	REVISED PERMIT
57	06/27/2015	REVISED PERMIT
58	07/27/2015	REVISED PERMIT
59	08/27/2015	REVISED PERMIT
60	09/27/2015	REVISED PERMIT
61	10/27/2015	REVISED PERMIT
62	11/27/2015	REVISED PERMIT
63	12/27/2015	REVISED PERMIT
64	01/27/2016	REVISED PERMIT
65	02/27/2016	REVISED PERMIT
66	03/27/2016	REVISED PERMIT
67	04/27/2016	REVISED PERMIT
68	05/27/2016	REVISED PERMIT
69	06/27/2016	REVISED PERMIT
70	07/27/2016	REVISED PERMIT
71	08/27/2016	REVISED PERMIT
72	09/27/2016	REVISED PERMIT
73	10/27/2016	REVISED PERMIT
74	11/27/2016	REVISED PERMIT
75	12/27/2016	REVISED PERMIT
76	01/27/2017	REVISED PERMIT
77	02/27/2017	REVISED PERMIT
78	03/27/2017	REVISED PERMIT
79	04/27/2017	REVISED PERMIT
80	05/27/2017	REVISED PERMIT
81	06/27/2017	REVISED PERMIT
82	07/27/2017	REVISED PERMIT
83	08/27/2017	REVISED PERMIT
84	09/27/2017	REVISED PERMIT
85	10/27/2017	REVISED PERMIT
86	11/27/2017	REVISED PERMIT
87	12/27/2017	REVISED PERMIT
88	01/27/2018	REVISED PERMIT
89	02/27/2018	REVISED PERMIT
90	03/27/2018	REVISED PERMIT
91	04/27/2018	REVISED PERMIT
92	05/27/2018	REVISED PERMIT
93	06/27/2018	REVISED PERMIT
94	07/27/2018	REVISED PERMIT
95	08/27/2018	REVISED PERMIT
96	09/27/2018	REVISED PERMIT
97	10/27/2018	REVISED PERMIT
98	11/27/2018	REVISED PERMIT
99	12/27/2018	REVISED PERMIT
100	01/27/2019	REVISED PERMIT
101	02/27/2019	REVISED PERMIT
102	03/27/2019	REVISED PERMIT
103	04/27/2019	REVISED PERMIT
104	05/27/2019	REVISED PERMIT
105	06/27/2019	REVISED PERMIT
106	07/27/2019	REVISED PERMIT
107	08/27/2019	REVISED PERMIT
108	09/27/2019	REVISED PERMIT
109	10/27/2019	REVISED PERMIT
110	11/27/2019	REVISED PERMIT
111	12/27/2019	REVISED PERMIT
112	01/27/2020	REVISED PERMIT
113	02/27/2020	REVISED PERMIT
114	03/27/2020	REVISED PERMIT
115	04/27/2020	REVISED PERMIT
116	05/27/2020	REVISED PERMIT
117	06/27/2020	REVISED PERMIT
118	07/27/2020	REVISED PERMIT
119	08/27/2020	REVISED PERMIT
120	09/27/2020	REVISED PERMIT
121	10/27/2020	REVISED PERMIT
122	11/27/2020	REVISED PERMIT
123	12/27/2020	REVISED PERMIT
124	01/27/2021	REVISED PERMIT
125	02/27/2021	REVISED PERMIT
126	03/27/2021	REVISED PERMIT
127	04/27/2021	REVISED PERMIT
128	05/27/2021	REVISED PERMIT
129	06/27/2021	REVISED PERMIT
130	07/27/2021	REVISED PERMIT
131	08/27/2021	REVISED PERMIT
132	09/27/2021	REVISED PERMIT
133	10/27/2021	REVISED PERMIT
134	11/27/2021	REVISED PERMIT
135	12/27/2021	REVISED PERMIT
136	01/27/2022	REVISED PERMIT
137	02/27/2022	REVISED PERMIT
138	03/27/2022	REVISED PERMIT
139	04/27/2022	REVISED PERMIT
140	05/27/2022	REVISED PERMIT
141	06/27/2022	REVISED PERMIT
142	07/27/2022	REVISED PERMIT
143	08/27/2022	REVISED PERMIT
144	09/27/2022	REVISED PERMIT
145	10/27/2022	REVISED PERMIT
146	11/27/2022	REVISED PERMIT
147	12/27/2022	REVISED PERMIT
148	01/27/2023	REVISED PERMIT
149	02/27/2023	REVISED PERMIT
150	03/27/2023	REVISED PERMIT
151	04/27/2023	REVISED PERMIT
152	05/27/2023	REVISED PERMIT
153	06/27/2023	REVISED PERMIT
154	07/27/2023	REVISED PERMIT
155	08/27/2023	REVISED PERMIT
156	09/27/2023	REVISED PERMIT
157	10/27/2023	REVISED PERMIT
158	11/27/2023	REVISED PERMIT
159	12/27/2023	REVISED PERMIT
160	01/27/2024	REVISED PERMIT
161	02/27/2024	REVISED PERMIT
162	03/27/2024	REVISED PERMIT
163	04/27/2024	REVISED PERMIT
164	05/27/2024	REVISED PERMIT
165	06/27/2024	REVISED PERMIT
166	07/27/2024	REVISED PERMIT
167	08/27/2024	REVISED PERMIT
168	09/27/2024	REVISED PERMIT
169	10/27/2024	REVISED PERMIT
170	11/27/2024	REVISED PERMIT
171	12/27/2024	REVISED PERMIT
172	01/27/2025	REVISED PERMIT
173	02/27/2025	REVISED PERMIT
174	03/27/2025	REVISED PERMIT
175	04/27/2025	REVISED PERMIT
176	05/27/2025	REVISED PERMIT
177	06/27/2025	REVISED PERMIT
178	07/27/2025	REVISED PERMIT
179	08/27/2025	REVISED PERMIT
180	09/27/2025	REVISED PERMIT
181	10/27/2025	REVISED PERMIT
182	11/27/2025	REVISED PERMIT
183	12/27/2025	REVISED PERMIT
184	01/27/2026	REVISED PERMIT
185	02/27/2026	REVISED PERMIT
186	03/27/2026	REVISED PERMIT
187	04/27/2026	REVISED PERMIT
188	05/27/2026	REVISED PERMIT
189	06/27/2026	REVISED PERMIT
190	07/27/2026	REVISED PERMIT
191	08/27/2026	REVISED PERMIT
192	09/27/2026	REVISED PERMIT
193	10/27/2026	REVISED PERMIT
194	11/27/2026	REVISED PERMIT
195	12/27/2026	REVISED PERMIT
196	01/27/2027	REVISED PERMIT
197	02/27/2027	REVISED PERMIT
198	03/27/2027	REVISED PERMIT
199	04/27/2027	REVISED PERMIT
200	05/27/2027	REVISED PERMIT
201	06/27/2027	REVISED PERMIT
202	07/27/2027	REVISED PERMIT
203	08/27/2027	REVISED PERMIT
204	09/27/2027	REVISED PERMIT
205	10/27/2027	REVISED PERMIT
206	11/27/2027	REVISED PERMIT
207	12/27/2027	REVISED PERMIT
208	01/27/2028	REVISED PERMIT
209	02/27/2028	REVISED PERMIT
210	03/27/2028	REVISED PERMIT
211	04/27/2028	REVISED PERMIT
212	05/27/2028	REVISED PERMIT
213	06/27/2028	REVISED PERMIT
214	07/27/2028	REVISED PERMIT
215	08/27/2028	REVISED PERMIT
216	09/27/2028	REVISED PERMIT
217	10/27/2028	REVISED PERMIT
218	11/27/2028	REVISED PERMIT
219	12/27/2028	REVISED PERMIT
220	01/27/2029	REVISED PERMIT
221	02/27/2029	REVISED PERMIT
222	03/27/2029	REVISED PERMIT
223	04/27/2029	REVISED PERMIT
224	05/27/2029	REVISED PERMIT
225	06/27/2029	REVISED PERMIT
226	07/27/2029	REVISED PERMIT
227	08/27/2029	REVISED PERMIT
228	09/27/2029	REVISED PERMIT
229	10/27/2029	REVISED PERMIT
230	11/27/2029	REVISED PERMIT
231	12/27/2029	REVISED PERMIT
232	01/27/2030	REVISED PERMIT
233	02/27/2030	REVISED PERMIT
234	03/27/2030	REVISED PERMIT
235	04/27/2030	REVISED PERMIT
236	05/27/2030	REVISED PERMIT
237	06/27/2030	REVISED PERMIT
238	07/27/2030	REVISED PERMIT
239	08/27/2030	REVISED PERMIT
240	09/27/2030	REVISED PERMIT
241	10/27/2030	REVISED PERMIT
242	11/27/2030	REVISED PERMIT
243	12/27/2030	REVISED PERMIT
244	01/27/2031	REVISED PERMIT
245	02/27/2031	REVISED PERMIT
246	03/27/2031	REVISED PERMIT
247	04/27/2031	REVISED PERMIT
248	05/27/2031	REVISED PERMIT
249	06/27/2031	REVISED PERMIT
250	07/27/2031	REVISED PERMIT
251	08/27/2031	REVISED PERMIT
252	09/27/2031	REVISED PERMIT
253	10/27/2031	REVISED PERMIT
254	11/27/2031	REVISED PERMIT
255	12/27/2031	REVISED PERMIT
256	01/27/2032	REVISED PERMIT
257	02/27/2032	REVISED PERMIT
258	03/27/2032	REVISED PERMIT
259	04/27/2032	REVISED PERMIT
260	05/27/2032	REVISED PERMIT
261	06/27/2032	REVISED PERMIT
262	07/27/2032	REVISED PERMIT
263	08/27/2032	REVISED PERMIT
264	09/27/2032	REVISED PERMIT
265	10/27/2032	REVISED PERMIT
266	11/27/2032	REVISED PERMIT
267	12/27/2032	REVISED PERMIT
268	01/27/2033	REVISED PERMIT
269	02/27/2033	REVISED PERMIT
270	03/27/2033	REVISED PERMIT
271	04/27/2033	REVISED PERMIT
272</		

	10/26/98 MS. SLOTT ARCHIVE FILE
CAN FILE:	
PROFILES AND CROSS SECTIONS	
DRAWING BY PCE	
DRAWN BY PCE	
SUBMITTED BY PCE & QAB	
DOCK NO. -	
DATE:	
10/26/2010	
PROJECT NO.	
US-NY-135-2	
GLAND-NY1-014-07	



CROSS SECTION C-C
SCALE: 1" = 20'

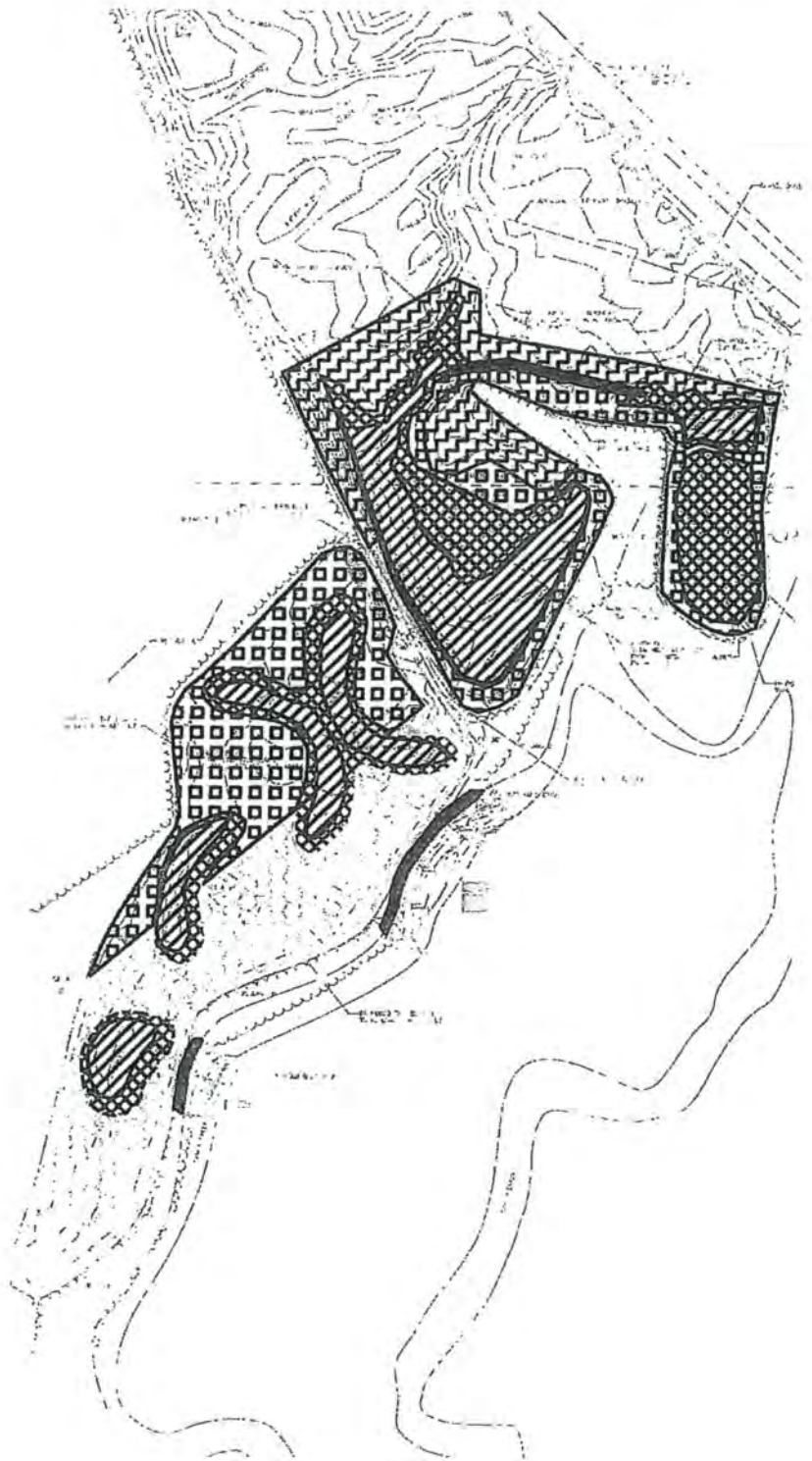


PROFILE SECTION 2
SCALE 1" = 20'

STREAM MITIGATION SECTION 2
PROFILE AND CROSS SECTIONS
SKINNER ROAD MITIGATION SITE
JEFFERSON COUNTY, NEW YORK



Global Leader in Wetlands & Wildlife Conservation
GREAT LAKES/ATLANTIC REGIONAL OFFICE
 ANN ARBOR, MICHIGAN (734) 823-2000

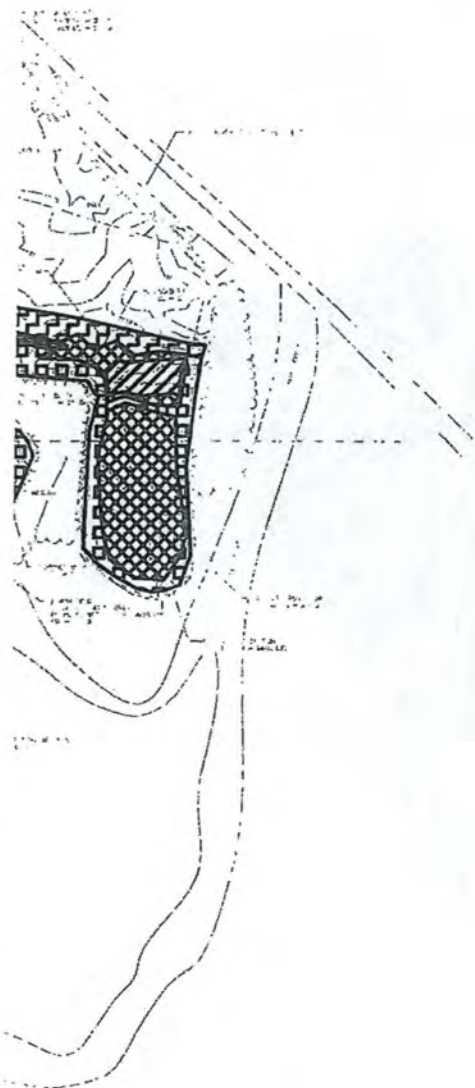


NOTICE:

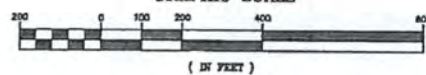
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. DUCKS UNLIMITED, INC. SHALL NOT ASSUME ANY RESPONSIBILITY FOR THE SAFETY OF THE WORK PERFORMED, PERSONS ENGAGED IN THE WORK, NEARBY STRUCTURES OR OF OTHER PERSONS ON-SITE.

ALL DATA INCLUDED HEREIN IS THE SOLE PROPERTY OF DUCKS UNLIMITED, INC. AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN CONSENT. DUCKS UNLIMITED, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS INFORMATION BY ANYONE EXTERNAL TO DUCKS UNLIMITED, INC. ALL RIGHTS RESERVED. COPYRIGHT 2001 DUCKS UNLIMITED, INC.

PLANTING PLAN PAGE 8A



GRAPHIC SCALE



LEGEND

- EXISTING TREE LINE
- ROAD
- EXISTING DITCH
- EXISTING CULVERT
- EXISTING OVERHEAD ELECTRIC
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING CONTOUR
- BENCH MARK
- HORIZONTAL & VERTICAL CONTROL
- PROPOSED CONTOUR
- EXISTING WETLAND
- PROPOSED CULVERT
- PROPOSED DIKE
- PROPOSED DITCH
- PROPOSED PALUSTRINE EMERGENT MARSH (PEM)
SEED MIX AS SPECIFIED IN SECTION 5.1.b.i-MITIGATION
WORK PLAN
6.1 ACRES
- PROPOSED PALUSTRINE SCRUB-SHRUB WETLAND (PSS)
SHRUB PLANTING AND SEED MIX AS SPECIFIED
IN SECTION 5.1.b.ii-MITIGATION WORK PLAN
7.0 ACRES
- PROPOSED PALUSTRINE FORESTED WETLAND (PFO)
SEED MIX AS SPECIFIED IN SECTION 5.1.b.iii and 5.1.b.iv
MITIGATION WORK PLAN
7.9 ACRES
- PROPOSED UPLAND BUFFER
SEED MIX AS SPECIFIED IN SECTION 5.1.b.v-MITIGATION
WORK PLAN
4.5 ACRES
- PROPOSED RIPARIAN PLANTING
SEED MIX AS SPECIFIED IN SECTION 5.1.b-MITIGATION
WORK PLAN
0.4 ACRES
- PROPOSED PALUSTRINE EMERGENT WETLAND WET MEADOW (PEM)
SEED MIX AS SPECIFIED IN SECTION 5.1.b.iii
MITIGATION WORK PLAN
7.6 ACRES

Global Leader in Wetlands & Wildlife Conservation
GREAT LAKES/ATLANTIC REGIONAL OFFICE
 ANN ARBOR, MICHIGAN (734) 623-2000
C.DUCKS UNLIMITED

PLANTING PLAN
 SKINNER ROAD MITIGATION SITE
 JEFFERSON COUNTY, NEW YORK

REVISIONS:

4/12/2012 PER CLIENT REVIEW PCW
 10/4/2010 PER CLIENT REVIEW PCW
 10/21/2010 INCLUSION OF STREAM BEDS
 4/14/2010 PER CLIENT REVIEW PCW
 6/21/2010 PER CLIENT REQUEST PCW
 12/9/09 FOR INTERNAL REVIEW PCW
 10/11/09 FOR CLIENT REVIEW PCW

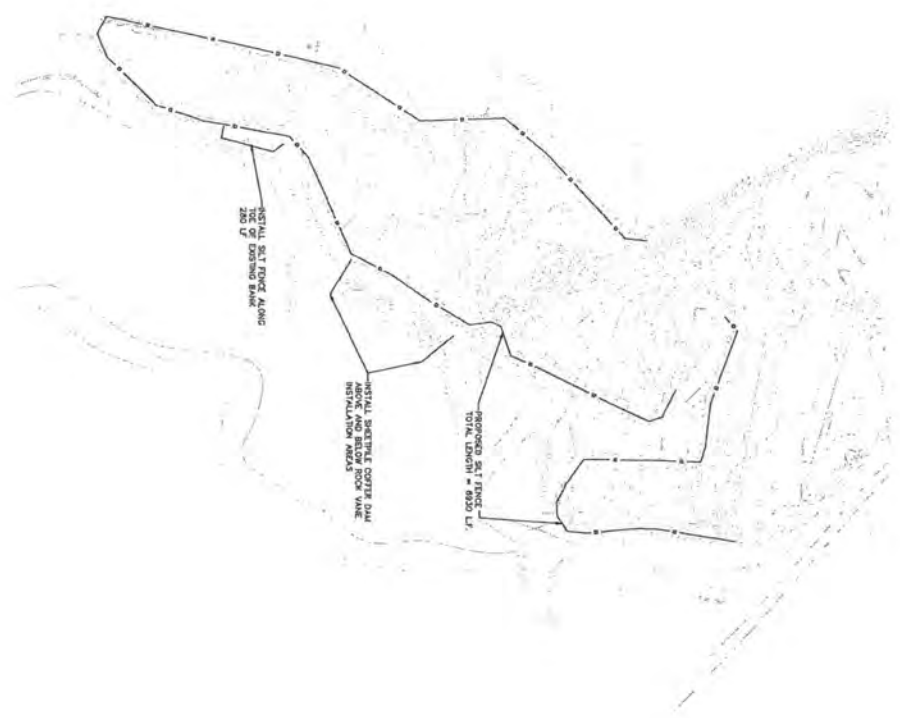
CAD FILE:
 PLANTING PLAN

DESIGNED BY: PCW
 DRAWN BY: PCW
 SURVEYED BY: J.P. PCW
 BOOK NO. -

DATE:
 10/15/2009
 PROJECT NO.:
 US-NY-135-2

GLARO-NY1-014-8

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE DESIGNER.
 2. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.
 3. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.
 4. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.
 5. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.



- LEGEND**
- EXISTING TREE LINE
 - ROAD
 - EXISTING DITCH & EXISTING DRAINAGE
 - EXISTING OVERHEAD ELECTRIC
 - EXISTING UTILITY POLE
 - EXISTING GUY WIRE
 - EXISTING CONTOUR
 - ROCK BANK
 - HORIZONTAL & VERTICAL CONTROL
 - PROPOSED CONTOUR
 - WETLAND DESIGN AREA = 28.8 ACRES
 - EXISTING WETLAND
 - PROPOSED DRAINAGE
 - PROPOSED DITCH
 - PROPOSED SALT FENCE
 - 4920 L.F.

Appendix D

Declaration of Conservation Covenants and Restrictions

DECLARATION OF CONSERVATION COVENANTS AND RESTRICTIONS

THIS DECLARATION OF CONSERVATION COVENANTS AND RESTRICTIONS ("Declaration") is made by the Development Authority of the North Country, a New York State public authority, the undersigned "Declarant." Declarant is the owner in fee simple of approximately 1,500 acres of real property lying in Jefferson County, New York ("Declarant's Property"), which real property was acquired for purposes of the construction and operation of a solid waste management facility. As of the date of this Declaration, the life expectancy of Declarant's landfill facility, as modified, is estimated at 60 to 65 years. Declarant, for good and valuable consideration, declares conservation use restrictions on only those portions of Declarant's Property, containing approximately 435 acres of land, consisting of Protected Area Polygon 1, Protected Area Polygon 2, Protected Area Polygon 3 and Protected Area Polygon 4, shown and described on Exhibit A annexed to this Declaration. The portions of Declarant's Property that are subject to this Declaration and its conservation use restrictions are collectively identified as the "Property" in this Declaration.

PREMISES

WHEREAS, Declarant was issued a permit by the U.S. Army Corps of Engineers ("USACE") Action Number (**enter permit number**), pursuant to Section 404 of the Clean Water Act ("CWA") (33 U.S.C. 1344) under the administrative regulatory authority of the USACE Buffalo District, Regulatory Branch, setting forth authorization for certain discharge of fill material in waters of the United States, including wetlands and streams; and,

WHEREAS, said permit, dated _____ is attached hereto as Exhibit B and by this reference is made a part hereof; and,

WHEREAS, discharge of fill material in jurisdictional waters of the United States including wetlands and streams pursuant to the CWA, Section 404 requires compensatory mitigation and perpetual protection of the mitigation property; and,

WHEREAS, the conservation functions and services of the Property are summarized and described in Exhibit C attached hereto and made a part hereof; and

WHEREAS, the Property is being preserved, restored, established or enhanced as a wetland, buffer to wetlands, stream, streamside buffer, and/or upland buffer to jurisdictional waters of the United States, as well as to non-jurisdictional waters of the United States where such Property has been accepted as compensatory mitigation pursuant to the permit; and,

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the Declarant and each and every subsequent owner and occupant of the Property, and as required mitigation for the discharge of fill material in waters of the United States including wetlands and streams, Declarant has promised to place certain restrictions on the Property

Auburn Field Office
Received

exclusively for conservation purposes, in order that it shall remain substantially in its restored, enhanced, preserved and natural condition, in perpetuity.

1. Transfers & Extinguishment

Declarant does hereby declare that all of the Property shall be held, transferred, sold, conveyed and occupied subject to the terms and conditions of the covenants, easements and affirmative obligations set forth in this Declaration all of which shall run with the Property and will be binding on all persons, firms, associations, corporations or governmental entities having or hereafter acquiring any right, title or interest in the Property, or any part thereof, their heirs, executors, administrators, successors and assigns. The terms and conditions of this Declaration shall be both implicitly and explicitly included in any subsequent transfer, conveyance, or encumbrance affecting all or any part of the Property. It shall set forth the terms and conditions of this Declaration either by reference to this Declaration and its recorded location or by attachment and incorporation by reference. The Declaration shall not be extinguished except by written approval of the USACE, or its successor in administration of the CWA.

2. Property as Open and Common Area

The Property is set aside for conservation use and shall be designated as an undeveloped lot, buffer, open and common area or greenway and will not now, nor in the future, be made part of any single lot or lots in a residential or mixed use subdivision or a subdivided commercial development, but rather the Property shall be held, maintained and managed by the owner, developer, corporation, homeowner or business association as an open, common and undeveloped conservation area. There shall be no legal or de facto division, subdivision or partitioning of the Property used as mitigation unless approved by USACE and addressed in the permit.

3. Prohibited Uses

Except as necessary (1) to carry out wetland/stream and/or buffer restoration, enhancement and/or establishment in keeping with the mitigation plan of the permit as approved by USACE; or, (2) to fence the Property to keep out livestock, domestic animals, trespassers, or for protection or enhancement of the Property; or, (3) to carry out established management and maintenance activities on the Property as described in Exhibit D attached hereto; or, (4) to carry out any other management or maintenance activities on the Property proposed by Declarant, as approved in advance in writing by the USACE; the actions encompassed as prohibited by this Declaration shall include, but shall not be limited to the following:

- A. Clearing, cutting or mowing;
- B. Earthmoving, grading, removal of topsoil, cultivation, burning, filling or changes in the topography of the land in any manner;

C. Placement of refuse, wastes, sewage, dredged spoil, solid waste, incinerator residue, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, or agricultural waste on the Property (for purposes of clarity, this prohibition shall not apply to waste that may blow onto the Property from Declarant's landfill facility);

D. Draining, ditching, diking, dredging, channelizing, pumping, impounding, excavating;

E. Diverting or affecting the natural flow of surface or underground waters within, or out of the Property; manipulating or altering any natural water course, body of water or water circulation and any activities or uses detrimental to water quality;

F. Mining, drilling;

G. Burning, systematically removing or cutting timber or otherwise destroying any vegetation. Upon approval from the USACE, selective pruning, unsafe trees or exotic non-native vegetation may be removed in accordance with current scientific best management practices as set out by the U.S. Forest Service or the New York Forestry Commission;

H. Spraying with biocides or use of herbicides or pollutants that violate water quality standards;

I. Introducing exotic species on the Property, altering the natural state of the wetlands or streams or causing erosion or sedimentation;

J. Grazing or use by domesticated animals such that animal wastes enter soil and water;

K. Construction of any kind in the wetlands, streams, buffers or upland, whether temporary or permanent (for purposes of clarity, this prohibition shall not apply to directional boring or drilling under these resources and associated construction of underground utility lines provided all work associated with such boring, drilling and construction is performed outside of the boundaries of the Property to avoid any surface impacts on the Property);

L. Use of off-road vehicles and use of motorized vehicles except as identified on Exhibit D attached hereto;

M. Any other use of, or activity on, the Property which is or may become inconsistent with the purposes of this Declaration, the preservation of the Property substantially in its natural condition, or the protection of its environmental systems; and

N. Display of billboards, signs, or advertisements on or over the Property, except for the posting of no trespassing signs, temporary signs indicating the Property is

for sale, signs identifying the trees, vegetation, wetlands or conservation values of the Property and/or signs identifying the owner of the Property.

As permitted or approved in writing by USACE, the Property may have: (1) a narrow pedestrian walking trail in the uplands or upland buffer using pervious materials, (2) minimal structures and boardwalks for the observation of wildlife and wetland/stream ecology, and (3) crops for wildlife or placement of temporary hunting stands in uplands.

Conservation and wildlife habitat management plans may be implemented by Declarant, the New York State Department of Environmental Conservation, U.S. Forest Service, conservation land trusts holding conservation easements, or other conservation management entities where the habitat, wildlife or forest management does not result in any impacts to the wetlands/streams/riparian corridors and its buffers, or to property protected for its historical, cultural and/or archeological value, and where the proposal would enhance the management of the Property for its conservation use.

4. Easements

A. The Property is free and clear of any and all liens, loans, claims, restrictions, easements and encumbrances, except as otherwise identified in this document and its exhibits, including the List of Encumbrances annexed to this Declaration as Exhibit E.

B. No violations of these Restrictive Covenants exist on the Property at the time of execution of this Declaration.

C. Environmental impacts, if any, caused by existing easements such as roads, utility lines or pipelines, where such easements are in place as of the date of the recording of this Declaration shall not be considered as causing any prohibited impacts to the Property by their use and maintenance.

D. Should an easement or legal right of use of the Property, not listed in paragraph (4)(A) and prior in time and recording to this Declaration, be exercised in such a manner that it conflicts with the prohibited uses of the Property set out in this Declaration, then the owners of the Property, whether the Declarant of this Declaration or any heirs, executors, administrators, successors or assigns, shall be responsible for providing alternative conservation mitigation in such amounts and of such service and function as the USACE or any enforcer of this Declaration shall determine in accordance with the terms of the permit and with Section 404 of the CWA and its implementing regulations.

5. Representations

Declarant represents and warrants that after reasonable investigation, and to the best of its knowledge:

A. No substance defined, listed, or otherwise classified pursuant to any federal, state, or local law, or regulation, as hazardous, toxic, polluting, or otherwise contaminating

to the water or soil, has been released, generated, treated, stored, used, disposed of, deposited, abandoned, or transported in, on, from, or across the Property;

B. There are no underground storage tanks located on the Property, whether presently in service or closed, abandoned, or decommissioned;

C. The Property is in compliance with all federal, state and local laws, regulations and permits and there is no pending or threatened litigation in any way affecting, involving or relating to the Property and its use; and

D. The Property is not land-locked and there is access to the Property by road, dedication of pathway or by an access easement.

6. Affirmative Duties

A. Declarant will take action to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the conservation values of the Property or that are otherwise inconsistent with this Declaration.

B. A management plan shall be developed by Declarant and its successors for management of the Property for its conservation duties. Adequate financial resources shall be allocated by Declarant for protection of the Property. Declarant shall take immediate action to cure violations of this Declaration.

7. Exclusive Possession

Declarant and its successors and assigns reserve all other rights accruing from their ownership of the Property including but not limited to the exclusive possession of the Property, the right to transfer or assign their interest in the same, the right to take action necessary to prevent erosion on the Property, to protect the Property from losing its conservation functions and services, or to protect public health or safety; and the right to use the Property in any manner not prohibited by this Declaration and which would not defeat or diminish the conservation purpose of this Declaration.

8. Benefits to the General Public

It is expressly understood and agreed that this Declaration does not necessarily grant or convey to members of the general public, any rights of ownership, interest in, or use of the Property unless so designated by the owner for such purpose. Nonetheless, the Property has significant aesthetic and conservation value in its present or restored state as a predominately natural area which has not been subject to extensive development or exploitation. The protection of jurisdictional and non-jurisdictional waters of the United States, their buffers and uplands, floodplains, vegetation, scenic, open space, aquatic and wildlife habitat are considered of great importance to the well being of the general public and to all citizens of New York and are worthy of preservation and conservation.

Auburn Field Office
Received

9. Enforcement

The USACE, U.S. Department of Justice and/or the U.S. Environmental Protection Agency, or their successors, as third party beneficiaries hereof, are hereby specifically granted the authority to enforce the provisions of this Declaration pursuant to the CWA Section 404 and implementing regulations. Appropriate remedy for violation of this Declaration is contemplated to include, without limitation, injunctive relief to restrain such violation, restoration, administrative, civil or criminal penalties as well as any other remedy available under law or equity. However, no violation of this Declaration shall result in a forfeiture or reversion of title. It shall not be a defense, for purposes of this Declaration, that the conservation functions and services of the Property were impacted without the owner's knowledge or consent, or that the waters on the Property are deemed to be non-jurisdictional waters of the United States either by their function or by statute. The Property was offered and accepted as mitigation and is therefore subject to the contractual terms of the permit and this Declaration. Loss of conservation functions and services shall not be required to be replaced if damage is due to "acts of God" as is generally referenced, so long as there has been completion of the mitigation requirements of the permit as to restoration, enhancement, establishment and monitoring. In any enforcement action, an enforcing agency shall be entitled to a complete restoration for any violation, as well as any other judicial remedy such as civil or criminal penalties or an award of agency attorneys' fees. Nothing herein shall limit the right of the USACE to modify, suspend or revoke its permits.

10. Right of Ingress and Egress

The USACE and/or the U.S. Environmental Protection Agency and their respective agents, their assigned agents and contractors, shall at reasonable times and upon notice to Declarant, have an access easement for the right of ingress and egress to inspect the Property in order to monitor and to ascertain whether there has been compliance with this Declaration. Signs declaring the Property to be conservation property shall be posted by the Declarant in order to provide notice of the land use designation.

11. Covenant Runs with the Land

This Declaration shall not terminate upon some fixed amount of time but shall run with the land in perpetuity both as to benefit and as to burden and shall be enforceable against Declarant and all present and future owners, tenants and other holders of any interest in the Property. This Declaration is established for the purpose of preserving, enhancing and conserving wetlands and streams, non-jurisdictional wetlands and streams accepted as mitigation, buffers, uplands, open areas and the associated conservation values, services and functions. Furthermore, this Declaration carries out the statutory requirements of Section 404 of the CWA and the implementing regulations.

12. Intent of Clean Water Act

The intent of the CWA Section 404 is to restore and maintain the chemical, physical and biological integrity of the Nation's waters. The intent of this document is that the Property be perpetually protected as conservation lands.

13. Written Notice of Legal Action against Property

Pursuant to the CWA, the District Engineer, c/o Office of Counsel, U.S. Department of the Army, Corps of Engineers, Buffalo District, Buffalo, New York, shall be provided with a 60-day advance written notice of any legal action concerning this Declaration, or of any action to extinguish, void or modify this Declaration, in whole or in part. The Declaration is intended to survive foreclosure, tax sales, bankruptcy proceedings, zoning changes, adverse possession, abandonment, condemnation and similar doctrines or judgments affecting the Property. A copy of this recorded Declaration shall accompany said notice.

14. Eminent Domain

It is the intent of this Declaration that the aquatic resources it protects shall not be altered or impacted by eminent domain. However, if any or part of the Property is taken by exercise of the power of eminent domain, so as to terminate this Declaration, in whole or in part, USACE shall be given 60-day notification for the purpose of providing the condemnor and the court authorizing the action, with the value and cost of the consequential damages or the costs of replacement in kind of the ecological units and the conservation functions, services and values of CWA jurisdictional or non-jurisdictional mitigation on the Property. Subject to approval by the USACE, options for replacement of consequential environmental impacts due to eminent domain are governed by the CWA Section 404 and the implementing regulations. Options for payment of consequential damages to waters of the United States impacted by the eminent domain taking may include: (1) re-recording of the USACE model Declaration of Conservation Covenants and Restrictions on the Property signed by the new owner thereby preserving the existing waters of the U.S. and their buffers on the site without impact; (2) payment of funds sufficient for the acquisition and protection of alternative real property in the same hydrologic watershed providing equivalent conservation functions, services and values of wetlands, streams, creeks, shorelines, other waters of the United States and their buffers; or (3) if available, the option to fund the purchase of conservation mitigation credits from an authorized wetland/stream mitigation bank sufficient to replace the conservation mitigation functions, services and values of the wetlands, streams, creeks, shorelines, and other waters of the United States and their buffers; (4) payment of funds to an in-lieu fee mitigation wetlands/streams trust account approved by the USACE in an amount sufficient to purchase and protect alternative real property in the same hydrologic watershed that would provide the equivalent mitigation conservation functions, services and values, as the property impacted by eminent domain; or (5) any other alternative consequential damages aquatic conservation mitigation as may be approved by USACE in compliance with the regulations and requirements. Failure of the proponent to provide consequential damages mitigation through alternative aquatic conservation mitigation due to impact to aquatic

resources protected under the CWA associated with eminent domain shall be referred to the U.S. Department of Justice for action.

15. Removal to U.S. Federal District Court

The USACE reserves the right to recommend to the U.S. Department of Justice that the legal action as it relates to the CWA be removed to the U.S. Federal District Court in the district where the Property lies.

16. Recordation of Instrument

Declarant shall execute and record this instrument in timely fashion in the official records of the Office of the Clerk of the County in which the Property lies and shall provide the USACE with a copy of the recorded Declaration and exhibits. Declarant may re-record this instrument at any time as may be required to preserve its rights.

17. Notice to Government

Any permit application or request made to any governmental entity and affecting the Property, shall expressly reference and include a copy (with the recording stamp) of this Declaration.

18. Property Transfers

Declarant shall include the following notice on all deeds, mortgages, plats, or any other legal instruments used to convey any interest in the Property (failure to comply with this paragraph does not impair the validity or enforceability of these restrictive covenants):

NOTICE: This Property Subject to Declaration of Conservation Covenants and Restrictions Recorded at *[insert book and page references, county(ies), and date of recording]*.

19. Amendment

This Declaration may only be amended by a recorded document signed by the Declarant after written approval by the USACE. Any amendment shall be consistent with the USACE's model conservation restrictions at the time of amendment. Amendment shall be allowed at the discretion of the USACE, in consultation with resource agencies as appropriate, and then only in exceptional circumstances. Mitigation for amendment impacts will be required pursuant to USACE mitigation policy at the time of amendment. There shall be no obligation to allow an amendment.

20. Severability Provision

Should any separable part of these restrictive covenants be held contrary to law, the remainder shall continue in full force and effect.

IN WITNESS WHEREOF Declarant has duly executed this Declaration on the ____ day of _____, 201_.

IN THE PRESENCE OF:

DEVELOPMENT AUTHORITY OF THE NORTH
COUNTRY, Declarant

Name: _____

By: _____

Name: _____

Title: _____

STATE OF NEW YORK)
COUNTY OF JEFFERSON) SS.:

On the ____ day of _____ in the year 201_ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Auburn Field Office
Received

DEC 11 2012

USACE

Table of Exhibits

Exhibit A	Legal Descriptions and Aerial Photographs of the Parcels of Land Constituting the Property
Exhibit B	Copy of Permit
Exhibit C	Conservation Functions and Services
Exhibit D	Management and Maintenance Activities
Exhibit E	List of Encumbrances

EXHIBIT A

**LEGAL DESCRIPTIONS AND AERIAL PHOTOGRAPHS OF THE PARCELS OF LAND
CONSTITUTING THE PROPERTY**

Protected Area Polygon 1

Beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence S 32° 47' 17" E 3304.242' to the Point of Beginning, thence:

S 84° 15' 47" W 45.24'
N 69° 14' 32" W 45.611'
N 42° 52' 37" W 45.611'
N 19° 13' 47" W 37.706'
N 62° 41' 5" W 30.39'
N 3° 49' 56" E 273.198'
N 77° 27' 47" E 40.998'
N 33° 13' 57" E 40.274'
N 47° 9' 26" E 28.122'
N 56° 17' 29" E 94.347'
N 67° 14' 1" E 78.048'
N 82° 59' 59" E 27.681'
S 81° 5' 24" E 27.681'
S 71° 52' 4" E 50.425'
S 55° 58' 38" E 29.789'
S 38° 48' 21" E 29.789'
S 48° 55' 20" E 68.196'
S 21° 1' 39" E 47.456'
S 1° 51' 3" W 31.807'
S 20° 24' 59" W 57.934'
S 33° 23' 42" W 83.669'
S 44° 4' 5" W 38.711'
S 65° 23' 16" W 40.411'
S 22° 8' 6" W 64.988'
S 44° 51' 23" W 42.101'
S 89° 2' 52" W 1.974'
S 86° 30' 37" W 17.253'
S 76° 52' 23" W 19.603'
S 68° 49' 43" W 21.145'
S 64° 15' 37" W 14.862'
S 55° 30' 40" W 18.428'
S 49° 15' 52" W 14.875'
S 38° 51' 10" W 26.2'
S 29° 10' 10" W 17.271'
to the Point of Beginning

Protected Area Polygon 2

Beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence S 50° 17' 57" E 3834.75' to the Point of Beginning, thence:

S 3° 34' 12" W 775.974'
S 80° 16' 49" W 15.002'
S 2° 22' 42" W 29.759'
N 86° 34' 41" W 341.362'
N 27° 10' 43" W 45.451'
N 4° 55' 28" W 43.119'
N 21° 40' 49" W 56.143'
N 67° 0' 8" W 18.091'
S 49° 42' 18" W 18.751'
S 62° 48' 8" W 67.189'
S 76° 28' 26" W 103.749'
S 70° 45' 51" W 76.383'
S 84° 57' 47" W 75.693'
S 72° 47' 43" W 58.766'
N 86° 34' 41" W 508.207'
N 4° 0' 4" E 143.369'
N 67° 26' 9" E 23.42'
N 83° 46' 44" E 30.875'
S 74° 21' 15" E 55.167'
N 71° 17' 16" E 38.048'
N 36° 46' 32" E 68.452'
N 53° 20' 33" E 36.546'
N 70° 8' 16" E 283.832'
N 17° 19' 59" E 1.716'
N 59° 39' 12" E 36.418'
N 48° 45' 9" E 42.314'
N 42° 26' 35" E 84.774'
N 53° 18' 51" E 97.281'
N 73° 12' 34" E 71.076'
N 59° 19' 18" E 114.016'
N 83° 17' 4" E 110.662'
N 52° 20' 36" E 42.209'
N 39° 33' 6" E 40.76'
N 55° 31' 0" E 30.638'
N 71° 50' 45" E 52.266'
N 82° 28' 17" E 177.034'
N 69° 31' 22" E 84.681'
to the Point of Beginning

Protected Area Polygon 3

Beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 44° 40' 49" W 2749.335' to the Point of Beginning, thence:

S 5° 41' 53" W 45.505'
N 66° 5' 25" E 95.251'
N 77° 23' 38" E 49.023'
S 85° 54' 9" E 31.581'
S 67° 43' 53" E 31.581'
S 57° 14' 27" E 49.221'
S 40° 48' 58" E 30.994'
S 22° 59' 5" E 30.994'
S 0° 41' 40" E 46.257'
S 24° 54' 54" W 47.807'
S 41° 40' 28" W 73.351'
S 47° 43' 38" W 79.124'
S 58° 16' 15" W 35.861'
S 68° 37' 29" W 68.797'
S 79° 2' 55" W 52.094'
S 64° 43' 30" W 81.621'
S 63° 14' 1" E 39.279'
S 44° 6' 8" E 28.442'
N 79° 55' 23" E 97.904'
N 84° 2' 27" E 93.459'
N 78° 41' 4" E 127.555'
S 89° 38' 59" E 39.978'
N 55° 29' 47" E 66.485'
N 73° 4' 15" E 79.437'
N 82° 8' 28" E 131.254'
S 83° 6' 4" E 27.895'
N 69° 1' 15" E 22.227'
N 79° 57' 24" E 197.328'
N 60° 24' 5" E 32.663'
N 69° 25' 52" E 67.385'
N 77° 12' 27" E 51.045'
N 43° 59' 35" E 60.163'
N 53° 31' 31" E 26.358'
N 72° 4' 44" E 52.312'
N 57° 32' 47" E 79.621'
N 60° 44' 39" E 260.774'

Protected Area Polygon 3

N 48° 21' 59" E 66.498'
N 19° 9' 44" E 26.965'
S 74° 22' 33" E 41.281'
S 54° 10' 54" E 45.26'
S 32° 22' 56" E 30.319'
S 14° 56' 36" E 30.319'
S 2° 29' 49" W 30.319'
S 19° 56' 9" W 30.319'
S 37° 22' 31" W 30.319'
S 54° 6' 55" W 94.735'
S 34° 53' 49" W 81.519'
S 41° 28' 13" W 101.029'
S 51° 26' 24" E 25.61'
S 37° 22' 37" E 33.479'
S 28° 47' 36" E 62.949'
S 2° 51' 23" E 44.139'
S 18° 26' 52" W 47.906'
N 87° 34' 11" W 116.819'
S 49° 23' 53" W 45.508'
S 62° 28' 44" W 82.792'
S 52° 15' 10" W 24.19'
S 2° 38' 25" W 6.994'
S 70° 51' 48" W 8.802'
S 3° 45' 47" W 43.031'
S 85° 59' 53" W 69.499'
S 74° 23' 36" W 64.231'
S 89° 15' 12" W 63.834'
S 41° 46' 55" E 74.294'
S 19° 39' 21" E 47.326'
S 3° 9' 27" W 31.718'
S 14° 17' 10" W 36.172'
S 35° 5' 13" W 47.306'
S 62° 27' 2" W 47.306'
S 85° 15' 12" W 31.705'
N 76° 30' 12" W 31.705'
N 58° 15' 39" W 31.705'
N 43° 0' 26" W 24.252'
N 75° 42' 27" W 67.178'
N 61° 34' 3" W 26.665'
N 46° 14' 36" W 26.665'
N 37° 14' 12" W 101.14'
S 87° 50' 0" W 109.295'
S 57° 21' 47" E 30.713'

Protected Area Polygon 3

S 39° 35' 32" E 30.713'
S 17° 22' 49" E 45.838'
S 4° 49' 59" W 30.712'
S 22° 36' 14" W 30.713'
S 39° 24' 8" W 69.391'
S 36° 10' 48" E 59.522'
S 65° 53' 17" W 99.609'
S 87° 9' 59" W 100.641'
S 63° 46' 0" W 21.234'
S 43° 40' 9" W 29.036'
N 51° 14' 19" W 26.284'
S 79° 0' 27" W 95.368'
S 72° 41' 39" W 80.719'
S 82° 31' 38" W 60.01'
S 43° 49' 47" E 28.121'
S 27° 29' 6" E 28.121'
S 11° 8' 28" E 28.121'
S 3° 3' 13" W 28.058'
S 68° 32' 16" E 31.243'
S 49° 51' 37" E 31.243'
S 74° 6' 18" E 44.224'
S 60° 48' 44" E 24.894'
S 44° 1' 19" E 74.868'
S 17° 50' 50" E 42.461'
S 2° 50' 4" W 73.826'
S 15° 46' 43" W 31.6'
S 34° 0' 54" W 31.6'
S 56° 48' 35" W 47.151'
S 35° 28' 58" W 31.636'
S 53° 45' 51" W 31.636'
S 35° 47' 6" E 35.184'
S 18° 31' 41" E 26.829'
S 2° 54' 17" E 75.066'
S 14° 27' 16" W 30.533'
S 30° 52' 19" W 58.643'
S 44° 2' 53" W 41.686'
S 64° 5' 56" W 27.905'
S 80° 39' 30" W 63.796'
N 83° 12' 39" W 30.026'
S 16° 57' 51" W 25.483'
S 68° 58' 40" E 65.691'
N 88° 36' 41" E 202.795'
N 62° 56' 4" E 115.904'

Protected Area Polygon 3

N 38° 35' 15" E 64.887'
N 46° 44' 43" E 57.027'
N 56° 50' 28" E 31.99'
N 74° 36' 16" E 28.073'
S 35° 44' 33" E 39.319'
S 47° 37' 53" E 173.798'
S 1° 39' 13" W 224.049'
S 81° 46' 1" W 31.96'
N 75° 33' 46" W 46.12'
N 53° 20' 34" W 30.901'
N 40° 34' 12" W 40.699'
S 3° 30' 7" E 42.914'
S 5° 58' 21" W 100.462'
S 19° 5' 13" W 72.732'
S 37° 39' 42" W 36.153'
S 73° 33' 6" E 62.547'
S 60° 21' 31" E 28.038'
S 43° 38' 45" E 43.941'
S 26° 55' 24" E 29.73'
S 5° 33' 3" E 44.388'
S 16° 43' 30" W 35.062'
S 33° 44' 5" E 47.274'
S 10° 50' 5" E 31.685'
S 8° 37' 23" W 62.995'
S 27° 30' 54" W 56.485'
S 49° 5' 19" W 45.928'
S 71° 12' 56" W 30.772'
S 81° 28' 23" W 38.753'
N 79° 30' 28" W 53.474'
N 60° 21' 48" W 28.254'
N 43° 55' 57" W 28.254'
S 71° 34' 41" W 26.937'
S 81° 23' 13" W 82.173'
N 87° 45' 47" W 61.231'
N 72° 23' 47" W 36.141'
N 88° 41' 25" W 31.346'
S 14° 48' 25" E 113.461'
S 41° 29' 52" E 8.67'
S 61° 27' 45" E 48.854'
S 50° 43' 1" E 58.841'
S 71° 38' 8" E 61.3'
S 49° 0' 13" E 44.812'
S 69° 1' 50" E 49.176'

Protected Area Polygon 3

S 89° 36' 11" E 56.019'
S 74° 34' 39" E 45.484'
S 49° 22' 30" E 46.069'
S 27° 4' 18" E 42.365'
N 62° 26' 33" E 64.637'
N 34° 27' 50" E 31.133'
N 53° 14' 2" E 31.133'
N 63° 56' 39" E 29.377'
N 78° 30' 33" E 38.895'
N 44° 4' 46" E 84.995'
S 52° 8' 1" E 280.159'
S 83° 43' 38" W 23.604'
N 81° 44' 31" W 52.378'
S 82° 34' 24" W 31.382'
S 55° 57' 3" W 10.875'
S 28° 53' 41" W 54.157'
S 48° 17' 50" W 25.685'
S 61° 4' 54" W 36.801'
S 82° 49' 46" W 41.808'
S 49° 47' 43" W 28.429'
S 61° 4' 30" W 40.715'
S 78° 45' 27" E 23.137'
N 71° 4' 9" E 31.821'
N 89° 37' 4" E 31.821'
S 67° 11' 49" E 47.471'
S 44° 0' 39" E 31.821'
N 84° 56' 26" E 57.857'
S 79° 50' 56" E 30'
S 70° 55' 54" E 75.489'
S 87° 33' 48" E 78.961'
S 68° 3' 11" E 40.494'
S 45° 35' 1" E 50.017'
N 83° 13' 16" E 111.221'
N 73° 1' 58" E 84.674'
N 83° 46' 47" E 56.574'
S 83° 37' 7" E 24.108'
S 68° 57' 27" E 122.873'
S 53° 17' 38" E 74.482'
S 39° 54' 35" E 131.543'
S 58° 48' 50" E 186.883'
N 33° 10' 17" E 42.036'
N 54° 36' 17" E 30.942'
N 72° 27' 43" E 30.942'

Protected Area Polygon 3

S 89° 46' 45" E 66.176'
S 69° 36' 56" E 41.411'
S 50° 42' 7" E 45.715'
S 74° 30' 48" E 55.857'
S 57° 45' 23" E 66.388'
S 36° 56' 19" E 33.422'
N 64° 30' 50" E 82.269'
N 69° 53' 25" E 55.353'
N 39° 0' 59" E 36.466'
N 58° 19' 56" E 28.6'
N 71° 41' 9" E 58.901'
S 89° 16' 19" E 230.795'
S 49° 51' 35" E 16.907'
N 69° 46' 21" E 5.483'
N 40° 36' 2" E 21.497'
N 64° 38' 42" E 51.417'
N 55° 33' 17" E 128.481'
N 74° 25' 3" E 50.618'
N 50° 45' 43" E 31.703'
N 35° 25' 25" E 31.348'
S 37° 26' 37" E 51.741'
S 32° 15' 22" E 100'
S 26° 18' 35" E 10.966'
S 55° 23' 28" W 51.882'
S 53° 3' 29" W 12.927'
S 34° 20' 52" W 5.368'
S 20° 44' 33" W 4.002'
S 8° 21' 52" W 4.529'
S 5° 54' 21" E 5.296'
S 13° 35' 59" E 29.905'
S 15° 19' 32" W 11.084'
S 65° 18' 23" W 13.237'
S 72° 7' 47" W 7.434'
S 74° 15' 37" W 30.509'
S 76° 3' 40" W 6.277'
S 77° 51' 26" W 16.903'
S 61° 41' 53" W 31.98'
S 5° 40' 11" W 15.043'
S 14° 27' 52" W 15.043'
S 23° 15' 30" W 15.043'
S 32° 3' 16" W 15.043'
S 40° 50' 53" W 15.043'
S 45° 0' 0" W 2.5'

Protected Area Polygon 3

S 48° 3' 22" W 10.291'
S 55° 20' 43" W 10.291'
S 62° 37' 52" W 10.291'
S 65° 20' 33" W 14.075'
S 74° 5' 17" W 14.075'
S 82° 50' 11" W 14.075'
S 85° 0' 2" W 5.169'
S 88° 19' 21" W 4.819'
S 84° 50' 35" W 5.544'
S 89° 38' 27" W 2.198'
N 86° 35' 32" W 5.575'
N 83° 3' 20" W 6.597'
N 85° 6' 57" W 5.896'
N 75° 0' 5" W 6.585'
S 67° 6' 54" W 42.022'
S 70° 53' 59" W 13.204'
S 78° 28' 12" W 13.203'
S 86° 2' 30" W 13.203'
N 86° 23' 19" W 13.203'
N 82° 36' 11" W 68.114'
N 86° 13' 6" W 8.894'
S 42° 39' 0" W 5.414'
S 46° 16' 30" W 12.658'
S 54° 6' 24" W 12.658'
S 61° 56' 16" W 12.658'
S 45° 0' 9" E 15.509'
S 34° 56' 8" E 17.544'
S 52° 41' 0" E 15.259'
S 43° 54' 43" E 15.259'
S 35° 8' 34" E 15.259'
S 26° 22' 46" E 2.446'
S 86° 11' 10" E 14.151'
S 81° 20' 40" E 16.878'
S 76° 30' 20" E 11.142'
S 87° 57' 11" E 13.043'
S 83° 58' 39" E 13.871'
S 78° 44' 13" E 4.413'
S 77° 28' 18" E 15.733'
N 77° 28' 24" E 6.391'
N 75° 27' 56" E 7.862'
N 60° 15' 17" E 13.199'
N 65° 7' 38" E 16.988'
N 71° 26' 51" E 5.056'

Protected Area Polygon 3

N 72° 53' 49" E 22.398'
N 76° 26' 57" E 12.389'
N 84° 23' 25" E 15.311'
N 88° 46' 54" E 6.913'
S 19° 2' 19" W 66.214'
S 4° 5' 18" E 148.412'
S 65° 14' 6" W 14.46'
S 76° 35' 56" W 56.822'
S 86° 8' 22" W 27.674'
S 33° 18' 31" E 69.294'
S 24° 51' 5" E 104.19'
S 64° 45' 54" E 47.956'
N 36° 40' 12" E 25.204'
N 52° 8' 2" E 31.939'
N 70° 34' 54" E 40.119'
S 54° 28' 56" E 50.931'
S 85° 6' 16" E 193.014'
S 86° 43' 7" E 197.102'
S 54° 56' 15" E 51.191'
S 43° 53' 57" E 39.224'
S 33° 35' 25" E 31.742'
S 15° 19' 30" E 31.741'
S 1° 28' 42" E 58.35'
S 20° 47' 56" W 31.07'
S 38° 54' 37" W 31.071'
S 28° 38' 48" W 43.2'
N 87° 20' 52" W 245.86'
N 8° 58' 50" W 20.684'
N 68° 43' 21" W 45.615'
S 80° 1' 21" W 19.282'
N 86° 38' 51" W 70.011'
S 34° 11' 19" W 36.919'
N 87° 20' 52" W 299.597'
N 4° 29' 18" W 40.022'
N 10° 55' 8" E 42.291'
N 60° 35' 7" W 38.835'
N 42° 34' 36" W 40.256'
N 28° 49' 55" W 79.28'
N 21° 20' 23" W 56.855'
N 36° 53' 4" W 107.063'
N 26° 4' 50" W 77.316'
N 16° 30' 47" W 48.439'
N 81° 3' 45" W 35.48'

Protected Area Polygon 3

N 64° 37' 40" W 32.119'
N 46° 1' 8" W 32.119'
N 27° 24' 38" W 32.119'
N 82° 20' 31" W 42.434'
N 61° 30' 47" W 57.995'
S 59° 57' 30" W 26.269'
S 74° 53' 21" W 80.002'
S 83° 20' 37" W 26.531'
N 82° 55' 52" W 33.292'
N 72° 45' 26" W 30.089'
N 55° 27' 7" W 30.089'
N 32° 43' 44" W 47.853'
N 84° 30' 15" W 25.089'
N 71° 3' 49" W 26.615'
S 73° 32' 11" W 45.887'
N 85° 7' 34" W 32.266'
N 67° 13' 42" W 111.873'
N 57° 31' 38" W 31.39'
N 39° 28' 3" W 31.39'
N 21° 24' 25" W 31.39'
N 5° 59' 50" W 19.811'
N 57° 56' 32" W 157.983'
N 40° 10' 29" W 149.962'
N 54° 5' 31" W 31.428'
N 69° 25' 40" W 43.71'
S 79° 41' 52" W 33.416'
S 69° 4' 28" W 49.498'
S 86° 14' 1" E 39.772'
S 67° 10' 20" E 42.689'
S 46° 37' 51" E 28.582'
S 32° 18' 0" E 51.533'
S 69° 47' 24" E 65.181'
S 50° 59' 3" E 69.314'
S 68° 56' 40" E 31.03'
S 54° 14' 22" E 28.348'
S 32° 32' 34" E 79.669'
S 21° 34' 56" E 38.052'
S 88° 55' 48" E 26.76'
S 71° 33' 24" E 42.555'
S 50° 22' 46" E 45.372'
S 24° 9' 14" E 45.372'
S 2° 17' 58" E 30.395'
S 15° 11' 3" W 30.395'

Protected Area Polygon 3

S 34° 7' 55" W 36.466'
S 48° 55' 42" E 29.114'
S 30° 55' 44" E 37.573'
S 60° 8' 22" E 28.029'
S 71° 30' 23" E 74.25'
S 52° 31' 11" E 55.355'
N 67° 5' 2" E 54.407'
N 77° 16' 20" E 66.274'
N 83° 52' 46" E 50.796'
N 45° 2' 33" E 54.362'
N 59° 31' 26" E 56.083'
N 81° 1' 5" E 43.589'
S 77° 48' 7" E 29.192'
S 58° 36' 49" E 59.485'
S 50° 2' 24" E 31.884'
S 31° 44' 1" E 53.645'
S 53° 48' 55" E 43.492'
S 41° 12' 51" E 90.18'
S 32° 27' 38" E 28.39'
S 16° 7' 51" E 28.389'
S 0° 27' 28" W 82.089'
S 18° 15' 50" W 31.236'
S 40° 43' 37" W 46.614'
S 67° 40' 59" W 46.614'
N 89° 45' 30" W 59.609'
N 67° 20' 14" W 46.423'
N 40° 28' 46" W 46.423'
N 13° 37' 17" W 46.422'
N 66° 2' 15" W 32.501'
S 84° 1' 33" W 141.42'
S 71° 34' 11" W 91.205'
S 79° 7' 40" W 50.006'
S 87° 53' 24" W 52.215'
S 30° 11' 36" W 28.224'
S 48° 24' 21" W 82.149'
N 87° 20' 52" W 133.447'
N 66° 49' 9" W 44.823'
N 41° 43' 1" W 46.378'
N 15° 7' 18" W 59.03'
N 24° 14' 26" W 89.317'
N 32° 10' 45" W 45.046'
N 14° 34' 2" W 24.424'
N 38° 4' 49" W 86.229'

Protected Area Polygon 3

N 61° 39' 58" W 48.933'
N 35° 27' 19" W 47.724'
N 12° 26' 46" W 31.988'
N 3° 14' 31" W 55.886'
N 3° 17' 48" E 69.893'
N 71° 3' 20" W 90.246'
N 57° 39' 23" W 134.396'
N 48° 14' 14" W 31.6'
N 30° 3' 19" W 31.6'
N 7° 49' 55" W 44.694'
N 29° 11' 27" W 67.548'
N 13° 44' 17" W 76.639'
N 73° 5' 3" W 42.265'
N 53° 10' 14" W 59.66'
S 83° 1' 45" W 25.887'
N 79° 28' 49" W 34.544'
N 60° 40' 47" W 40.666'
N 71° 24' 13" W 44.89'
S 77° 26' 47" W 82.179'
S 87° 40' 5" W 47.249'
N 83° 53' 53" W 58.902'
N 75° 3' 14" W 52.172'
N 66° 37' 20" W 45.535'
N 56° 5' 9" W 30.297'
N 38° 40' 41" W 45.911'
N 26° 2' 27" W 27.23'
N 51° 0' 20" W 51.387'
N 64° 13' 0" W 72.77'
N 54° 59' 32" W 40.371'
N 40° 19' 10" W 58.253'
N 26° 43' 40" W 30.056'
N 71° 48' 48" W 32.501'
N 58° 5' 47" W 27.874'
N 81° 14' 44" W 30.347'
N 66° 36' 30" W 31.016'
N 56° 39' 32" W 37.383'
N 43° 47' 19" W 23.229'
N 68° 10' 41" W 41.124'
N 50° 49' 23" W 70.662'
N 59° 13' 10" W 77.038'
N 41° 35' 15" W 68.966'
N 26° 0' 58" W 47.678'
N 14° 20' 34" W 119.298'

Protected Area Polygon 3

N 4° 42' 7" E 35.245'
N 44° 57' 52" W 148.356'
N 28° 28' 16" W 90.588'
N 34° 37' 37" W 46.327'
N 47° 31' 20" W 116.255'
N 54° 34' 20" W 45.661'
N 73° 55' 32" W 51.855'
N 45° 25' 17" W 281.977'
N 21° 10' 13" W 34.503'
N 10° 3' 45" W 46.341'
N 24° 31' 50" W 42.185'
S 73° 55' 57" W 64.286'
N 45° 25' 17" W 297.799'
N 26° 3' 4" W 18.599'
N 64° 10' 23" W 19.189'
N 45° 38' 7" W 322.348'
N 5° 24' 15" E 107.703'
N 35° 4' 9" E 41.919'
N 45° 47' 1" E 40.146'
N 57° 20' 23" E 33.933'
N 68° 54' 3" E 32.112'
N 78° 6' 10" E 44.992'
N 34° 7' 19" E 30.439'
N 55° 47' 7" E 44.69'
N 77° 18' 17" E 29.935'
S 87° 15' 39" E 36.234'
N 75° 34' 54" E 130.823'
N 85° 32' 39" E 31.132'
S 72° 4' 6" E 46.461'
S 49° 40' 49" E 31.132'
S 39° 39' 5" E 71.201'
S 88° 54' 19" E 13.791'
N 70° 15' 2" E 81.911'
N 38° 39' 11" E 28.87'
N 56° 15' 22" E 28.87'
N 81° 2' 32" W 47.171'
N 53° 44' 56" W 47.171'
N 27° 53' 5" W 40.825'
N 42° 35' 50" W 37.173'
N 31° 59' 9" W 35.666'
N 22° 10' 24" W 36.854'
N 13° 9' 14" W 49.077'
N 54° 37' 0" W 56.424'

Protected Area Polygon 3

N 72° 28' 45" W 62.291'
S 24° 30' 56" E 32.794'
S 12° 56' 55" E 36.331'
S 7° 39' 57" W 46.826'
S 30° 14' 2" W 31.38'
S 39° 15' 55" W 50.63'
S 53° 22' 28" W 47.144'
S 75° 54' 1" W 31.592'
N 86° 4' 48" W 31.593'
N 68° 3' 32" W 31.592'
N 50° 2' 19" W 31.592'
N 77° 58' 26" W 63.715'
N 62° 38' 25" W 26.362'
N 82° 43' 4" W 60.471'
N 72° 49' 6" W 42.873'
N 5° 24' 14" E 214.694'
N 58° 9' 51" E 20.931'
N 74° 28' 29" E 32.033'
N 53° 0' 13" W 30.581'
N 41° 10' 18" W 28.273'
N 5° 24' 14" E 216.238'
S 75° 25' 39" E 49.403'
S 65° 0' 14" E 39.626'
S 48° 45' 56" E 37.599'
S 35° 23' 12" E 43.961'
S 66° 41' 35" E 14.462'
S 73° 48' 59" E 283.288'
S 68° 14' 48" E 65.043'
S 55° 9' 51" E 91.884'
S 47° 21' 27" E 47.734'
S 30° 16' 45" E 44.664'
S 13° 30' 46" E 63.295'
S 89° 7' 46" E 36.001'
S 71° 49' 35" E 50.428'
N 54° 49' 12" E 40.661'
N 69° 29' 40" E 115.165'
N 56° 59' 17" E 55.397'
N 46° 43' 25" E 51.669'
N 58° 21' 0" E 84.278'
N 65° 13' 36" E 38.515'
N 80° 0' 29" E 124.118'
N 64° 17' 55" E 44.698'
N 77° 18' 1" E 59.772'

Protected Area Polygon 3

N 78° 33' 14" W 39.138'
N 62° 51' 58" W 49.51'
S 73° 7' 19" W 42.394'
N 89° 5' 31" W 33.893'
S 80° 55' 24" W 64.501'
N 87° 29' 55" W 106.229'
N 71° 50' 13" W 46.264'
N 59° 37' 40" W 28.218'
N 43° 4' 23" W 28.219'
N 26° 46' 10" W 35.736'
N 86° 47' 26" W 17.153'
S 61° 29' 46" W 45.946'
S 70° 58' 31" W 85.362'
N 89° 38' 10" W 51.366'
N 76° 15' 35" W 34.456'
N 68° 38' 53" W 110.025'
N 57° 51' 23" W 141.724'
N 42° 16' 52" W 61.864'
N 35° 30' 29" W 55.017'
N 21° 29' 1" W 70.846'
N 63° 17' 32" W 102.634'
S 54° 40' 28" W 60.81'
S 67° 42' 34" W 67.616'
S 77° 30' 33" W 26.146'
N 85° 25' 33" W 48.525'
N 5° 24' 14" E 202.094'
N 69° 49' 42" E 36.083'
N 31° 29' 33" E 21.85'
N 87° 55' 0" W 42.227'
N 5° 24' 15" E 200.105'
N 89° 20' 42" E 81.538'
N 78° 29' 28" E 156.426'
N 57° 9' 39" E 130.846'
N 62° 51' 17" E 81.309'
N 80° 6' 44" E 100.459'
N 68° 57' 57" E 146.142'
N 85° 12' 56" E 64.783'
S 77° 27' 15" E 44.287'
S 51° 52' 0" E 44.287'
S 30° 10' 28" E 99.765'
S 55° 16' 51" E 41.635'
S 39° 16' 40" E 30.227'
S 70° 43' 17" E 35.264'

Protected Area Polygon 3

S 47° 28' 30" E 45.884'
S 20° 56' 55" E 45.883'
to the Point of Beginning.

Excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 53° 50' 22" W 2645.844' to the Point of Beginning, thence:

S 50° 28' 51" W 11.944'
N 82° 33' 2" W 5.317'
S 88° 22' 34" W 15.571'
S 83° 53' 18" W 10.901'
S 85° 36' 22" W 12.602'
S 81° 5' 21" W 15.755'
S 72° 2' 58" W 15.755'
S 63° 0' 34" W 15.755'
S 53° 58' 11" W 15.755'
S 48° 59' 13" W 7.721'
S 48° 55' 22" W 3.353'
S 46° 38' 59" W 7.95'
S 58° 32' 50" W 7.828'
S 70° 17' 29" W 10.034'
S 74° 3' 13" W 20.617'
S 72° 1' 37" W 2.563'
N 65° 29' 20" W 4.49'
N 68° 11' 58" W 16.086'
N 66° 22' 22" W 17.518'
N 68° 11' 11" W 6.33'
N 74° 1' 55" W 6.506'
N 33° 19' 38" E 3.061'
N 32° 2' 57" E 4.461'
N 30° 46' 15" E 8.594'
N 28° 59' 35" E 3.239'
N 74° 40' 8" E 49.578'
N 70° 16' 10" E 15.342'
N 61° 28' 13" E 15.342'
N 52° 40' 17" E 15.342'
N 43° 52' 21" E 15.342'
N 35° 4' 24" E 15.342'
N 26° 16' 27" E 15.342'
N 17° 28' 30" E 15.342'
N 8° 40' 33" E 15.342'

Protected Area Polygon 3

N 0° 7' 24" W 15.342'
N 4° 31' 23" W 22.587'
N 7° 15' 44" W 9.558'
N 12° 24' 42" W 8.411'
N 14° 49' 20" W 24.974'
N 19° 10' 54" W 15.677'
N 28° 15' 50" W 15.677'
N 37° 20' 45" W 15.678'
N 46° 25' 41" W 15.678'
N 55° 30' 36" W 15.678'
N 64° 35' 31" W 15.678'
N 73° 40' 26" W 15.678'
N 7° 52' 40" E 13.948'
N 0° 21' 32" W 13.948'
N 8° 35' 43" W 13.948'
N 16° 49' 55" W 13.948'
N 25° 4' 7" W 13.948'
N 33° 18' 19" W 13.948'
N 66° 0' 17" E 5.493'
S 54° 8' 13" E 13.923'
S 62° 9' 30" E 13.923'
S 70° 10' 47" E 13.923'
S 74° 10' 50" E 72.161'
S 15° 59' 27" E 18.563'
S 19° 31' 13" E 12.312'
S 26° 34' 46" E 12.312'
S 33° 38' 18" E 12.312'
S 40° 41' 51" E 12.312'
S 44° 13' 37" E 23.827'
S 10° 31' 47" W 24.701'
S 6° 13' 10" W 14.122'
S 1° 52' 45" E 14.122'
S 9° 58' 40" E 14.122'
S 18° 4' 35" E 14.122'
S 26° 10' 30" E 14.122'
S 34° 16' 25" E 14.122'
S 42° 22' 20" E 14.122'
S 46° 25' 15" E 25.12'
S 46° 25' 15" E 25.12'
S 48° 59' 44" E 11.439'
S 56° 51' 21" E 11.439'
S 64° 42' 58" E 11.439'
S 79° 34' 52" W 10.563'

Protected Area Polygon 3

S 73° 6' 27" W 10.563'

S 66° 38' 1" W 10.563'

S 63° 37' 3" W 9.775'

S 63° 37' 3" W 12.399'

S 59° 14' 19" W 15.27'

to the Point of Beginning, this exception being shown and labeled "3A" on the Protected Area Polygons Map within Protected Area 3.

Further excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 80° 15' 8" W 2553.959' to the Point of Beginning, thence:

S 84° 50' 53" E 17.949'

N 84° 48' 4" E 18.094'

N 79° 14' 21" E 37.433'

N 79° 48' 5" E 36.081'

N 85° 5' 31" E 40.846'

S 81° 32' 34" E 21.311'

S 81° 32' 34" E 17.213'

S 85° 2' 40" E 12.215'

N 87° 57' 9" E 12.215'

N 80° 56' 58" E 12.215'

N 77° 26' 52" E 24.669'

N 77° 26' 52" E 21.636'

S 84° 45' 12" E 22.687'

S 84° 45' 12" E 14.65'

S 73° 46' 13" E 36.894'

S 73° 46' 13" E 26.214'

S 50° 49' 36" E 5.663'

S 55° 24' 51" E 10.121'

S 11° 12' 43" E 16.189'

S 15° 42' 4" E 15.654'

S 24° 40' 47" E 15.654'

S 33° 39' 30" E 15.654'

S 36° 39' 4" E 19.036'

S 14° 12' 9" W 3.329'

S 13° 16' 55" W 56.747'

S 12° 15' 43" W 3.561'

S 11° 14' 30" W 21.17'

S 38° 4' 27" W 17.051'

S 33° 55' 26" W 14.474'

S 25° 37' 25" W 14.474'

Protected Area Polygon 3

S 17° 19' 24" W 14.474'
S 9° 1' 23" W 14.474'
S 0° 43' 22" W 14.474'
S 7° 34' 40" E 14.474'
S 15° 52' 41" E 14.474'
S 20° 3' 17" E 16.244'
S 23° 42' 52" E 12.765'
S 31° 2' 0" E 12.765'
S 38° 21' 7" E 12.765'
S 42° 0' 41" E 40.38'
S 46° 23' 20" E 15.265'
S 55° 8' 39" E 15.265'
S 63° 53' 56" E 15.265'
S 72° 39' 14" E 9.91'
S 64° 2' 50" E 14.604'
S 65° 14' 5" E 4.145'
S 66° 25' 20" E 13.565'
S 67° 36' 57" E 4.166'
S 68° 48' 34" E 11.932'
S 69° 55' 25" E 3.889'
S 71° 2' 16" E 10.555'
S 71° 57' 7" E 3.191'
S 72° 51' 58" E 9.422'
S 73° 28' 35" E 2.14'
S 73° 59' 20" E 8.399'
S 74° 3' 18" E 7.003'
S 73° 1' 28" E 5.353'
S 71° 45' 47" E 4.717'
S 70° 30' 55" E 4.305'
S 69° 17' 6" E 3.916'
S 68° 5' 16" E 3.547'
S 66° 55' 27" E 3.205'
S 65° 49' 4" E 2.894'
S 64° 46' 37" E 2.706'
S 63° 56' 1" E 3.072'
S 63° 49' 33" E 4.228'
S 64° 30' 40" E 4.186'
S 65° 31' 20" E 3.283'
S 66° 27' 46" E 3.389'
S 67° 53' 8" E 4.966'
S 69° 18' 31" E 3.428'
S 71° 2' 41" E 6.06'
S 72° 46' 52" E 3.593'

Protected Area Polygon 3

S 74° 38' 0" E 6.464'
S 76° 29' 7" E 3.89'
S 78° 15' 16" E 6.175'
S 80° 1' 26" E 4.324'
S 81° 32' 25" E 5.294'
S 83° 3' 25" E 4.853'
S 84° 8' 58" E 3.813'
S 85° 14' 30" E 5.316'
S 86° 1' 20" E 2.724'
S 86° 53' 17" E 6.66'
S 87° 54' 32" E 7.62'
S 88° 45' 24" E 7.257'
S 89° 21' 30" E 6.867'
S 89° 45' 21" E 6.401'
S 89° 57' 50" E 5.872'
N 89° 57' 45" E 5.605'
N 89° 46' 6" E 5.994'
N 89° 27' 8" E 6.829'
N 89° 7' 0" E 8.049'
N 88° 49' 29" E 9.737'
N 88° 35' 39" E 11.947'
N 88° 25' 32" E 14.71'
N 88° 18' 12" E 18.043'
N 88° 12' 18" E 21.655'
N 88° 4' 52" E 24.037'
N 87° 54' 52" E 25.743'
N 87° 40' 40" E 2.444'
S 18° 59' 30" W 1.307'
S 9° 48' 16" W 16.017'
S 5° 12' 40" W 44.23'
S 1° 59' 27" W 11.234'
S 4° 26' 57" E 11.234'
S 10° 53' 21" E 11.234'
S 14° 6' 33" E 54.785'
S 18° 13' 36" E 14.716'
S 26° 42' 34" E 14.716'
S 35° 11' 32" E 14.716'
S 43° 40' 29" E 14.716'
S 52° 9' 27" E 14.716'
S 60° 38' 24" E 14.716'
S 69° 7' 21" E 14.716'
S 77° 36' 18" E 14.716'
S 86° 5' 15" E 14.716'

Protected Area Polygon 3

N 85° 25' 48" E 14.716'
N 76° 56' 52" E 14.716'
S 44° 59' 58" W 5.351'
S 36° 10' 12" W 6.783'
S 35° 46' 52" W 10.645'
S 36° 42' 12" W 27.303'
S 32° 16' 15" W 13.154'
S 24° 50' 36" W 13.154'
S 17° 24' 57" W 13.154'
S 9° 59' 18" W 13.154'
S 85° 15' 26" W 17.889'
S 78° 19' 39" W 5.833'
S 76° 39' 23" W 54.885'
S 72° 58' 56" W 12.764'
S 65° 41' 15" W 12.764'
S 58° 23' 34" W 12.764'
S 85° 14' 23" W 15.067'
S 76° 49' 16" W 15.067'
S 68° 24' 9" W 11.615'
N 89° 25' 40" W 12.791'
S 89° 14' 55" W 4.619'
S 87° 55' 31" W 14.218'
S 86° 46' 35" W 4.009'
S 85° 37' 40" W 13.733'
S 84° 38' 30" W 3.442'
S 83° 39' 21" W 13.12'
S 82° 49' 19" W 2.91'
S 81° 59' 17" W 12.37'
S 81° 18' 22" W 2.381'
S 80° 34' 39" W 12.48'
S 79° 31' 22" W 11.49'
S 78° 47' 28" W 2.378'
S 78° 6' 35" W 9.624'
S 77° 15' 54" W 2.948'
S 76° 25' 11" W 8.11'
S 75° 37' 22" W 4.293'
S 75° 34' 55" W 8.084'
N 36° 46' 1" W 17.216'
N 27° 18' 5" W 30.924'
N 27° 24' 33" W 35.258'
N 29° 27' 27" W 7.148'
N 31° 30' 21" W 42.037'
N 36° 3' 16" W 15.861'

Protected Area Polygon 3

N 40° 36' 11" W 31.978'
N 45° 12' 59" W 16.086'
N 49° 49' 46" W 28.378'
N 46° 44' 40" W 80.864'
N 47° 40' 54" W 3.271'
N 48° 37' 8" W 8.986'
N 49° 24' 24" W 2.75'
N 50° 11' 40" W 9.03'
N 52° 36' 8" W 8.402'
N 55° 0' 35" W 14.113'
N 58° 12' 3" W 5.746'
N 45° 0' 0" W 12.719'
N 53° 37' 59" W 12.673'
N 57° 15' 58" W 19.243'
N 61° 45' 51" W 15.685'
N 70° 45' 37" W 15.685'
N 75° 15' 30" W 21.931'
N 74° 21' 33" W 28.11'
N 73° 4' 27" W 8.483'
N 21° 31' 56" W 11.905'
N 25° 45' 58" W 14.766'
N 34° 58' 23" W 3.284'
N 24° 59' 23" W 17.44'
N 33° 0' 51" W 10.517'
N 36° 1' 42" W 15.726'
N 39° 24' 32" W 11.794'
N 46° 10' 13" W 11.794'
N 52° 55' 53" W 11.794'
N 56° 18' 43" W 12.506'
N 59° 7' 16" W 9.801'
N 61° 55' 48" W 9.517'
N 7° 55' 41" W 2.262'
N 8° 35' 58" W 23.15'
N 12° 34' 42" W 13.834'
N 20° 30' 39" W 13.834'
N 24° 28' 39" W 35.228'
N 24° 35' 1" W 43.77'
N 27° 17' 31" W 9.45'
N 35° 13' 14" W 18.168'
N 40° 50' 24" W 42.02'
N 45° 25' 25" W 15.957'
N 52° 23' 31" W 8.347'
N 54° 47' 2" W 24.059'

Protected Area Polygon 3

N 58° 37' 56" W 13.423'
N 66° 19' 43" W 13.423'
N 74° 1' 30" W 13.423'
N 81° 43' 18" W 13.423'
N 89° 25' 5" W 13.423'
S 86° 44' 2" W 33.013'
S 83° 22' 1" W 11.746'
S 76° 23' 57" W 12.561'
S 72° 47' 55" W 39.317'
N 13° 54' 39" W 29.212'
N 16° 9' 18" W 7.832'
N 18° 23' 57" W 63.753'
N 22° 13' 27" W 13.342'
N 29° 52' 27" W 13.342'
N 37° 31' 28" W 13.342'
N 41° 20' 58" W 38.502'
N 45° 40' 29" W 15.084'
N 52° 26' 1" W 8.493'
N 54° 52' 3" W 38.171'
N 59° 20' 27" W 15.599'
N 68° 17' 14" W 15.599'
N 72° 45' 37" W 35.107'
N 76° 22' 49" W 12.627'
N 83° 14' 24" W 11.303'
N 86° 28' 48" W 71.991'
N 82° 41' 46" W 12.13'
N 31° 35' 45" W 3.436'
N 26° 23' 31" E 11.734'
N 26° 40' 24" E 3.658'
N 26° 39' 17" E 4.526'
N 28° 1' 26" E 5.575'
N 30° 36' 51" E 3.895'
N 76° 24' 58" E 2.52'
N 79° 40' 28" E 8.158'
N 78° 41' 31" E 8.845'
N 77° 46' 40" E 2.98'
N 76° 55' 27" E 8.869'
N 75° 53' 40" E 3.594'
N 74° 51' 54" E 10'
N 73° 45' 2" E 3.89'
N 72° 38' 9" E 11.28'
N 71° 30' 7" E 3.958'
N 70° 22' 5" E 4.75'

Protected Area Polygon 3

S 84° 39' 39" E 31.386'

S 71° 38' 20" E 23.134'

S 30° 12' 33" E 3.12'

S 30° 12' 33" E 33.295'

S 34° 43' 56" E 15.771'

S 43° 46' 41" E 15.771'

S 52° 49' 25" E 15.771'

S 61° 52' 10" E 15.771'

S 70° 54' 54" E 15.771'

S 79° 57' 39" E 15.771'

S 84° 29' 1" E 51.782'

S 82° 53' 2" E 39.735'

S 79° 24' 32" E 48.91'

to the Point of Beginning, this exception being shown and labeled "3B" on the Protected Area Polygons Map within Protected Area 3.

Protected Area Polygon 4

Beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 15° 24' 54" W 6818.28' to the Point of Beginning, thence:

S 27° 18' 1" E 9.855'
N 83° 33' 34" E 44.712'
S 80° 21' 50" E 58.071'
S 63° 14' 12" E 28.91'
S 47° 4' 21" E 48.087'
S 31° 4' 56" E 61.457'
S 14° 13' 8" E 28.318'
S 2° 1' 2" W 60.135'
S 15° 9' 21" W 46.938'
N 78° 37' 43" E 107.819'
S 85° 24' 12" E 136.111'
N 89° 26' 12" E 90.646'
S 76° 31' 11" E 28.781'
S 58° 17' 0" E 62.004'
S 42° 44' 13" E 134.328'
S 73° 47' 24" E 31.058'
S 56° 8' 37" E 27.281'
N 81° 32' 15" E 43.397'
S 85° 34' 5" E 80.727'
S 66° 6' 58" E 72.838'
S 39° 7' 59" E 65.096'
S 15° 29' 41" E 47.434'
S 38° 37' 16" E 34.196'
S 65° 46' 16" E 222.613'
N 70° 45' 50" E 31.712'
N 84° 31' 38" E 26.168'
S 74° 33' 0" E 87.481'
S 53° 47' 47" E 47.031'
S 40° 34' 36" E 29.67'
S 23° 15' 4" E 29.67'
S 5° 55' 34" E 29.67'
N 84° 37' 25" E 65.209'
S 84° 51' 46" E 31.258'
S 66° 52' 47" E 31.257'
S 48° 53' 48" E 31.257'
S 35° 48' 6" E 106.878'
S 23° 59' 57" E 34.769'
S 43° 7' 31" E 30.878'

Protected Area Polygon 4

S 54° 27' 4" W 34.084'
S 39° 0' 35" W 27.978'
S 27° 29' 33" W 29.175'
S 9° 52' 20" W 48.335'
S 1° 40' 42" W 35.443'
S 13° 12' 6" E 136.101'
S 33° 20' 19" E 220.557'
S 32° 8' 53" E 631.804'
S 83° 25' 28" E 135.571'
S 51° 31' 41" E 160.32'
S 39° 5' 4" E 46.45'
S 28° 53' 45" E 43.114'
S 17° 36' 33" E 49.781'
S 9° 23' 19" E 61.236'
S 3° 28' 45" W 159.334'
S 10° 44' 57" E 52.227'
S 10° 26' 53" W 61.157'
S 16° 48' 51" E 33.792'
S 31° 54' 22" E 50.761'
S 15° 29' 43" E 63.778'
S 33° 32' 47" E 138.544'
S 44° 35' 36" E 96.736'
S 38° 31' 45" E 44.653'
S 74° 43' 56" E 24.925'
S 62° 22' 16" E 103.141'
S 45° 6' 42" E 71.983'
S 54° 45' 9" E 32.236'
S 75° 2' 32" E 67.451'
S 54° 37' 53" E 52.313'
S 35° 28' 3" E 56.536'
S 26° 4' 39" E 61.88'
S 74° 59' 29" E 38.841'
S 63° 4' 6" E 33.237'
S 41° 49' 56" E 46.753'
S 14° 53' 47" E 49.73'
S 5° 3' 7" W 26.449'
S 17° 51' 47" W 31.78'
S 79° 17' 39" E 40.11'
S 65° 1' 11" E 56.408'
S 43° 3' 32" E 57.995'
S 53° 51' 23" E 58.282'
S 43° 11' 50" E 27.802'
S 67° 10' 33" E 59.922'

Protected Area Polygon 4

S 76° 37' 35" E 27.638'
S 84° 14' 3" E 70.549'
N 85° 48' 15" E 40.701'
N 75° 55' 18" E 183.732'
N 50° 41' 44" E 73.86'
N 76° 20' 32" E 46.689'
S 76° 39' 30" E 46.689'
S 49° 39' 27" E 46.689'
S 22° 39' 28" E 46.689'
S 0° 9' 29" E 31.287'
S 17° 50' 30" W 31.287'
S 35° 50' 32" W 31.287'
S 45° 19' 45" W 47.635'
S 57° 42' 30" W 76.689'
S 76° 13' 6" W 236.511'
S 85° 48' 15" W 56.19'
N 87° 26' 18" W 63.342'
N 78° 25' 29" W 112.721'
S 9° 45' 1" E 50.441'
S 45° 27' 46" E 38.257'
S 23° 11' 48" E 49.026'
S 53° 16' 33" E 29.437'
S 36° 58' 19" E 58.999'
S 68° 8' 48" E 32.884'
S 51° 11' 37" E 67.046'
S 34° 22' 44" E 56.891'
S 49° 1' 41" E 29.647'
S 78° 29' 18" E 47.522'
S 61° 44' 31" E 31.957'
S 43° 50' 57" E 71.819'
S 28° 14' 20" E 26.235'
S 86° 35' 6" E 27.352'
S 75° 58' 53" E 57.95'
S 65° 11' 6" E 26.406'
S 50° 0' 38" E 26.406'
S 35° 32' 41" E 42.073'
S 21° 57' 18" E 57.826'
S 34° 30' 12" E 58.223'
S 11° 37' 6" E 61.707'
S 4° 0' 49" W 44.754'
S 61° 39' 48" E 5.885'
N 68° 58' 57" E 36.735'
S 89° 55' 58" E 36.945'

Protected Area Polygon 4

N 80° 22' 21" E 35.358'
S 80° 29' 27" E 71.261'
S 59° 48' 16" E 97.254'
S 82° 19' 52" E 69.763'
S 69° 38' 14" E 162.415'
S 51° 0' 25" E 38.353'
S 61° 56' 28" E 60.204'
S 41° 15' 5" E 28.232'
S 24° 48' 37" E 28.232'
N 67° 40' 31" E 43.137'
S 87° 27' 12" E 43.137'
S 66° 44' 44" E 44.383'
S 49° 52' 20" E 28.358'
S 64° 57' 35" E 64.989'
S 44° 9' 21" E 28.188'
S 27° 57' 1" E 28.187'
S 85° 52' 27" E 40.006'
S 74° 5' 0" E 50.042'
N 76° 14' 29" E 33.403'
S 86° 13' 7" E 37.45'
N 56° 44' 50" E 50.144'
N 62° 35' 19" E 100.723'
N 67° 35' 56" E 76.642'
N 86° 18' 3" E 80.19'
S 71° 19' 21" E 46.555'
S 89° 29' 36" E 43.59'
S 77° 17' 39" E 31.405'
S 59° 13' 32" E 31.405'
S 41° 9' 24" E 31.405'
S 30° 20' 42" E 36.405'
S 10° 34' 38" E 44.74'
S 15° 16' 37" W 44.74'
S 41° 7' 51" W 44.741'
S 60° 54' 59" W 36.779'
S 7° 22' 28" E 17.415'
N 53° 26' 14" E 63.63'
N 65° 3' 8" E 47.51'
N 43° 23' 29" E 51.201'
N 62° 51' 22" E 40.371'
N 72° 42' 37" E 30.894'
S 89° 25' 8" E 30.894'
S 71° 32' 50" E 30.893'
S 53° 40' 35" E 30.893'

Protected Area Polygon 4

S 35° 48' 17" E 30.893'
N 67° 3' 40" E 37.448'
N 85° 42' 55" E 48.871'
S 79° 51' 39" E 25.238'
S 65° 54' 33" E 42.537'
N 12° 59' 23" E 25.585'
N 71° 47' 49" W 30.571'
N 54° 29' 40" W 30.571'
N 41° 33' 19" W 56.252'
N 31° 1' 56" W 25.084'
N 51° 21' 20" W 59.032'
N 81° 28' 21" W 15.003'
S 80° 3' 12" W 44.513'
N 85° 55' 7" W 26.979'
N 70° 25' 47" W 53.588'
N 59° 28' 43" W 68.091'
N 38° 46' 40" W 27.775'
N 22° 48' 44" W 27.774'
N 12° 53' 20" W 38.155'
N 3° 36' 55" E 32.05'
N 26° 40' 21" E 47.815'
N 40° 45' 48" E 200.922'
N 60° 11' 22" E 40.275'
N 79° 48' 43" E 79.435'
N 14° 1' 13" E 150.146'
N 24° 53' 29" E 75.149'
N 14° 44' 48" E 71.855'
N 22° 11' 18" E 126.656'
N 31° 9' 1" E 31.155'
N 53° 33' 18" E 46.494'
N 75° 57' 33" E 31.156'
S 86° 7' 3" E 31.155'
S 68° 11' 36" E 31.155'
S 50° 16' 12" E 31.155'
S 40° 12' 39" E 59.152'
S 19° 43' 51" E 44.806'
S 1° 50' 48" W 30.013'
S 19° 6' 29" W 30.013'
S 26° 5' 26" W 188.07'
S 19° 15' 38" W 83.992'
S 16° 13' 45" W 93.427'
S 0° 0' 25" W 67.226'
S 11° 24' 14" W 25.801'

Protected Area Polygon 4

S 36° 46' 29" E 30.728'
S 15° 53' 31" E 41.132'
S 3° 46' 2" W 43.804'
S 25° 20' 32" W 29.341'
S 46° 20' 11" E 64.862'
S 64° 50' 15" E 57.185'
S 41° 50' 27" E 71.504'
S 1° 56' 42" W 419.712'
S 88° 12' 53" E 10.773'
S 66° 24' 13" W 20.063'
S 81° 47' 12" W 30.958'
N 81° 30' 40" W 45.566'
S 35° 1' 53" W 81.144'
S 55° 38' 56" W 73.69'
S 76° 35' 10" W 43.252'
N 77° 15' 2" W 47.717'
S 51° 13' 55" W 67.896'
S 69° 19' 31" W 31.476'
N 88° 2' 16" W 46.967'
N 64° 2' 15" W 37.015'
N 87° 8' 40" W 25.632'
N 71° 45' 24" W 25.632'
N 59° 41' 46" W 42.858'
N 36° 39' 33" W 60.071'
N 87° 22' 47" W 70.818'
S 65° 20' 53" W 76.059'
S 76° 15' 6" E 48.592'
S 53° 36' 40" E 32.564'
S 36° 53' 12" E 40.559'
S 70° 28' 12" E 42.349'
S 55° 30' 4" E 28.427'
S 35° 4' 18" E 42.46'
S 16° 39' 34" E 34.434'
N 87° 9' 45" E 37.69'
S 83° 47' 26" E 46.369'
S 75° 20' 17" E 112.301'
S 80° 39' 3" E 59.463'
S 65° 32' 5" E 53.586'
S 49° 55' 18" E 47.381'
S 72° 53' 25" E 26.575'
S 57° 24' 13" E 26.575'
S 89° 41' 56" E 47.627'
N 49° 24' 48" E 46'

Protected Area Polygon 4

N 71° 46' 34" E 70.24'
N 87° 29' 18" E 32.231'
N 58° 28' 8" E 14.887'
N 50° 3' 45" E 30.617'
N 5° 43' 38" W 43.144'
N 15° 15' 29" E 28.892'
N 32° 2' 43" E 28.892'
N 47° 42' 26" E 82.943'
N 64° 21' 30" E 42.926'
N 85° 8' 15" E 28.743'
S 82° 14' 25" E 87.894'
S 62° 2' 32" E 79.635'
S 40° 20' 22" E 32.109'
S 21° 54' 32" E 46.229'
S 3° 39' 12" E 31.646'
S 9° 6' 9" W 51.348'
N 54° 32' 6" E 43.81'
N 35° 13' 4" E 95.152'
N 51° 11' 17" E 44.722'
N 72° 43' 26" E 29.956'
N 89° 57' 8" E 29.956'
S 68° 30' 44" E 44.722'
S 46° 58' 38" E 29.956'
S 31° 8' 21" E 41.685'
S 20° 16' 46" E 32.031'
S 1° 50' 46" E 32.031'
S 10° 40' 25" W 72.58'
S 24° 55' 14" W 42.61'
S 41° 39' 35" W 35.949'
S 16° 42' 18" W 52.322'
S 38° 35' 55" W 31.545'
S 61° 25' 31" W 47.067'
S 82° 43' 49" W 50.685'
S 70° 30' 4" W 38.165'
S 82° 46' 38" W 25.688'
S 44° 20' 43" W 67.028'
S 60° 53' 23" W 29.961'
S 78° 7' 13" W 29.961'
N 84° 38' 55" W 29.961'
N 63° 6' 34" W 44.729'
N 42° 0' 50" W 53.642'
N 27° 39' 25" W 23.586'
S 38° 43' 23" W 45.516'

Protected Area Polygon 4

S 57° 57' 40" W 43.806'
S 45° 8' 16" W 37.906'
S 59° 29' 24" W 27.461'
S 77° 56' 39" W 41.434'
S 29° 44' 0" E 66.835'
S 15° 31' 21" E 57.854'
S 1° 55' 29" E 24.566'
S 12° 32' 11" W 56.341'
S 29° 12' 11" W 29.588'
S 46° 13' 5" W 29.588'
S 62° 23' 43" W 75.214'
S 32° 12' 25" E 46.677'
S 6° 57' 29" E 44.991'
S 34° 46' 26" E 30.917'
S 72° 33' 54" E 18.746'
S 81° 12' 40" E 91.464'
S 75° 47' 7" E 90.424'
N 88° 30' 5" E 48.444'
S 70° 22' 34" E 30.553'
S 52° 28' 47" E 30.553'
S 71° 4' 42" E 83.239'
S 58° 21' 33" E 49.281'
S 43° 25' 58" E 26.55'
S 23° 12' 45" E 75.805'
S 38° 30' 24" E 20.881'
N 2° 42' 16" W 45.135'
N 15° 27' 39" E 77.478'
N 37° 44' 36" E 46.643'
N 59° 19' 2" E 65.739'
N 68° 59' 39" E 29.743'
N 86° 5' 58" E 29.743'
S 84° 57' 9" E 181.844'
S 62° 41' 8" E 213.195'
S 55° 15' 15" E 30.925'
S 35° 48' 24" E 88.62'
S 13° 48' 13" E 27.442'
S 0° 56' 2" E 49.457'
S 59° 7' 31" E 26.154'
S 78° 38' 17" E 96.569'
S 84° 58' 32" E 62.758'
N 62° 6' 40" E 15.217'
N 36° 26' 19" E 83.653'
N 52° 35' 17" E 131.392'

Protected Area Polygon 4

N 33° 49' 26" E 134.862'
N 38° 13' 52" E 84.964'
N 44° 55' 6" E 64.96'
N 51° 10' 22" E 50.697'
N 38° 20' 58" E 25.86'
N 4° 1' 18" E 29.153'
N 17° 56' 14" E 71.038'
N 31° 15' 16" E 108.966'
N 11° 11' 56" E 89.757'
N 21° 52' 35" E 38.535'
N 35° 17' 58" E 194.684'
N 57° 0' 9" E 44.627'
N 81° 44' 4" E 39.791'
S 3° 51' 55" W 938.32'
S 52° 0' 49" W 76.137'
S 28° 53' 12" W 59.134'
S 45° 34' 15" W 31.042'
S 63° 25' 41" W 31.042'
S 78° 40' 8" W 71.557'
S 25° 6' 24" W 63.528'
S 51° 16' 59" W 45.008'
S 76° 39' 54" W 52.525'
S 63° 26' 19" W 42.111'
S 74° 53' 39" W 58.546'
S 85° 24' 18" W 28.454'
S 65° 25' 44" W 42.159'
S 80° 46' 56" W 107.295'
N 89° 23' 36" W 33.62'
S 54° 37' 40" W 65.383'
S 75° 5' 59" W 44.555'
N 79° 9' 24" W 44.555'
N 58° 47' 19" W 112.273'
N 82° 0' 56" W 101.216'
N 65° 57' 25" W 47.029'
N 38° 41' 50" W 47.029'
N 15° 58' 51" W 31.517'
N 2° 11' 35" E 31.517'
N 24° 54' 32" E 47.028'
N 52° 35' 58" W 101.036'
N 69° 41' 41" W 32.588'
N 52° 0' 17" W 39.719'
N 73° 25' 21" W 43.279'
N 86° 52' 49" W 12.117'

Protected Area Polygon 4

S 59° 18' 7" W 32.028'
S 13° 49' 35" E 38.763'
S 5° 49' 59" W 63.373'
S 23° 24' 18" W 31.224'
S 39° 23' 56" W 35.671'
S 25° 38' 41" W 57.089'
S 35° 25' 41" W 31.414'
S 53° 30' 22" W 31.415'
S 71° 35' 6" W 31.415'
S 82° 20' 18" W 57.632'
N 81° 23' 12" W 30.294'
N 63° 52' 40" W 30.294'
N 41° 59' 34" W 45.22'
N 15° 43' 45" W 45.219'
N 29° 46' 17" W 28.115'
N 19° 50' 18" W 57.399'
N 1° 52' 4" E 45.306'
N 45° 54' 8" W 32.014'
N 34° 15' 1" W 147.305'
S 88° 23' 58" W 31.187'
N 75° 4' 25" W 44.463'
S 74° 24' 21" W 70.079'
N 85° 40' 25" W 51'
S 6° 56' 6" W 32.922'
S 28° 56' 58" W 43.311'
S 16° 25' 43" E 46.728'
S 0° 29' 44" E 98.524'
S 33° 41' 53" E 31.152'
S 15° 43' 55" E 31.152'
S 6° 43' 32" W 46.489'
S 29° 11' 4" W 31.152'
S 47° 8' 57" W 31.153'
S 65° 6' 57" W 31.153'
S 85° 57' 44" W 77.324'
S 23° 0' 17" W 49.975'
S 35° 27' 57" W 28.246'
S 53° 41' 21" W 75.535'
S 70° 46' 11" W 62.061'
S 88° 18' 27" W 49.443'
N 80° 40' 23" W 32.047'
N 57° 37' 18" W 47.811'
N 34° 34' 12" W 32.047'
N 16° 7' 44" W 32.047'

Protected Area Polygon 4

N 2° 18' 49" E 32.047'
N 25° 17' 30" E 70.982'
N 10° 0' 21" W 36.171'
N 5° 22' 52" E 64.072'
N 33° 18' 51" E 47.853'
N 56° 39' 1" E 32.08'
N 4° 54' 21" E 42.706'
N 26° 35' 55" E 28.608'
N 4° 26' 36" E 22.651'
N 17° 15' 44" E 61.051'
N 24° 42' 10" E 23.941'
N 39° 16' 33" E 23.941'
N 20° 51' 7" E 69.412'
N 38° 34' 3" W 61.808'
N 23° 6' 5" W 104.283'
N 11° 24' 43" W 27.955'
N 3° 36' 18" E 53.43'
N 8° 29' 55" W 37.655'
N 32° 51' 19" W 41.651'
N 25° 8' 23" W 82.415'
N 11° 36' 13" W 31.006'
N 4° 5' 30" E 32.347'
N 14° 6' 46" W 41.176'
N 29° 48' 45" W 65.069'
N 65° 5' 15" W 50.374'
N 48° 48' 57" W 38.739'
N 25° 49' 44" W 61.551'
N 16° 13' 14" W 50.379'
N 39° 28' 1" W 60.159'
N 64° 55' 34" W 71.671'
N 54° 6' 28" W 57.806'
N 60° 52' 1" W 88.456'
N 87° 18' 15" W 45.112'
N 68° 44' 5" W 41.481'
N 44° 47' 39" W 41.48'
N 29° 2' 40" W 55.196'
N 77° 37' 32" W 31.648'
S 14° 32' 38" W 33.176'
S 7° 9' 54" E 40.684'
S 16° 20' 19" W 40.684'
S 1° 20' 33" E 70.393'
S 4° 34' 59" W 100.582'
S 12° 32' 20" W 27.715'

Protected Area Polygon 4

S 32° 29' 40" W 41.405'
S 52° 26' 59" W 27.716'
S 24° 11' 2" W 68.638'
S 35° 59' 6" W 146.861'
S 49° 17' 26" W 71.572'
S 56° 46' 5" W 64.278'
S 39° 40' 15" W 66.069'
S 48° 36' 11" W 27.649'
S 64° 29' 54" W 27.649'
S 80° 20' 25" W 79.64'
S 8° 20' 26" W 38.784'
S 22° 33' 37" W 27.113'
S 38° 8' 34" W 27.114'
S 54° 2' 9" W 57.183'
S 76° 14' 7" W 46.708'
N 80° 35' 56" W 94.394'
S 86° 53' 58" W 34.697'
S 59° 56' 4" W 105.283'
S 22° 26' 23" E 88.344'
S 40° 12' 17" E 48.082'
S 33° 35' 1" E 66.961'
S 74° 45' 32" E 40.479'
N 24° 39' 56" E 30.539'
N 42° 16' 32" E 30.539'
N 59° 53' 9" E 30.539'
N 77° 29' 44" E 30.539'
S 83° 29' 59" E 69.14'
S 68° 43' 6" E 33.592'
S 57° 47' 32" E 55.143'
S 33° 31' 47" E 73.107'
S 21° 19' 47" E 31.529'
S 1° 29' 19" W 47.043'
S 24° 18' 26" W 31.529'
S 12° 47' 57" W 34.865'
S 70° 6' 17" E 46.085'
S 49° 34' 49" E 47.941'
S 26° 27' 52" E 32.135'
S 11° 48' 33" E 52.431'
S 89° 1' 39" E 36.629'
S 74° 10' 16" E 28.179'
S 57° 58' 11" E 28.179'
S 39° 41' 58" E 37.8'
S 67° 49' 26" E 57.246'

Protected Area Polygon 4

S 48° 14' 0" E 45.022'
N 80° 14' 47" E 35.308'
S 76° 13' 15" E 45.398'
N 73° 35' 57" E 66.522'
S 86° 55' 40" E 45.959'
S 60° 18' 30" E 62.089'
S 42° 28' 59" E 46.509'
S 54° 24' 19" E 46.304'
S 31° 6' 8" E 111.886'
S 21° 25' 20" E 26.345'
S 5° 45' 47" E 26.344'
S 40° 25' 32" E 44.882'
S 19° 25' 51" E 53.658'
S 4° 34' 27" E 47.482'
S 23° 19' 31" W 47.482'
S 7° 0' 47" W 19.302'
S 64° 34' 13" E 35.571'
S 88° 40' 35" E 32.039'
S 71° 12' 34" E 29.028'
S 54° 31' 55" E 29.027'
S 37° 51' 16" E 29.027'
S 51° 22' 4" E 29.387'
S 36° 1' 11" E 62.606'
S 25° 45' 54" E 32.042'
S 7° 19' 35" E 32.042'
S 10° 32' 9" W 28.487'
N 84° 25' 50" W 271.265'
N 23° 25' 35" W 50.434'
N 63° 38' 14" W 50.761'
N 64° 59' 1" W 52.447'
N 19° 13' 30" W 72.506'
N 25° 58' 20" W 75.412'
N 53° 53' 29" W 61.755'
N 55° 36' 13" W 22.459'
N 2° 18' 14" W 85.659'
N 74° 22' 12" W 16.311'
S 57° 43' 38" W 29.323'
S 79° 0' 34" W 43.783'
N 79° 42' 31" W 29.324'
N 62° 40' 56" W 29.323'
S 87° 2' 4" W 45.61'
N 76° 52' 54" W 53.508'
S 59° 23' 1" W 44.773'

Protected Area Polygon 4

S 47° 56' 13" W 27.825'
S 63° 56' 35" W 27.825'
S 75° 10' 9" W 76.7'
S 85° 43' 14" W 69.327'
S 59° 40' 27" W 36.805'
S 79° 4' 46" W 29.96'
S 47° 37' 29" W 35.334'
S 62° 24' 18" W 29.239'
S 82° 23' 18" W 108.127'
S 40° 53' 34" W 89.934'
S 58° 29' 27" W 59.629'
S 72° 45' 36" W 44.292'
N 88° 4' 49" W 48.519'
S 67° 57' 21" W 83.984'
S 35° 52' 55" E 56.844'
S 49° 52' 43" E 58.041'
S 23° 25' 5" E 46.265'
S 4° 11' 22" W 192.83'
S 17° 21' 36" W 106.147'
S 36° 18' 9" W 65.903'
S 51° 25' 22" W 63.624'
S 67° 49' 24" W 39.64'
S 49° 57' 27" W 129.204'
S 41° 1' 45" W 135.483'
S 26° 56' 34" W 43.204'
S 47° 37' 6" W 26.193'
S 56° 34' 23" W 232.498'
S 10° 8' 38" W 42.522'
S 30° 42' 52" W 28.47'
S 47° 10' 12" W 28.47'
S 55° 18' 2" W 85.814'
S 68° 48' 54" W 94.991'
S 80° 18' 58" W 32.061'
N 89° 4' 29" W 68.736'
N 77° 57' 36" W 132.683'
S 81° 24' 34" W 31.677'
N 81° 50' 40" W 37.122'
S 85° 20' 8" W 64.044'
S 66° 59' 17" W 26.351'
S 56° 9' 44" W 34.645'
N 87° 30' 46" W 83.92'
N 82° 14' 28" W 86.014'
N 33° 42' 49" W 55.837'

Protected Area Polygon 4

N 15° 16' 8" W 44.134'
N 7° 7' 54" E 62.412'
N 53° 9' 16" E 116.182'
N 42° 58' 47" E 99.15'
N 64° 13' 24" E 9.918'
N 65° 46' 57" E 5.441'
N 67° 20' 33" E 59.692'
N 67° 42' 57" E 20.548'
N 58° 52' 59" E 21.742'
N 48° 39' 10" E 15.301'
N 57° 25' 1" E 15.301'
N 66° 11' 0" E 15.3'
N 71° 4' 38" E 9.251'
N 17° 42' 26" E 8.976'
N 18° 51' 20" E 4'
N 22° 8' 45" E 6.646'
N 53° 55' 32" W 31.504'
N 71° 37' 10" W 26.27'
N 67° 4' 29" W 15.894'
N 57° 56' 55" W 15.894'
N 48° 49' 14" W 15.894'
N 39° 41' 47" W 2.954'
N 86° 28' 43" W 0.021'
N 83° 34' 11" W 12.45'
N 74° 43' 36" W 9.69'
N 11° 13' 2" W 107.743'
N 18° 55' 6" W 5.299'
N 33° 15' 35" W 4.579'
N 46° 50' 20" W 4.772'
N 64° 5' 30" W 7.091'
N 82° 55' 5" W 5.846'
S 81° 12' 36" W 5.075'
S 64° 36' 59" W 6.341'
S 61° 50' 5" W 50.953'
N 32° 36' 44" W 104.127'
N 27° 27' 56" W 55.929'
N 55° 33' 16" E 351.571'
N 47° 57' 55" E 46.223'
N 29° 49' 39" E 214.104'
N 16° 46' 46" E 53.085'
N 4° 35' 31" E 724.58'
S 78° 12' 32" E 67.072'
S 57° 46' 51" E 44.708'

Protected Area Polygon 4

S 31° 47' 48" E 44.708'
S 5° 48' 46" E 44.707'
S 49° 34' 35" E 21.007'
N 70° 12' 33" E 141.11'
S 89° 41' 17" E 47.177'
S 66° 56' 53" E 31.617'
S 44° 12' 30" E 47.177'
S 21° 28' 6" E 31.617'
S 3° 16' 33" E 31.617'
S 12° 57' 45" W 36.884'
S 84° 39' 16" E 40.594'
N 42° 28' 56" E 24.483'
N 57° 6' 39" E 28.869'
N 34° 24' 34" E 45.752'
N 60° 56' 22" E 45.753'
N 23° 56' 26" E 18.184'
N 86° 22' 9" W 29.788'
N 71° 9' 47" W 69.281'
N 80° 30' 57" W 30.924'
N 58° 23' 31" W 46.155'
N 36° 16' 2" W 30.924'
N 16° 56' 25" W 67.219'
N 34° 2' 9" W 24.562'
N 83° 26' 9" W 41.759'
N 59° 28' 56" W 45.37'
S 84° 58' 4" W 45.833'
N 82° 29' 24" W 47.518'
N 69° 27' 44" W 114.539'
S 72° 18' 59" W 46.159'
N 4° 33' 59" E 277.575'
N 43° 20' 32" W 5.902'
N 3° 37' 45" E 22.059'
N 15° 4' 47" E 95.69'
N 33° 15' 45" E 43.936'
N 59° 20' 54" E 46.482'
N 41° 51' 53" E 56.587'
N 27° 25' 28" E 42.344'
N 41° 17' 36" E 26.159'
N 62° 46' 39" E 100.291'
N 18° 43' 31" E 93.967'
N 31° 29' 49" E 42.036'
N 15° 23' 2" E 48.958'
N 26° 41' 53" E 50.659'

Protected Area Polygon 4

N 8° 30' 35" E 66.501'
N 25° 45' 57" E 177.553'
N 9° 38' 36" E 10.181'
N 48° 6' 28" W 68.68'
N 20° 26' 12" W 47.791'
N 2° 36' 21" E 32.033'
N 11° 49' 22" E 85.641'
N 3° 53' 0" E 114.626'
N 17° 36' 45" W 40.055'
N 3° 17' 13" W 43.31'
N 14° 56' 41" W 66.288'
N 1° 22' 9" E 29.697'
N 18° 46' 47" E 29.697'
N 19° 32' 5" W 27.551'
N 3° 52' 8" W 35.36'
N 30° 27' 37" W 53.213'
N 20° 53' 46" W 75.855'
S 65° 7' 53" W 31.811'
S 83° 33' 29" W 31.812'
N 78° 0' 57" W 31.811'
N 59° 35' 22" W 31.811'
N 41° 42' 52" W 52.378'
N 26° 3' 49" W 26.573'
N 12° 38' 21" W 27.52'
N 56° 38' 32" W 29.485'
N 41° 16' 44" W 30.716'
N 18° 19' 6" W 76.323'
N 72° 4' 37" W 28.505'
N 56° 11' 42" W 28.505'
N 40° 18' 43" W 28.504'
N 25° 19' 28" W 47.535'
N 66° 7' 7" W 54.333'
N 40° 39' 18" W 60.799'
N 53° 39' 21" W 83.961'
N 40° 18' 8" W 37.98'
N 21° 33' 38" W 29.172'
N 6° 49' 22" W 28.194'
N 7° 55' 7" E 43.978'
N 19° 30' 45" E 28.767'
N 42° 5' 58" W 42.291'
N 21° 23' 29" W 28.318'
N 0° 16' 27" E 78.121'
N 5° 10' 5" W 104.207'

Protected Area Polygon 4

N 30° 23' 16" W 26.162'
N 14° 11' 22" W 34.563'
N 37° 47' 28" W 31.354'
N 23° 26' 28" W 45.559'
N 10° 54' 28" W 145.042'
N 4° 30' 8" W 23.962'
N 8° 2' 24" E 33.638'
N 19° 47' 57" E 35.284'
N 46° 18' 38" W 22.366'
N 81° 2' 30" W 32.164'
N 64° 8' 30" W 42.836'
N 48° 16' 21" W 63.042'
N 33° 46' 17" W 71.507'
N 13° 3' 42" W 67.562'
N 59° 57' 57" W 42.441'
S 2° 32' 16" W 66.174'
S 28° 23' 12" E 87.645'
S 5° 1' 11" E 50.121'
S 17° 11' 56" E 122.167'
S 0° 16' 19" W 30.772'
S 17° 58' 26" W 30.772'
S 35° 40' 33" W 30.772'
S 53° 22' 36" W 30.772'
S 71° 4' 44" W 30.772'
S 88° 46' 46" W 30.772'
N 69° 5' 37" W 45.929'
N 52° 53' 23" W 58.712'
N 31° 45' 44" W 42.168'
N 69° 34' 49" W 43.668'
N 49° 36' 53" W 40.184'
N 65° 33' 53" W 35.25'
N 53° 0' 57" W 49.997'
N 69° 58' 48" W 36.084'
N 52° 14' 57" W 43.054'
N 71° 0' 58" W 15.875'
S 64° 14' 13" W 30.515'
S 80° 4' 46" W 41.021'
N 86° 51' 2" W 44.369'
N 61° 12' 54" W 44.369'
N 39° 44' 8" W 57.416'
N 74° 2' 8" W 46.077'
N 47° 20' 43" W 46.077'
N 20° 39' 18" W 46.076'

Protected Area Polygon 4

N 1° 35' 13" E 30.873'
N 19° 22' 51" E 30.873'
N 37° 10' 28" E 30.873'
N 60° 13' 3" E 48.994'
N 42° 53' 22" E 62.764'
N 53° 8' 28" E 26.859'
N 72° 26' 8" E 40.136'
N 85° 52' 24" E 86.588'
S 66° 1' 42" E 47.566'
S 37° 48' 36" E 50.07'
S 69° 20' 4" E 20.879'
N 47° 48' 23" E 27.068'
N 61° 30' 55" E 57.532'
N 18° 28' 6" E 41.149'
N 37° 46' 31" E 49.349'
N 43° 29' 57" W 56.533'
N 69° 40' 25" W 107.676'
N 54° 49' 49" W 31.499'
N 44° 40' 17" W 26.455'
N 33° 32' 36" W 50.307'
N 44° 26' 13" W 111.615'
N 33° 32' 0" W 132.89'
S 43° 2' 44" W 26.168'
S 25° 46' 1" W 50.068'
S 41° 49' 30" W 30.201'
S 57° 26' 12" W 108.498'
S 67° 52' 26" W 66.194'
S 71° 14' 15" E 37.251'
S 46° 58' 32" E 47.566'
S 21° 3' 19" E 47.177'
S 1° 38' 0" E 45.796'
S 24° 50' 30" W 45.797'
S 46° 54' 17" W 30.683'
S 68° 57' 59" W 45.797'
N 87° 5' 38" W 38.917'
S 41° 51' 4" W 53.957'
S 57° 9' 57" W 36.423'
S 15° 27' 6" E 41.223'
S 25° 22' 42" E 59.958'
S 8° 35' 22" E 59.287'
S 14° 9' 42" W 30.573'
S 31° 44' 53" W 30.573'
S 53° 43' 53" W 45.635'

Protected Area Polygon 4

S 75° 42' 49" W 30.574'
N 82° 18' 12" W 45.635'
N 55° 55' 26" W 45.635'
N 38° 52' 17" W 57.997'
N 18° 30' 52" W 268.073'
N 1° 37' 58" W 30.259'
N 19° 51' 56" E 45.175'
S 84° 58' 58" W 70.806'
S 57° 55' 41" W 28.994'
S 75° 4' 58" W 70.361'
S 24° 59' 41" E 29.982'
S 9° 3' 12" E 50.537'
S 22° 40' 57" E 38.61'
S 9° 12' 50" E 40.629'
S 25° 2' 11" E 39.516'
S 15° 27' 13" E 40.787'
S 6° 9' 17" E 30.369'
S 11° 25' 11" W 30.368'
S 28° 36' 41" E 95.818'
S 37° 5' 9" E 67.962'
S 24° 51' 49" E 101.558'
S 15° 27' 7" E 49.596'
S 2° 5' 45" W 47.77'
S 18° 55' 12" W 25.581'
S 32° 50' 17" W 31.606'
S 35° 59' 15" E 35.885'
S 12° 6' 3" E 47.006'
S 15° 14' 16" W 47.006'
S 38° 1' 8" W 31.504'
S 1° 46' 35" E 44.099'
S 17° 23' 10" W 87.681'
S 13° 46' 29" E 27.605'
S 3° 22' 3" W 60.499'
S 8° 41' 19" E 56.07'
S 8° 17' 20" W 31.014'
S 26° 7' 53" W 31.014'
S 43° 58' 21" W 31.014'
S 61° 49' 35" W 62.321'
S 79° 44' 54" W 31.173'
N 82° 19' 3" W 31.173'
N 64° 23' 4" W 31.173'
N 41° 57' 59" W 46.52'
N 19° 32' 57" W 31.173'

Protected Area Polygon 4

N 3° 22' 45" W 39.68'
N 23° 58' 16" W 35.887'
N 6° 40' 47" W 40.003'
S 47° 7' 12" W 46.3'
S 73° 57' 22" W 46.3'
N 79° 12' 30" W 46.3'
N 56° 50' 43" W 31.024'
N 38° 57' 15" W 31.024'
N 21° 3' 47" W 31.024'
N 3° 10' 20" W 31.024'
N 5° 40' 3" E 198.85'
N 14° 9' 49" E 29.549'
N 31° 9' 24" E 29.549'
N 48° 8' 58" E 29.549'
N 57° 5' 9" E 187.977'
N 55° 14' 15" W 22.182'
N 38° 48' 45" W 31.943'
N 20° 20' 52" W 31.943'
N 9° 24' 4" W 50.134'
N 24° 57' 5" W 25.543'
N 86° 50' 16" W 43.714'
N 66° 52' 17" W 29.987'
N 49° 37' 32" W 29.987'
N 32° 22' 44" W 29.987'
N 15° 7' 55" W 29.987'
N 2° 1' 52" E 71.561'
N 18° 32' 40" E 28.576'
N 36° 46' 44" E 36.578'
N 18° 47' 54" E 32.572'
N 18° 17' 52" W 93.233'
N 52° 2' 39" W 55.063'
N 40° 38' 8" W 99.343'
N 27° 6' 59" W 61.384'
N 10° 41' 38" W 47.605'
N 24° 25' 25" W 19.995'
N 36° 2' 48" W 69.349'
N 30° 3' 6" W 53.894'
N 41° 54' 3" W 53.515'
N 30° 39' 54" W 44.051'
N 42° 15' 42" W 73.615'
N 36° 29' 2" W 87.477'
S 42° 8' 8" W 23.898'
S 25° 25' 43" W 92.655'

Protected Area Polygon 4

S 46° 42' 55" W 31.244'
S 69° 11' 5" W 46.626'
N 83° 51' 11" W 46.626'
N 61° 23' 0" W 31.244'
N 38° 54' 52" W 46.626'
N 11° 57' 4" W 46.626'
N 12° 40' 48" E 41.073'
N 24° 19' 50" E 81.89'
N 3° 37' 21" E 27.282'
N 19° 20' 22" E 32.01'
N 35° 20' 53" E 99.317'
N 18° 5' 25" E 81.336'
N 33° 34' 40" E 54.975'
N 24° 58' 26" E 34.257'
N 43° 44' 5" E 31.213'
N 60° 8' 10" E 61.92'
N 32° 49' 10" E 44.356'
N 52° 43' 59" E 29.699'
N 69° 48' 46" E 29.699'
N 89° 28' 9" E 42.459'
N 39° 29' 15" E 96.364'
N 56° 1' 12" E 27.989'
N 72° 8' 23" E 27.99'
N 48° 38' 5" E 29.887'
N 19° 23' 40" E 45.249'
N 40° 37' 50" E 56.649'
N 33° 36' 20" E 77.121'
N 20° 49' 30" E 157.167'
N 30° 46' 27" E 91.16'
N 51° 56' 49" E 43.522'
N 3° 42' 50" E 106.827'
N 60° 8' 2" W 37.903'
N 40° 16' 55" W 31.984'
N 23° 9' 48" W 75.483'
N 14° 1' 0" W 30.394'
N 7° 23' 26" E 55.013'
N 25° 57' 16" E 47.93'
N 9° 36' 39" W 23.63'
N 44° 46' 28" W 71.391'
N 31° 50' 30" W 28.267'
N 17° 23' 53" W 86.808'
N 2° 39' 52" W 66.993'
N 16° 24' 31" W 80.224'

Protected Area Polygon 4

Protected Area Polygon 4

N 64° 24' 39" W 41.818'
N 42° 56' 5" W 42.256'
N 75° 36' 38" W 55.296'
N 87° 23' 55" W 120.608'
N 69° 11' 1" W 39.775'
N 51° 13' 54" W 39.44'
S 46° 36' 56" W 51.069'
S 62° 35' 54" W 27.136'
S 77° 51' 59" W 27.136'
S 4° 29' 5" W 13.091'
S 21° 8' 52" E 75.383'
S 7° 18' 20" E 29.58'
S 13° 57' 30" W 44.167'
S 34° 16' 37" W 47.263'
S 16° 37' 56" E 76.207'
S 0° 15' 16" E 29.263'
S 20° 47' 54" W 43.697'
S 41° 51' 4" W 29.264'
S 10° 1' 55" E 22.597'
S 31° 45' 15" E 39.326'
S 11° 59' 57" E 31.054'
S 5° 43' 17" W 127.906'
S 21° 8' 50" W 26.59'
S 30° 23' 46" W 82.185'
S 36° 27' 16" W 116.646'
S 16° 53' 34" W 179.255'
S 33° 12' 5" W 68.501'
S 16° 38' 40" W 153.307'
S 29° 14' 5" W 68.792'
S 11° 56' 42" W 91.076'
S 11° 56' 21" E 46.689'
S 9° 55' 0" W 49.867'
S 20° 18' 38" W 123.711'
S 42° 39' 57" W 41.794'
S 1° 10' 52" E 37.23'
S 17° 2' 6" E 45.14'
S 4° 3' 49" W 28.228'
S 25° 50' 11" W 88.876'
S 41° 29' 41" W 43.674'
S 3° 31' 33" E 53.385'
S 22° 11' 12" W 45.545'
S 49° 16' 42" W 73.659'
S 41° 3' 59" W 42.249'

Protected Area Polygon 4

S 62° 2' 34" W 46.503'
S 88° 56' 1" W 46.503'
N 68° 39' 24" W 31.161'
N 53° 9' 16" W 28.863'
S 14° 20' 37" W 28.007'
S 31° 5' 19" W 28.007'
S 42° 2' 34" W 146.456'
S 26° 17' 44" E 38.075'
S 9° 36' 8" E 86.802'
S 17° 11' 8" W 44.491'
S 42° 53' 33" W 44.491'
S 66° 4' 42" W 192.06'
S 86° 23' 22" W 41.82'
N 69° 27' 15" W 41.82'
S 47° 21' 49" W 44.204'
S 70° 34' 57" W 68.543'
S 55° 44' 21" W 16.024'
S 40° 39' 5" W 41.861'
S 21° 42' 24" W 103.613'
S 30° 2' 3" W 60.247'
S 45° 37' 14" W 28.081'
S 64° 27' 48" W 42.081'
S 34° 0' 13" W 58.954'
S 18° 46' 54" W 56.089'
S 27° 54' 24" W 29.139'
S 44° 15' 33" W 57.108'
S 58° 37' 25" W 22.699'
S 16° 8' 4" E 29.06'
S 1° 13' 21" W 78.791'
S 21° 45' 0" W 42.637'
S 46° 22' 6" W 42.637'
S 60° 9' 32" W 45.228'
S 76° 12' 57" W 30.492'
N 86° 14' 43" W 30.491'
N 65° 38' 55" W 46.535'
S 68° 59' 49" W 70.318'
S 85° 37' 20" W 48.156'
N 77° 7' 53" W 30.902'
N 59° 21' 6" W 30.902'
N 41° 34' 21" W 30.902'
N 23° 47' 35" W 30.902'
N 6° 0' 50" W 30.902'
N 42° 9' 46" W 28.168'

Protected Area Polygon 4

N 21° 48' 3" W 42.074'
N 85° 10' 15" W 44.672'
N 63° 44' 57" W 29.92'
N 46° 36' 38" W 29.92'
N 28° 37' 28" W 32'
N 4° 24' 35" E 109.557'
N 38° 42' 49" E 38.799'
N 58° 10' 11" E 55.772'
N 28° 37' 39" E 11.843'
N 54° 58' 43" W 36.158'
N 37° 36' 3" W 60.644'
N 4° 24' 35" E 243.135'
N 37° 22' 46" E 35.716'
N 56° 46' 22" E 27.951'
N 1° 14' 28" W 124.777'
N 35° 52' 30" W 45.291'
N 4° 24' 35" E 276.795'
S 67° 56' 25" E 19.878'
S 52° 32' 1" E 31.287'
S 36° 24' 31" E 195.074'
S 78° 4' 36" E 36.754'
N 65° 49' 10" E 76.755'
N 75° 48' 10" E 34.084'
S 89° 0' 17" E 31.125'
S 76° 16' 54" E 64.476'
N 40° 31' 5" E 25.501'
N 52° 53' 54" E 45.025'
N 17° 20' 19" W 27.597'
N 1° 19' 15" W 27.597'
N 17° 28' 47" E 42.531'
N 2° 9' 6" E 53.79'
N 16° 53' 48" E 61.18'
N 41° 45' 45" E 42.56'
N 63° 37' 12" E 33.922'
N 3° 57' 55" E 38.144'
N 23° 37' 49" E 86.912'
N 45° 36' 15" E 174.01'
N 19° 22' 22" E 26.02'
N 40° 57' 15" E 49.086'
N 27° 33' 22" E 67.523'
N 48° 2' 8" E 84.687'
N 22° 47' 2" E 79.756'
N 3° 49' 20" E 48.271'

Protected Area Polygon 4

N 10° 38' 49" W 60.294'
N 29° 6' 31" W 115.744'
N 18° 56' 12" W 71.74'
N 4° 31' 22" E 53.04'
N 2° 36' 46" W 52.983'
N 17° 35' 24" E 44.714'
N 39° 18' 17" E 29.953'
N 56° 40' 35" E 29.953'
N 43° 51' 50" E 26.948'
N 62° 33' 14" E 43.303'
N 44° 59' 30" E 72.176'
N 67° 4' 3" E 27.995'
N 81° 27' 48" E 33.27'
N 6° 33' 53" W 61.266'
N 12° 17' 9" E 56.117'
N 21° 42' 4" E 49.007'
N 34° 9' 19" E 86.49'
N 44° 38' 48" E 47.96'
N 35° 17' 56" E 97.774'
N 44° 2' 8" E 85.162'
N 60° 27' 33" E 82.251'
N 50° 16' 54" E 126.668'
N 68° 15' 49" E 129.122'
N 57° 59' 21" E 33.212'
N 76° 1' 52" E 39.508'
N 60° 2' 29" E 56.897'
N 70° 15' 22" E 34.344'
N 11° 1' 14" W 81.036'
N 6° 36' 27" E 29.744'
N 23° 53' 3" E 29.745'
N 21° 52' 39" W 26.143'
N 6° 39' 45" W 65.501'
N 10° 59' 9" E 58.233'
N 61° 45' 29" W 55.909'
N 74° 53' 9" W 39.536'
N 57° 27' 27" W 41.351'
N 40° 9' 48" W 128.584'
N 86° 5' 18" W 175.658'
S 77° 52' 33" W 85.214'
S 82° 49' 37" W 113.38'
N 81° 30' 48" W 50.095'
N 65° 3' 54" W 53.421'
S 35° 5' 59" W 21.459'

Protected Area Polygon 4

S 49° 25' 48" W 40.115'
S 8° 44' 55" W 59.169'
S 4° 45' 16" E 37.608'
S 29° 21' 4" E 26.636'
S 13° 32' 43" E 26.636'
S 7° 59' 24" W 94.263'
S 30° 20' 59" W 43.013'
S 51° 2' 59" W 28.801'
S 65° 18' 10" W 25.887'
S 7° 6' 41" E 48.184'
S 11° 22' 58" W 51.022'
S 9° 50' 5" E 39.121'
S 10° 41' 14" W 118.915'
S 33° 26' 4" W 96.625'
S 20° 25' 57" W 123.913'
S 27° 3' 12" W 78.672'
S 34° 29' 37" W 47.066'
S 12° 32' 25" W 43.862'
S 22° 30' 55" W 48.956'
S 2° 56' 14" W 47.643'
S 25° 36' 46" W 38.046'
S 0° 34' 6" E 30.821'
S 17° 13' 32" W 30.82'
S 35° 1' 12" W 30.821'
S 51° 36' 16" W 58.957'
S 21° 48' 54" W 27.091'
S 6° 20' 44" W 41.727'
S 25° 48' 30" W 42.413'
S 15° 47' 13" W 45.438'
S 38° 0' 45" W 30.444'
S 53° 13' 9" W 27.287'
S 31° 55' 57" W 80.433'
S 42° 49' 20" W 36.849'
S 12° 47' 38" W 42.846'
S 30° 20' 39" W 138.314'
S 2° 23' 50" E 29.164'
S 22° 33' 52" E 28.058'
S 6° 21' 25" E 28.058'
S 8° 57' 59" W 67.252'
S 18° 55' 21" W 31.363'
S 41° 28' 42" W 46.801'
S 68° 10' 9" W 78.632'
S 32° 45' 15" W 53.467'

Protected Area Polygon 4

S 17° 54' 39" W 60.446'
S 39° 26' 15" W 47.129'
S 62° 9' 15" W 31.585'
S 80° 19' 35" W 31.585'
N 81° 30' 0" W 31.585'
N 61° 44' 26" W 35.672'
N 4° 24' 35" E 466.392'
N 8° 17' 59" E 338.043'
N 33° 13' 43" E 76.797'
N 50° 22' 5" E 31.902'
N 68° 15' 39" E 31.903'
N 14° 7' 50" E 41.289'
N 4° 53' 14" E 47.498'
N 29° 56' 56" E 44.3'
N 14° 24' 28" E 22.645'
N 27° 36' 45" E 51.865'
N 12° 44' 6" E 50.342'
N 22° 26' 34" E 51.687'
N 34° 26' 25" E 48.538'
N 22° 33' 29" E 85.398'
N 39° 11' 4" E 30.052'
N 56° 40' 6" E 30.052'
N 20° 4' 37" E 44.94'
N 1° 14' 17" E 35.166'
N 27° 40' 12" W 86.286'
N 16° 52' 53" W 32.107'
N 1° 35' 44" E 32.107'
N 19° 9' 17" E 76.306'
N 29° 53' 26" E 71.543'
N 49° 15' 6" E 40.118'
N 2° 28' 19" E 67.034'
N 21° 13' 28" E 31.996'
N 39° 38' 9" E 31.997'
N 50° 48' 15" E 55.193'
N 66° 26' 10" E 29.823'
N 78° 1' 52" E 97.957'
S 88° 1' 7" E 27.634'
N 5° 2' 43" E 96.296'
N 22° 52' 55" E 87.456'
N 8° 26' 35" E 43'
N 18° 46' 42" E 30.578'
N 34° 33' 28" E 51.664'
N 48° 47' 33" E 93.744'

Protected Area Polygon 4

N 55° 8' 8" W 29.858'
N 39° 46' 24" W 28.938'
N 27° 24' 41" W 117.564'
N 8° 12' 13" W 28.534'
N 1° 56' 57" E 44.652'
N 19° 47' 37" E 64.288'
S 85° 38' 54" E 209.154'
S 11° 21' 50" W 33.766'
S 24° 38' 36" W 42.823'
to the Point of Beginning.

Excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 11° 38' 16" W 5472.035' to the Point of Beginning, thence:

S 4° 58' 53" W 26.494'
S 4° 58' 53" W 8.502'
S 0° 58' 18" W 13.985'
S 7° 2' 54" E 13.985'
S 15° 4' 5" E 13.985'
S 19° 4' 41" E 38.574'
S 16° 52' 45" E 27.631'
S 20° 28' 18" E 12.531'
S 24° 3' 51" E 17.256'
S 6° 15' 52" W 7.641'
S 3° 7' 54" W 10.93'
S 5° 0' 4" E 4.278'
S 32° 23' 9" W 27.948'
S 31° 19' 19" W 3.714'
S 30° 15' 29" W 27.64'
S 36° 1' 35" W 12.739'
S 49° 1' 8" W 42.137'
S 47° 44' 18" W 4.469'
S 46° 27' 28" W 6.386'
S 65° 12' 7" W 14.806'
S 61° 3' 53" W 14.429'
S 52° 47' 24" W 14.429'
S 44° 30' 55" W 14.429'
S 36° 14' 27" W 14.429'
S 27° 57' 58" W 14.429'
S 23° 49' 27" W 33.793'
S 23° 14' 20" W 42.249'

Protected Area Polygon 4

S 19° 30' 29" W 13.578'
S 11° 33' 29" W 13.578'
S 3° 36' 28" W 13.578'
S 4° 20' 33" E 13.578'
S 12° 17' 34" E 13.578'
S 20° 14' 35" E 13.578'
S 2° 17' 50" W 20.328'
S 2° 17' 50" W 7.463'
S 17° 42' 42" W 5.254'
S 17° 42' 42" W 4.52'
S 33° 57' 5" W 4.396'
S 43° 15' 3" W 14.672'
S 43° 15' 3" W 22.805'
S 41° 37' 30" W 5.674'
S 34° 59' 57" W 13.829'
S 61° 45' 55" W 12.405'
S 54° 23' 5" W 12.405'
S 47° 0' 15" W 12.405'
S 39° 37' 25" W 12.405'
S 36° 11' 41" W 34.869'
S 32° 22' 4" W 13.349'
S 24° 42' 49" W 13.349'
S 17° 3' 34" W 13.349'
S 9° 24' 19" W 13.349'
S 5° 34' 42" W 19.571'
S 20° 34' 11" W 14.352'
S 20° 33' 53" W 28.008'
S 16° 11' 31" W 14.283'
S 7° 59' 59" W 14.283'
S 0° 11' 34" E 14.283'
S 4° 17' 19" E 38.363'
S 19° 34' 44" W 5.107'
S 19° 34' 44" W 26.241'
S 15° 49' 46" W 13.079'
S 8° 19' 49" W 13.079'
S 0° 49' 52" W 13.079'
S 2° 55' 7" E 32.846'
S 1° 59' 27" W 14.502'
S 27° 13' 6" W 4.725'
S 24° 26' 3" W 45.47'
S 25° 1' 3" W 37.716'
S 25° 3' 6" W 35.176'
S 44° 16' 46" W 14.472'

Protected Area Polygon 4

S 40° 1' 12" W 14.952'
S 31° 24' 54" W 14.952'
S 22° 48' 36" W 14.952'
S 14° 12' 18" W 14.952'
S 5° 36' 0" W 14.952'
S 3° 0' 19" E 14.952'
S 37° 17' 42" W 51.952'
S 33° 14' 46" W 14.122'
S 25° 8' 54" W 14.122'
S 17° 3' 1" W 14.122'
S 8° 57' 8" W 14.121'
S 0° 51' 15" W 14.121'
S 7° 14' 38" E 14.121'
S 15° 20' 32" E 14.121'
S 19° 23' 28" E 7.977'
S 13° 10' 52" W 5.572'
S 5° 36' 46" W 15.295'
S 1° 13' 36" W 31.788'
S 52° 41' 33" W 19.685'
S 51° 20' 45" W 4.7'
S 45° 45' 32" W 14.788'
S 41° 31' 8" W 27.09'
S 49° 3' 3" W 33.983'
N 60° 54' 35" W 15.832'
N 70° 13' 44" W 15.832'
N 79° 32' 54" W 15.832'
N 88° 52' 3" W 15.832'
S 81° 48' 48" W 15.832'
S 76° 30' 8" W 13.389'
S 82° 21' 15" W 5.524'
N 84° 0' 31" W 14.212'
N 87° 0' 18" W 10.455'
S 85° 55' 12" W 14.225'
S 81° 50' 28" W 37.267'
S 77° 27' 46" W 15.588'
S 67° 57' 44" W 15.588'
S 58° 27' 41" W 15.588'
N 85° 49' 39" W 14.476'
S 85° 38' 16" W 14.476'
S 77° 6' 11" W 14.476'
S 68° 34' 6" W 14.476'
S 60° 2' 0" W 14.476'
S 51° 29' 55" W 14.476'

Protected Area Polygon 4

N 23° 5' 19" E 6.468'
N 32° 27' 33" E 34.99'
N 28° 41' 39" E 13.133'
N 21° 9' 48" E 13.133'
N 13° 37' 57" E 13.133'
N 9° 44' 16" E 55.812'
N 8° 57' 9" E 2.739'
N 8° 10' 4" E 40.965'
N 15° 47' 31" E 12.587'
N 42° 44' 35" E 19.12'
N 38° 53' 31" E 13.496'
N 31° 5' 49" E 13.496'
N 23° 18' 7" E 13.496'
N 63° 9' 39" E 15.117'
N 54° 51' 9" E 15.117'
N 46° 32' 39" E 15.117'
N 38° 14' 8" E 15.117'
N 33° 44' 29" E 42.113'
N 31° 52' 13" E 6.53'
N 24° 49' 43" E 18.005'
N 19° 20' 40" E 30.145'
N 36° 18' 58" E 30.632'
N 37° 19' 12" E 46.983'
N 33° 25' 57" E 13.559'
N 25° 39' 27" E 13.559'
N 17° 52' 57" E 13.559'
N 10° 6' 26" E 13.559'
N 2° 19' 56" E 13.559'
N 1° 33' 19" W 39.94'
N 0° 50' 10" E 8.86'
N 14° 32' 22" E 18.308'
N 10° 57' 24" E 12.498'
N 3° 47' 28" E 12.498'
N 3° 22' 29" W 12.498'
N 6° 57' 27" W 29.005'
N 12° 35' 34" E 4.074'
N 81° 16' 49" E 14.889'
N 72° 40' 59" E 14.889'
N 64° 5' 9" E 14.889'
N 55° 29' 19" E 14.889'
N 46° 53' 29" E 14.889'
N 38° 17' 39" E 14.889'
N 29° 41' 49" E 14.889'

Protected Area Polygon 4

N 21° 5' 58" E 14.889'
N 12° 30' 8" E 14.888'
N 3° 54' 17" E 14.888'
N 0° 29' 34" W 25.059'
N 19° 31' 47" E 20.403'
N 18° 23' 27" E 3.975'
N 17° 15' 6" E 58.576'
N 24° 31' 57" E 37.064'
N 37° 26' 49" E 24.282'
N 33° 43' 23" E 12.989'
N 24° 59' 57" E 3.793'
N 64° 8' 40" E 14.871'
N 55° 31' 11" E 14.871'
N 46° 53' 43" E 14.871'
N 38° 16' 15" E 14.871'
N 29° 38' 46" E 14.871'
N 21° 1' 17" E 14.871'
N 16° 50' 29" E 19.573'
N 12° 47' 46" E 12.883'
N 47° 59' 52" E 16.072'
N 38° 53' 22" E 16.072'
N 29° 46' 51" E 16.072'
N 20° 40' 20" E 16.072'
N 11° 33' 48" E 16.072'
N 2° 27' 17" E 16.072'
N 6° 39' 14" W 16.072'
N 15° 45' 46" W 16.072'
N 21° 6' 40" W 28.909'
N 25° 33' 58" W 15.467'
N 33° 37' 45" W 12.653'
N 37° 15' 23" W 31.147'
N 41° 5' 52" W 13.554'
N 48° 54' 54" W 13.554'
N 56° 43' 56" W 13.554'
N 64° 32' 58" W 13.554'
N 72° 22' 0" W 13.554'
N 80° 11' 1" W 13.554'
N 3° 24' 11" W 12.746'
N 7° 9' 34" W 10.482'
N 29° 19' 3" E 4.209'
N 42° 35' 44" E 28.756'
N 41° 17' 51" E 4.531'
N 34° 57' 31" E 17.572'

Protected Area Polygon 4

N 29° 50' 15" E 67.323'
N 28° 45' 35" E 3.761'
N 27° 40' 56" E 33.476'
N 33° 40' 39" E 2.969'
N 64° 29' 43" E 8.39'
N 71° 10' 41" E 28.484'
N 66° 56' 49" E 12.784'
N 59° 36' 46" E 12.784'
N 52° 16' 42" E 12.784'
N 44° 56' 39" E 12.784'
N 41° 16' 46" E 31.393'
N 39° 9' 34" E 7.399'
N 37° 2' 21" E 5.338'
S 47° 39' 22" E 14.629'
S 56° 7' 16" E 14.629'
S 64° 35' 9" E 14.629'
S 73° 3' 3" E 14.629'
S 81° 30' 56" E 14.629'
S 89° 58' 49" E 14.629'
N 81° 33' 18" E 14.629'
N 73° 5' 25" E 14.629'
N 64° 37' 32" E 14.629'
N 60° 34' 0" E 13.955'
N 55° 8' 52" E 17.933'
N 44° 59' 57" E 17.431'
N 34° 59' 57" E 17.431'
N 27° 54' 58" E 7.27'
N 25° 49' 59" E 40.683'
N 27° 42' 38" E 12.083'
N 50° 39' 4" E 9.754'
N 59° 11' 45" E 20.441'
S 25° 42' 2" E 22.696'
S 7° 15' 25" E 26.744'
S 37° 16' 20" W 2.796'
S 33° 14' 9" W 14.077'
S 25° 9' 47" W 14.077'
S 17° 5' 26" W 14.077'
S 9° 1' 4" W 14.077'

to the Point of Beginning, this exception being shown and labeled "4A" on the Protected Area Polygons Map within Protected Area 4.

Further excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively,

Protected Area Polygon 4

referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 2° 26' 36" E 4490.923' to the Point of Beginning, thence:

S 89° 14' 20" E 15.794'
N 81° 41' 17" E 15.794'
N 72° 36' 54" E 15.794'
N 63° 32' 30" E 15.794'
N 54° 28' 7" E 15.794'
N 45° 23' 44" E 15.794'
N 36° 19' 20" E 15.794'
N 27° 14' 57" E 6.059'
S 45° 18' 49" E 12.774'
S 32° 11' 16" E 18.082'
S 35° 40' 34" E 12.169'
S 42° 39' 9" E 12.169'
S 49° 37' 44" E 12.169'
S 53° 7' 2" E 8.521'
S 27° 26' 46" E 31.978'
S 30° 9' 0" E 9.434'
S 32° 51' 13" E 46.638'
S 37° 11' 20" E 15.118'
S 41° 31' 26" E 21.918'
S 27° 57' 59" E 7.517'
S 14° 23' 34" E 11.287'
S 10° 54' 17" E 18.099'
S 6° 14' 4" W 17.523'
S 3° 51' 14" W 8.307'
S 1° 28' 25" W 57.118'
S 0° 45' 44" W 2.483'
S 0° 3' 3" W 25.181'
S 9° 24' 45" W 26.478'
S 4° 42' 22" W 16.409'
S 3° 35' 15" E 12.514'
S 7° 10' 29" E 29.47'
S 8° 35' 15" E 4.93'
S 13° 46' 47" E 8.745'
S 18° 54' 54" W 3.366'
S 14° 27' 27" W 15.544'
S 6° 34' 58" W 11.921'
S 3° 9' 57" W 35.664'
S 0° 18' 55" E 12.143'
S 7° 16' 37" E 12.143'
S 14° 14' 20" E 12.143'

Protected Area Polygon 4

S 17° 43' 12" E 17.901'
S 89° 52' 11" W 5.4'
S 80° 45' 5" W 15.898'
S 71° 37' 59" W 15.898'
S 62° 30' 52" W 15.898'
S 53° 23' 46" W 15.898'
S 44° 16' 40" W 15.898'
S 35° 9' 33" W 15.898'
S 30° 36' 0" W 2.327'
S 74° 59' 56" W 13.92'
S 66° 18' 2" W 12.901'
S 62° 36' 7" W 34.386'
S 69° 25' 35" W 42.37'
N 3° 33' 33" E 38.219'
N 2° 22' 18" E 4.145'
N 1° 11' 2" E 116.273'
N 0° 6' 9" W 4.49'
N 1° 23' 21" W 70.359'
N 5° 49' 36" W 15.252'
N 14° 33' 40" W 15.252'
N 23° 17' 44" W 15.252'
N 32° 1' 48" W 15.252'
N 40° 45' 52" W 15.252'
N 49° 29' 56" W 15.252'
N 58° 13' 59" W 15.252'
N 66° 58' 2" W 15.252'
N 75° 42' 6" W 15.252'
N 84° 26' 9" W 15.252'
S 86° 49' 48" W 15.252'
S 78° 5' 46" W 15.252'
S 69° 21' 43" W 15.252'
S 60° 37' 40" W 15.252'
S 51° 53' 36" W 15.252'
S 43° 9' 33" W 15.252'
S 34° 25' 29" W 15.252'
N 53° 37' 42" W 13.329'
N 61° 14' 58" W 13.329'
N 68° 52' 14" W 13.329'
N 76° 29' 30" W 13.329'
N 80° 36' 59" W 29.516'
N 84° 53' 14" W 14.449'
S 86° 55' 13" W 14.449'
S 78° 43' 41" W 14.449'

Protected Area Polygon 4

S 70° 32' 8" W 14.449'
S 62° 20' 35" W 14.449'
S 54° 9' 3" W 14.449'
S 45° 57' 30" W 14.449'
N 27° 28' 23" W 29.923'
N 32° 2' 19" W 15.701'
N 41° 2' 39" W 15.701'
N 50° 2' 59" W 15.701'
N 59° 3' 19" W 15.701'
N 68° 3' 39" W 15.701'
N 77° 3' 59" W 15.701'
N 86° 4' 18" W 15.701'
S 84° 55' 22" W 15.701'
S 75° 55' 3" W 15.701'
S 66° 54' 44" W 15.701'
S 57° 54' 24" W 15.701'
S 48° 54' 4" W 15.701'
S 39° 53' 44" W 15.701'
S 30° 53' 24" W 15.701'
S 26° 23' 14" W 36.937'
S 22° 1' 25" W 15.217'
S 13° 17' 45" W 15.217'
S 4° 34' 6" W 15.217'
S 4° 9' 33" E 15.217'
S 12° 53' 13" E 15.217'
S 21° 36' 52" E 15.217'
S 30° 20' 32" E 15.217'
S 39° 4' 11" E 15.217'
S 31° 35' 10" E 2.14'
S 1° 59' 35" W 13.885'
S 5° 58' 2" E 13.885'
S 13° 55' 38" E 13.885'
S 17° 29' 59" E 56.177'
S 26° 3' 55" W 14.876'
S 17° 31' 33" W 14.876'
S 8° 59' 12" W 14.875'
S 0° 26' 51" W 14.875'
S 8° 5' 31" E 14.875'
S 16° 37' 52" E 14.875'
S 25° 10' 14" E 14.875'
S 33° 42' 35" E 14.876'
S 42° 14' 56" E 14.876'
S 46° 30' 3" E 13.158'

Protected Area Polygon 4

S 17° 22' 36" E 23.257'
S 17° 2' 52" W 115.663'
N 83° 36' 48" W 13.139'
S 88° 49' 24" W 13.139'
S 81° 15' 35" W 13.139'
S 73° 41' 46" W 13.139'
N 48° 7' 15" W 14.092'
N 57° 0' 47" W 14.092'
N 61° 23' 23" W 4.205'
N 32° 15' 38" W 23.053'
N 34° 33' 0" W 7.99'
N 36° 50' 23" W 28.029'
N 40° 43' 11" W 13.533'
N 48° 28' 49" W 13.533'
N 56° 14' 27" W 13.533'
N 60° 14' 14" W 27.859'
N 65° 7' 12" W 6.33'
N 12° 44' 29" W 2.515'
N 17° 28' 25" W 6.575'
N 15° 29' 5" W 9.552'
N 18° 54' 57" W 14.221'
N 27° 25' 9" W 14.221'
N 35° 55' 20" W 14.221'
N 42° 29' 16" W 17.232'
N 29° 32' 12" W 33.537'
N 35° 21' 33" W 15.556'
N 39° 49' 15" W 21.864'
N 44° 29' 40" W 15.982'
N 53° 39' 41" W 15.982'
N 62° 49' 41" W 15.982'
N 71° 59' 42" W 13.07'
N 40° 5' 58" W 0.076'
N 39° 24' 59" W 8.636'
N 38° 56' 47" W 8.831'
N 38° 29' 1" W 8.671'
N 37° 55' 6" W 8.366'
N 37° 17' 52" W 7.949'
N 36° 32' 16" W 7.412'
N 35° 37' 59" W 6.742'
N 34° 31' 59" W 5.896'
N 33° 10' 11" W 1.587'
N 22° 1' 30" E 12.984'
N 13° 38' 35" E 14.615'

Protected Area Polygon 4

N 5° 15' 41" E 14.615'
N 3° 7' 14" W 14.615'
N 7° 18' 41" W 25.387'
N 2° 33' 8" E 27.237'
S 89° 40' 52" E 15.363'
N 86° 1' 18" E 14.435'
N 77° 44' 38" E 14.435'
N 69° 27' 57" E 14.435'
N 61° 11' 17" E 14.435'
N 52° 54' 36" E 14.435'
N 44° 37' 55" E 14.435'
N 36° 21' 14" E 14.435'
N 28° 4' 33" E 14.435'
N 19° 47' 52" E 14.435'
N 26° 1' 47" E 2.886'
N 46° 58' 18" E 12.792'
N 39° 33' 50" E 12.791'
N 32° 9' 22" E 12.791'
N 28° 27' 36" E 22.033'
N 87° 33' 47" E 16.176'
N 83° 4' 23" E 15.658'
N 74° 5' 34" E 15.658'
N 65° 6' 46" E 15.658'
N 56° 7' 57" E 15.657'
N 47° 9' 8" E 15.657'
N 42° 24' 44" E 37.95'
N 74° 59' 25" E 3.153'
N 73° 36' 58" E 11.559'
N 65° 32' 13" E 11.559'
N 57° 27' 28" E 11.559'
N 55° 32' 32" E 9.769'
N 56° 8' 26" E 25.527'
N 51° 44' 28" E 14.557'
N 43° 5' 57" E 14.557'
N 34° 27' 25" E 14.557'
N 25° 48' 54" E 14.557'
N 17° 10' 22" E 14.557'
N 46° 53' 33" E 2.544'
N 43° 26' 45" E 12.024'
N 34° 45' 38" E 18.226'
N 29° 6' 0" E 23.343'
N 24° 32' 30" E 15.84'
N 14° 55' 58" E 17.659'

Protected Area Polygon 4

N 9° 44' 20" E 15.166'
N 6° 23' 10" E 11.689'
N 3° 2' 7" E 16.315'
N 1° 18' 5" W 15.584'
N 10° 48' 46" W 15.584'
N 20° 19' 28" W 10.236'
N 41° 46' 4" E 22.935'
N 37° 30' 4" E 14.879'
N 28° 58' 5" E 14.879'
N 24° 42' 6" E 159.301'
N 20° 25' 29" E 14.916'
N 11° 52' 14" E 14.916'
N 7° 35' 37" E 9.352'
S 63° 52' 25" E 14.809'
S 68° 27' 9" E 6.847'
S 53° 41' 54" E 26.166'
S 56° 51' 1" E 10.996'
S 65° 0' 7" E 17.058'
S 29° 27' 56" E 4.232'
S 1° 45' 58" W 15.885'
S 7° 23' 21" E 15.885'
S 16° 32' 40" E 15.885'
S 25° 41' 59" E 15.885'
S 34° 51' 18" E 15.886'
S 44° 0' 37" E 15.886'
S 53° 9' 55" E 15.886'
S 62° 19' 14" E 15.886'
S 66° 48' 25" E 11.947'
S 37° 26' 35" E 5.056'
S 25° 2' 15" E 27.719'
S 26° 43' 33" E 5.892'
S 28° 24' 51" E 18.437'
S 31° 30' 38" E 10.803'
S 34° 36' 25" E 37.641'
S 36° 42' 58" E 7.361'
S 38° 50' 15" E 49.837'
S 43° 52' 24" E 15.794'
S 52° 56' 47" E 15.794'
S 62° 1' 11" E 15.794'
S 71° 5' 34" E 15.794'
S 80° 9' 57" E 15.794'

to the Point of Beginning, this exception being shown and labeled "4B" on the Protected Area Polygons Map within Protected Area 4.

Protected Area Polygon 4

Further excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 56° 17' 17" E 3144.323' to the Point of Beginning, thence:

S 88° 52' 41" E 13.813'
N 83° 12' 6" E 13.813'
N 75° 16' 53" E 13.813'
N 67° 21' 41" E 13.813'
N 59° 26' 28" E 13.813'
N 55° 28' 51" E 7.896'
N 55° 28' 51" E 7.896'
N 52° 44' 24" E 9.564'
N 44° 59' 57" E 9.526'
N 86° 11' 54" E 5.505'
N 85° 58' 56" E 8.737'
S 56° 17' 24" E 11.989'
S 65° 0' 6" E 11.337'
S 44° 46' 3" E 8.488'
S 21° 42' 22" E 4.844'
S 26° 17' 41" E 16'
S 35° 28' 21" E 16'
S 44° 39' 0" E 16'
S 49° 15' 20" E 15.07'
S 53° 38' 55" E 14.392'
S 61° 58' 16" E 14.392'
S 70° 17' 37" E 14.392'
S 78° 36' 58" E 14.392'
S 86° 56' 18" E 14.392'
N 84° 44' 21" E 14.392'
S 75° 0' 6" E 4.844'
S 6° 41' 0" E 2.568'
S 10° 1' 29" E 11.656'
S 16° 42' 27" E 11.656'
S 23° 23' 24" E 11.656'
S 26° 43' 53" E 17.277'
S 30° 36' 12" E 13.505'
S 38° 20' 50" E 13.505'
S 42° 13' 9" E 15.996'
S 42° 13' 9" E 16.924'
S 52° 39' 13" W 13.874'
S 43° 56' 22" W 13.874'
S 35° 13' 31" W 13.874'

Protected Area Polygon 4

S 26° 30' 40" W 13.874'
S 60° 10' 5" W 13.363'
S 52° 17' 27" W 13.363'
S 48° 22' 30" W 51.323'
S 44° 11' 14" W 14.606'
S 36° 59' 59" W 10.466'
S 34° 0' 0" W 53.698'
S 41° 32' 52" W 3.346'
S 89° 22' 55" W 11.094'
S 82° 36' 25" W 11.094'
S 75° 49' 55" W 11.094'
S 72° 41' 1" W 50.349'
S 68° 10' 15" W 15.736'
S 59° 8' 44" W 15.736'
S 54° 37' 58" W 58.813'
S 52° 18' 58" W 8.085'
S 47° 8' 35" W 9.966'
S 44° 17' 12" W 65.453'
S 39° 48' 22" W 15.643'
S 30° 49' 56" W 15.643'
S 21° 51' 30" W 15.643'
S 12° 53' 4" W 15.643'
S 3° 54' 37" W 15.643'
S 5° 3' 50" E 15.643'
S 14° 2' 16" E 15.643'
S 23° 0' 43" E 15.643'
S 31° 59' 9" E 15.643'
S 40° 57' 35" E 15.643'
S 49° 56' 1" E 15.643'
S 58° 54' 27" E 15.643'
S 67° 52' 53" E 15.643'
S 76° 51' 19" E 15.644'
S 85° 49' 44" E 15.644'
S 39° 11' 3" E 23.184'
S 42° 12' 25" E 14.25'
S 50° 22' 43" E 14.25'
S 54° 27' 52" E 37'
S 57° 13' 59" E 3.774'
S 75° 8' 42" W 12.328'
S 67° 51' 39" W 12.328'
S 60° 34' 35" W 12.328'
S 53° 17' 32" W 12.328'
S 49° 37' 8" W 35.055'

Protected Area Polygon 4

S 44° 48' 29" W 16.766'
S 34° 59' 57" W 7.628'
N 77° 8' 10" W 14.351'
N 85° 32' 43" W 14.351'
S 86° 2' 45" W 14.351'
S 77° 38' 12" W 14.351'
S 69° 13' 40" W 14.351'
S 65° 11' 8" W 36.512'
N 29° 19' 43" E 15.922'
N 20° 5' 41" E 15.922'
N 10° 51' 39" E 15.922'
N 1° 37' 37" E 15.922'
N 7° 36' 25" W 15.922'
N 16° 50' 27" W 15.922'
N 26° 4' 29" W 15.922'
N 31° 1' 15" W 58.933'
N 35° 18' 8" W 14.903'
N 43° 50' 57" W 14.903'
N 52° 23' 46" W 14.903'
N 60° 56' 35" W 14.903'
N 69° 29' 23" W 14.903'
N 78° 2' 12" W 14.903'
N 82° 18' 36" W 44.202'
N 86° 40' 8" W 15.578'
S 84° 10' 40" W 15.578'
S 75° 1' 28" W 15.578'
S 65° 52' 17" W 15.578'
N 8° 22' 26" W 14.967'
N 17° 8' 10" W 14.967'
N 25° 53' 53" W 14.967'
N 34° 39' 36" W 14.967'
N 43° 25' 19" W 14.967'
N 52° 11' 2" W 14.967'
N 60° 56' 44" W 14.968'
N 69° 42' 27" W 14.968'
N 13° 2' 37" W 4.566'
N 13° 2' 37" W 3.36'
N 48° 37' 59" E 3.046'
N 44° 17' 5" E 15.164'
N 35° 35' 17" E 15.164'
N 26° 53' 29" E 15.164'
N 18° 11' 40" E 15.164'
N 9° 29' 52" E 15.164'

Protected Area Polygon 4

N 0° 48' 3" E 15.164'
N 7° 53' 46" W 15.164'
N 12° 14' 40" W 61.896'
N 16° 5' 58" W 14.815'
N 24° 56' 2" W 14.815'
N 33° 46' 5" W 14.815'
N 42° 36' 9" W 14.815'
N 51° 26' 13" W 14.816'
N 5° 0' 5" W 4.219'
N 14° 22' 0" W 15.222'
N 18° 43' 54" W 22.21'
N 18° 43' 54" W 7.463'
N 14° 5' 33" W 16.946'
N 29° 2' 3" E 13.359'
N 21° 4' 32" E 13.359'
N 13° 7' 1" E 13.359'
N 5° 9' 30" E 13.359'
N 1° 32' 30" E 3.617'
S 72° 35' 7" E 8.473'
S 76° 50' 36" E 14.851'
S 85° 21' 36" E 14.851'
N 86° 7' 25" E 14.851'
N 77° 36' 26" E 14.851'
N 69° 5' 27" E 14.851'
N 60° 34' 27" E 14.851'
N 52° 3' 28" E 14.85'
N 43° 32' 28" E 14.85'
N 35° 1' 29" E 14.85'
N 26° 30' 29" E 14.85'
N 17° 59' 29" E 14.85'
N 13° 43' 59" E 20.734'
N 9° 37' 9" E 14.347'
N 1° 23' 29" E 14.347'
N 6° 50' 11" W 14.347'
N 15° 3' 51" W 14.347'
N 19° 11' 22" W 25.896'
N 23° 30' 52" W 14.761'
N 32° 24' 12" W 14.761'
N 41° 17' 32" W 14.761'
N 50° 10' 52" W 14.761'
N 17° 39' 55" E 6.968'
N 13° 49' 56" E 13.37'
N 6° 47' 5" E 11.022'

Protected Area Polygon 4

N 42° 22' 5" E 14.631'
N 32° 42' 7" E 14.631'
N 23° 2' 8" E 14.631'
S 53° 3' 50" E 12.747'
S 34° 9' 18" E 15.962'
S 43° 20' 59" E 15.962'
S 52° 32' 39" E 15.962'
S 61° 44' 20" E 15.962'
S 66° 18' 4" E 17.318'
S 68° 9' 5" E 6.458'
S 73° 48' 20" E 3.39'
S 51° 20' 33" E 12.409'
S 55° 40' 20" E 15.099'
S 61° 40' 17" E 3.612'
S 39° 33' 33" E 3.453'
S 44° 52' 53" E 17.84'
S 50° 43' 36" E 2.531'
S 51° 27' 6" E 20.917'
S 51° 27' 6" E 20.917'
S 52° 34' 45" E 11.972'
S 62° 5' 45" E 11.972'
S 71° 36' 45" E 11.972'
S 55° 3' 53" E 15.04'
S 63° 52' 0" E 15.04'
S 72° 40' 6" E 15.04'
S 76° 59' 52" E 12.113'
S 76° 59' 51" E 15.538'
S 80° 57' 28" E 13.813'

to the Point of Beginning, this exception being shown and labeled "4C" on the Protected Area Polygons Map within Protected Area 4.

Further excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence N 79° 47' 31" E 2032.66' to the Point of Beginning, thence:

S 73° 56' 53" W 3.155'
N 85° 44' 22" W 4.194'
N 87° 52' 14" W 7.437'
S 85° 33' 5" W 15.508'
S 81° 5' 26" W 38.988'
S 77° 20' 15" W 12.601'
S 69° 41' 45" W 12.601'

Protected Area Polygon 4

S 62° 3' 14" W 12.601'
S 54° 24' 44" W 12.601'
N 65° 0' 6" W 5.004'
N 75° 0' 6" W 7.605'
N 43° 46' 52" E 10.892'
N 40° 1' 45" E 13.087'
N 36° 16' 38" E 50.852'
N 40° 0' 24" E 44.445'
N 73° 1' 21" E 24.275'
N 69° 2' 17" E 13.897'
N 61° 4' 9" E 13.897'
N 53° 6' 0" E 13.897'
N 45° 7' 52" E 13.897'
N 37° 9' 43" E 13.897'
N 29° 11' 35" E 13.897'
N 25° 12' 30" E 20.725'
N 46° 43' 45" E 21.807'
N 46° 43' 45" E 14.159'
N 76° 34' 39" E 7.504'
S 8° 0' 20" E 12.835'
S 15° 35' 34" E 12.835'
S 23° 10' 49" E 12.835'
S 30° 46' 3" E 12.835'
S 34° 20' 17" E 34.518'
S 38° 4' 10" E 13.95'
S 46° 37' 26" E 13.95'
S 55° 10' 42" E 13.95'
S 66° 0' 25" W 19.703'
S 66° 0' 25" W 22.31'
S 63° 0' 11" W 10.481'
S 56° 21' 57" W 12.674'
S 52° 43' 57" W 45.142'
S 52° 43' 57" W 5.402'
S 79° 29' 30" W 10.546'
S 76° 27' 2" W 29.683'
S 75° 11' 57" W 4.368'

to the Point of Beginning, this exception being shown and labeled "4D" on the Protected Area Polygons Map within Protected Area 4.

Further excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence S 83° 3' 49" E 2515.832' to the Point of Beginning, thence:

Protected Area Polygon 4

S 24° 9' 41" W 15.339'
S 19° 31' 58" W 26.985'
S 15° 28' 39" W 14.131'
S 7° 22' 26" W 14.131'
S 0° 43' 46" E 14.131'
S 8° 49' 58" E 14.131'
S 16° 56' 10" E 14.131'
S 25° 2' 23" E 14.131'
S 33° 8' 35" E 14.131'
S 37° 11' 41" E 19.65'
S 37° 11' 41" E 8.034'
S 46° 53' 45" W 2.995'
S 32° 21' 16" W 15.533'
S 33° 7' 7" W 27.435'
S 38° 9' 24" W 25.684'
S 42° 43' 0" W 19.033'
N 89° 57' 49" W 35.34'
S 86° 3' 37" W 13.736'
S 78° 11' 3" W 13.736'
S 70° 18' 28" W 13.736'
S 66° 22' 11" W 32.447'
S 67° 45' 0" W 43.12'
S 69° 26' 35" W 37.57'
S 81° 15' 10" W 26.777'
N 83° 17' 32" W 17.636'
N 81° 15' 18" W 23.566'
N 84° 52' 42" W 12.64'
S 87° 52' 29" W 12.64'
S 80° 37' 40" W 12.64'
S 75° 15' 9" W 25.779'
S 74° 22' 22" W 13.06'
S 66° 47' 26" W 13.06'
S 63° 27' 43" W 8.885'
S 61° 59' 40" W 23.861'
S 60° 57' 48" W 3.362'
S 55° 55' 16" W 14.226'
S 51° 50' 32" W 34.307'
S 48° 25' 15" W 11.936'
S 44° 59' 57" W 38.151'
S 44° 59' 56" W 19.949'
S 47° 7' 13" W 26.087'

Protected Area Polygon 4

S 57° 32' 42" W 11.785'
N 84° 25' 13" W 14.46'
N 88° 47' 5" W 16.71'
S 86° 25' 21" W 12.647'
N 72° 53' 58" W 5.451'
N 70° 1' 7" W 18.846'
N 68° 39' 4" W 27.198'
N 73° 35' 9" W 17.204'
N 78° 31' 13" W 26.267'
N 82° 35' 24" W 14.194'
S 89° 16' 14" W 14.194'
S 81° 7' 53" W 14.194'
S 72° 59' 32" W 10.232'
N 31° 21' 25" E 34.525'
N 55° 18' 1" E 24.832'
N 54° 28' 40" E 2.871'
N 53° 39' 20" E 46.063'
N 56° 37' 50" E 41.452'
N 70° 55' 26" E 21.488'
N 66° 38' 27" E 13.388'
N 58° 57' 39" E 13.388'
N 51° 16' 51" E 13.388'
N 47° 26' 29" E 74.579'
N 43° 43' 13" E 12.98'
N 37° 23' 3" E 9.125'
N 34° 46' 9" E 12.47'
N 57° 50' 34" E 16.543'
N 63° 19' 25" E 40.731'
N 63° 43' 16" E 29.071'
N 60° 2' 56" E 12.802'
N 52° 42' 33" E 12.802'
N 45° 22' 9" E 12.802'
N 41° 41' 37" E 48.694'
N 40° 54' 1" E 32.53'
N 45° 57' 50" E 49.463'
N 41° 58' 10" E 13.932'
N 39° 43' 36" E 29.64'
S 64° 20' 14" E 16.117'
S 73° 30' 54" E 16.117'
S 82° 41' 35" E 16.117'
N 88° 7' 45" E 16.117'
N 78° 57' 5" E 16.117'
N 69° 46' 25" E 16.117'

Protected Area Polygon 4

N 65° 5' 37" E 37.682'
N 61° 3' 36" E 14.068'
N 52° 59' 34" E 14.068'
N 44° 55' 32" E 14.068'
N 36° 51' 30" E 14.068'
N 32° 49' 29" E 17.665'
N 29° 14' 40" E 13.167'
N 21° 30' 20" E 13.167'
N 13° 46' 0" E 13.167'
N 6° 1' 41" E 13.167'
N 1° 42' 39" W 13.167'
N 46° 25' 24" E 13.88'
N 76° 47' 5" E 12.644'
N 69° 29' 53" E 12.644'
N 62° 12' 41" E 12.644'
N 54° 55' 29" E 12.644'
N 51° 18' 14" E 49.175'
N 50° 39' 5" E 2.277'
N 44° 59' 57" E 10.729'
N 75° 24' 46" E 12.574'
N 66° 1' 22" E 12.574'
N 56° 37' 57" E 12.574'
S 13° 19' 43" W 95.881'
S 8° 48' 40" W 15.752'
S 0° 13' 25" E 15.752'
S 9° 15' 30" E 15.752'
S 13° 46' 33" E 13.897'
S 30° 18' 20" W 9.399'
S 63° 45' 9" W 26.29'
S 59° 21' 15" W 15.34'
S 50° 33' 22" W 15.34'
S 41° 45' 28" W 15.34'
S 32° 57' 35" W 15.34'

to the Point of Beginning, this exception being shown and labeled "4E" on the Protected Area Polygons Map within Protected Area 4.

Further excepting there-from, beginning at a magnetic nail located on a structure known as leachate manhole 1 with northing and easting coordinates of 1,391,500.821 and 995,329.465, respectively, referencing the New York State Plane Coordinate Central Coordinate System, North American Datum of 1983, thence S 67° 28' 56" E 2385.772' to the Point of Beginning, thence:

S 2° 28' 24" E 15.797'
S 11° 32' 4" E 15.797'

Protected Area Polygon 4

S 20° 35' 44" E 15.797'
S 29° 39' 24" E 15.797'
S 38° 43' 4" E 15.797'
S 43° 14' 53" E 18.998'
S 37° 30' 40" E 19.46'
S 16° 44' 29" E 24.827'
S 11° 36' 29" E 14.64'
S 20° 8' 56" W 22.68'
S 36° 27' 44" W 30.967'
S 62° 58' 49" W 38.943'
S 62° 58' 49" W 22.838'
S 58° 10' 9" W 16.774'
S 53° 21' 29" W 34.215'
S 53° 21' 29" W 38.066'
S 51° 40' 43" W 5.861'
S 45° 58' 8" W 14.057'
S 41° 56' 18" W 34.62'
S 41° 56' 18" W 22.948'
S 48° 48' 7" W 33.698'
S 48° 48' 7" W 26.094'
S 60° 18' 39" W 38.311'
S 60° 18' 39" W 21.892'
S 64° 44' 13" W 41.904'
S 64° 44' 13" W 45.769'
S 61° 28' 1" W 11.409'
S 54° 55' 36" W 11.409'
S 48° 23' 11" W 11.409'
S 45° 6' 58" W 35.551'
S 45° 6' 58" W 9.811'
S 62° 46' 6" W 19.86'
S 61° 31' 54" W 4.316'
S 60° 17' 43" W 24.518'
S 59° 21' 58" W 3.243'
S 58° 26' 13" W 14.863'
S 74° 20' 2" W 10.774'
S 74° 20' 2" W 28.701'
S 69° 44' 36" W 16.007'
S 65° 9' 10" W 56.704'
S 66° 21' 34" W 50.44'
S 62° 41' 13" W 12.113'
N 17° 23' 39" E 63.18'
N 22° 44' 44" E 23.721'
N 21° 22' 20" E 4.793'

Protected Area Polygon 4

N 15° 25' 27" E 5.006'
N 37° 56' 20" E 4.369'
N 35° 52' 43" E 31.709'
N 65° 14' 46" E 13.686'
N 57° 17' 6" E 13.686'
N 49° 19' 27" E 13.686'
N 41° 21' 48" E 13.686'
N 33° 24' 8" E 13.686'
N 29° 10' 2" E 18.375'
N 66° 35' 52" E 12.544'
N 59° 3' 57" E 12.544'
N 51° 32' 2" E 12.544'
N 70° 49' 1" E 12.595'
N 63° 24' 10" E 12.595'
N 55° 59' 20" E 12.595'
N 52° 23' 1" E 23.508'
N 75° 13' 4" E 8.89'
N 72° 36' 31" E 9.106'
N 65° 30' 47" E 15.643'
N 61° 0' 48" E 33.056'
N 56° 2' 30" E 15.705'
N 47° 1' 6" E 15.705'
N 37° 59' 42" E 15.704'
N 28° 58' 18" E 15.704'
N 19° 56' 53" E 15.704'
N 10° 55' 28" E 15.704'
N 1° 54' 3" E 15.704'
N 7° 7' 21" W 15.704'
N 16° 8' 46" W 15.704'
N 7° 29' 54" W 7.756'
N 14° 32' 8" W 15.81'
N 19° 4' 54" W 31.658'
N 24° 4' 13" W 15.823'
N 33° 8' 48" W 15.823'
N 42° 13' 23" W 15.823'
N 51° 17' 58" W 15.823'
N 60° 22' 32" W 15.823'
N 69° 27' 7" W 15.823'
N 78° 31' 41" W 15.823'
N 87° 36' 15" W 15.823'
S 83° 19' 11" W 15.823'
S 74° 14' 37" W 15.823'
S 69° 25' 36" W 14.709'

Protected Area Polygon 4

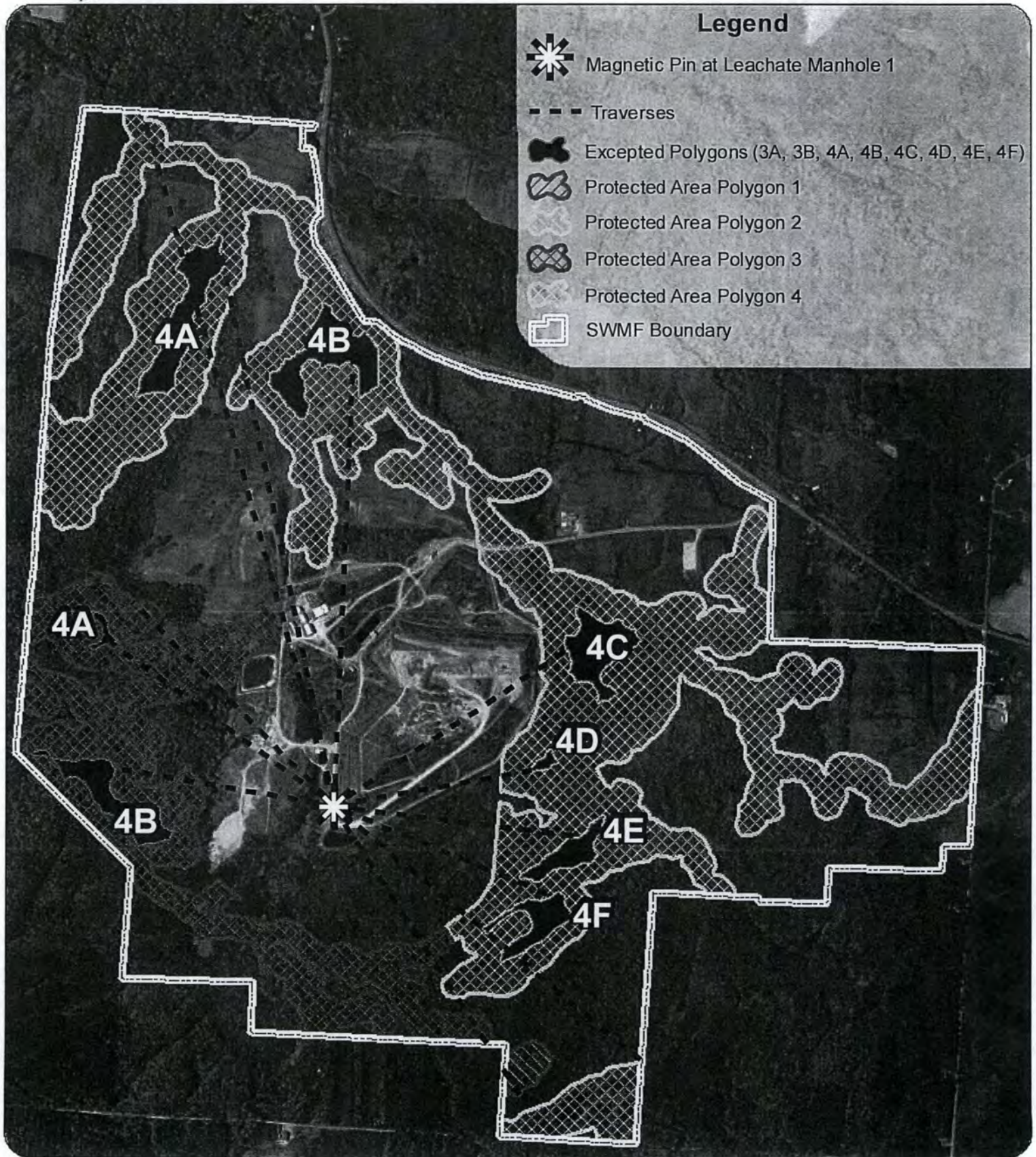
S 67° 6' 2" W 13.537'
S 57° 17' 41" W 13.537'
S 47° 29' 20" W 13.536'
S 68° 20' 16" W 21.795'
S 64° 20' 3" W 14.782'
S 55° 27' 33" W 14.782'
S 46° 35' 3" W 14.782'
S 37° 42' 32" W 14.781'
S 64° 59' 57" W 14.633'
S 56° 57' 41" W 10.599'
S 53° 55' 24" W 60.269'
S 52° 20' 1" W 5.549'
S 50° 44' 4" W 26.088'
S 45° 11' 31" W 18.078'
S 34° 59' 57" W 14.424'
S 54° 59' 57" W 12.324'
S 44° 53' 43" W 17.786'
S 39° 35' 33" W 53.714'
N 29° 10' 2" W 13.376'
N 37° 30' 18" W 13.376'
N 45° 50' 33" W 13.376'
N 54° 10' 48" W 13.376'
N 41° 54' 41" E 17.75'
N 54° 57' 33" E 16.953'
N 49° 50' 48" E 18.731'
N 54° 50' 42" E 23.376'
N 52° 25' 20" E 8.455'
N 44° 59' 57" E 7.745'
N 57° 9' 0" E 20.47'
N 56° 25' 31" E 2.529'
N 55° 42' 2" E 56.36'
N 56° 59' 35" E 71.9'
N 53° 29' 46" E 12.199'
N 46° 11' 7" E 13.373'
N 72° 48' 43" E 14.177'
N 71° 1' 15" E 13.463'
N 63° 18' 5" E 13.463'
N 55° 34' 56" E 13.463'
N 47° 51' 46" E 13.463'
N 40° 8' 36" E 13.463'
N 36° 17' 1" E 22.404'
N 65° 33' 33" E 6.792'
N 57° 50' 2" E 13.473'

Protected Area Polygon 4

N 53° 58' 17" E 9.179'
N 73° 18' 0" E 19.186'
N 77° 54' 16" E 23.569'
N 74° 8' 27" E 13.896'
N 66° 0' 5" E 13.896'
N 57° 51' 42" E 13.896'
N 49° 43' 19" E 13.896'
N 41° 34' 56" E 13.896'
S 71° 27' 32" E 3.955'
S 72° 53' 58" E 26.209'
S 76° 20' 45" E 12.023'
S 83° 14' 18" E 12.023'
N 89° 52' 8" E 12.023'
N 86° 25' 21" E 22.506'
S 83° 59' 32" E 28.429'
S 88° 14' 1" E 14.792'
N 83° 17' 0" E 14.792'
N 74° 48' 2" E 14.792'
N 70° 33' 18" E 35.226'
N 65° 8' 37" E 17.917'
N 58° 37' 55" E 4.775'
N 57° 15' 50" E 32.07'
N 53° 37' 55" E 12.669'
N 48° 33' 37" E 5.026'
N 47° 7' 13" E 36.813'
N 46° 3' 34" E 3.703'
N 44° 59' 56" E 15.666'
S 42° 15' 35" E 16.849'
S 43° 25' 14" E 21.095'
S 37° 41' 37" E 21.582'
S 39° 45' 25" E 7.201'
S 41° 49' 14" E 15.662'
S 15° 38' 56" W 12.273'
S 6° 35' 16" W 15.797'

to the Point of Beginning, this exception being shown and labeled "4F" on the Protected Area Polygons Map within Protected Area 4.

Protected Area Polygons Map

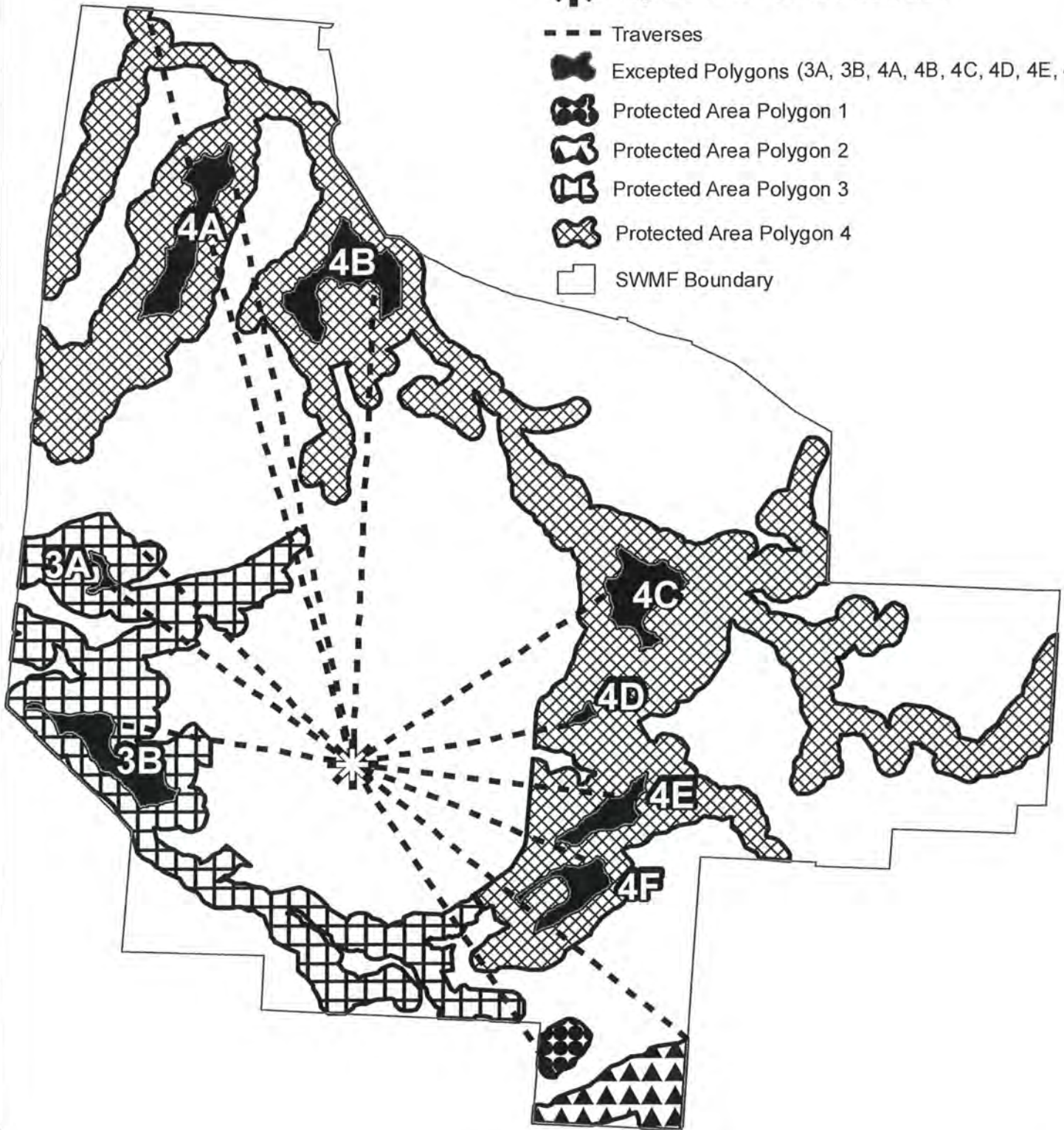


Scale 1 : 14,500

Protected Area Polygons Map

Legend

-  Magnetic Pin at Leachate Manhole 1
-  Traverses
-  Excepted Polygons (3A, 3B, 4A, 4B, 4C, 4D, 4E, 4F)
-  Protected Area Polygon 1
-  Protected Area Polygon 2
-  Protected Area Polygon 3
-  Protected Area Polygon 4
-  SWMF Boundary



Scale 1 : 14,500

EXHIBIT B

COPY OF PERMIT

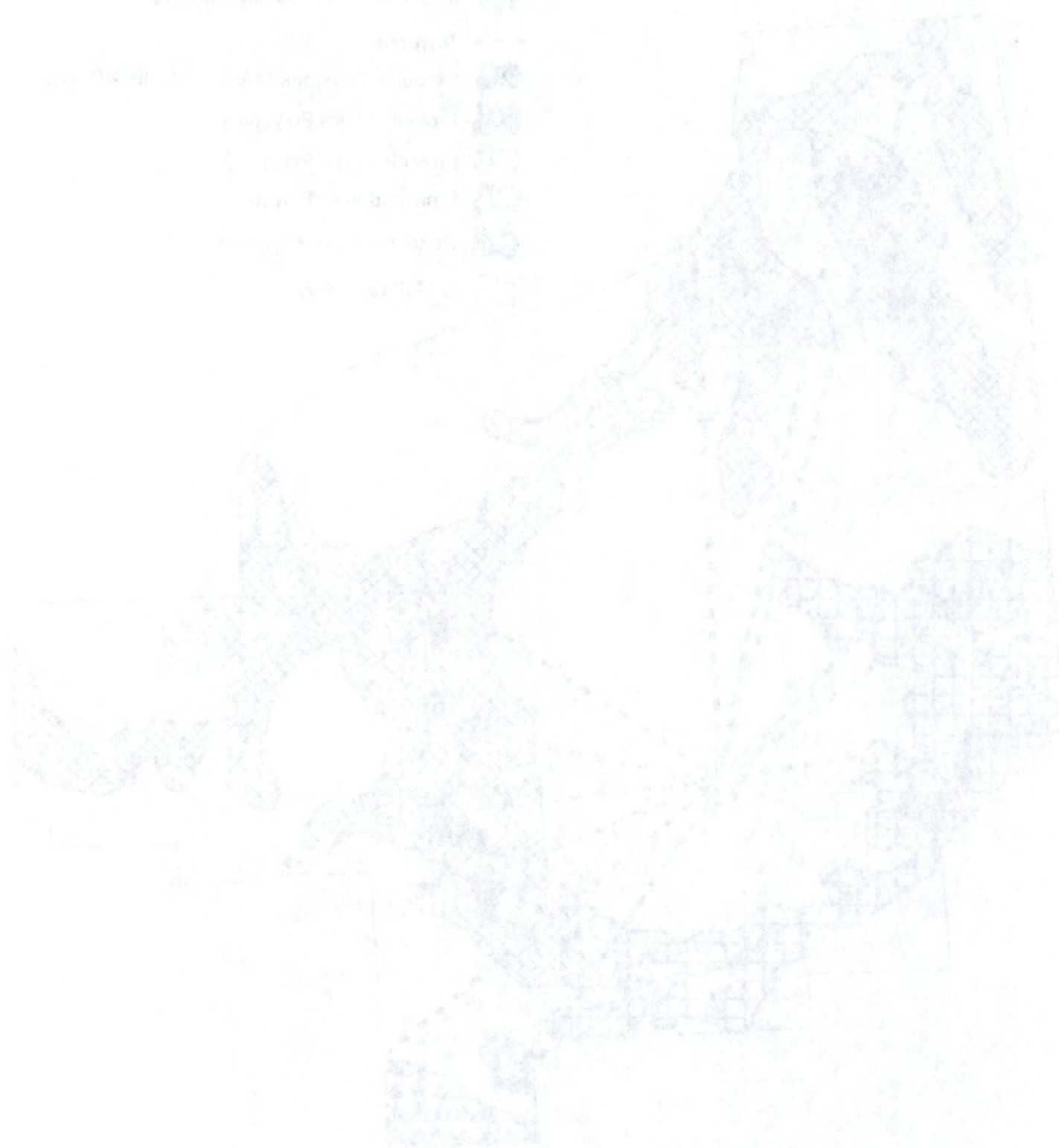


EXHIBIT C

CONSERVATION FUNCTIONS AND SERVICES

The Property is in a rural setting and includes 107 acres of wetlands, 45,651 linear feet of stream and 328 acres of upland buffer on lands owned and managed by the Development Authority of the North Country (the Declarant) in the Town of Rodman, Jefferson County New York. The Property is in the Tug Hill Transition (THT) Ecozone where land slowly transitions to the higher elevations and steeper topography associated with the Tug Hill Plateau. The Property is also in the headwater reaches of the Fish Creek-Sandy Creek which is a subwatershed of the Salmon-Sandy Creek Basin (HUC: 04140102). There is currently no approved watershed management plan for the Salmon-Sandy Creek Basin; however, two natural resources assessment reports have been published for this watershed and a watershed assessment was conducted by Conservation Connects on behalf of the Declarant to provide a broader geographic context to guide land use decisions and natural resources management at the Solid Waste Management Facility (SWMF). Based on these assessments, the Property is part of an intact headwater system dominated by natural land cover including intact forest blocks, stream buffers and headwater wetlands. Water quality is rated as "good." Conservation goals emphasize protection and enhancement opportunities. In contrast, the lower reaches of the Salmon-Sandy have experienced greater development due to agriculture and loss of forested buffers and wetlands. This trend is reflected in poorer water quality downstream. As recommended by watershed assessments, protection of this Property will strategically protect and enhance lands in the headwater reaches of the basin where relatively abundant, high quality headwater wetlands and streams currently exist.

Wetlands on the Property were grouped into one of three classes based on condition assessments and a review of the functions and values that each wetland area was determined to provide. Conditions assessments were based on qualitative factors including presence of native vegetation, level of disturbance, connectivity, covertype, diversity and hydrological characteristics. An assessment of functions and values was conducted using the Highway Methodology Workbook Supplement. Based on these assessments, most wetlands fall into Class A or Class B. Only a few wetlands fell into Class C primarily due to disturbance of ongoing land uses associated with operation of the landfill. Wetlands are generally of high quality with intact buffers and provide multiple functions (primarily flood-flow alteration, nutrient removal/retention/transformation, sediment/toxicant/pathogen retention and wildlife habitat).

A series of small ephemeral and intermittent streams are located on the Property and connect headwater wetlands with two main tributaries (perennial streams) that flow into Fish Creek, referred to as the Southern and Northern Tributary. These tributaries generally flow southeast to northwest across the site. Springs, rocky headwater, marshy headwater and intermittent stream communities comprise the majority of stream habitats on the Property. Many of these streams are part of a mature, intact riparian corridor that provide a range of functions, including terrestrial and avian habitats, input of coarse

organic material to the stream food-web, stabilization of streambanks and cool water inputs to higher-order perennial reaches downstream. Some streams have been impacted by human activities; primarily clearing of streambank vegetation to accommodate agriculture. The enhancement activities proposed along 8,102 linear feet of stream will establish and maintain an approximate 100' forested/scrub-shrub buffer along both sides of streams that have lost this woody riparian edge. These areas will be planted with native woody tree and shrub species to establish native plant communities where woody buffers are currently absent. Planted species will consist primarily of those found in existing riparian buffers and native plants known to be less palatable to deer or that can withstand heavy browsing. Enhancement is intended to improve existing buffer area functions to the level of the intact riparian corridors described above.

Buffers protected as part of this Property include approximately 100' around the outside of each delineated wetland boundary and on both sides of each protected stream; in some locations, the width of the buffer may be less than 100' due to nearby landfill facility features. These buffers are a mix of upland habitats including mature deciduous and coniferous forests, early successional shrubland, grasslands and open field. While the ecological communities on the Property are not considered rare, these communities are diverse and dominated by native flora providing habitat for hundreds of wildlife species. Declarant has developed a Natural Resources Management Plan to provide stewardship that will maximize the ecological value of these areas and provide important habitat for wildlife and compatible recreational and educational opportunities for people.

EXHIBIT D

MANAGEMENT AND MAINTENANCE ACTIVITIES

The Property is part of an active solid waste management facility (SWMF) managed by the Declarant and includes features that are necessary for operation in compliance with applicable regulations, the Declarant's SWMF permit, and the Declarant's Natural Resources Management Plan. These features include groundwater and surface water monitoring stations, utility trails, public recreation and education trails, wildlife observation areas, and roads. The attached figure (Exhibit D Map) shows the location of these features and their location relative to the Property. This exhibit briefly describes the purpose of the features and provides an overview of the existing and ongoing management and maintenance activities required to maintain these features.

1. Groundwater and Surface Water Monitoring Stations

Groundwater and surface water monitoring on the SWMF is a regulatory requirement (6 NYCRR Part 360) and environmental stewardship necessity. There are currently multiple groundwater monitoring wells located within or adjacent to the Property in protected upland buffers and several surface water monitoring points located in streams or wetlands. These stations are visited by the Declarant's staff regularly using off road vehicles and motorized vehicles to record hydrology data necessary to help ensure the environmentally sound operation and management of the SWMF. Ongoing management and maintenance activities associated with these features include clearing, cutting or mowing limited amounts of vegetation to maintain space and allow access to each station; the replacement and repair of wells, point markers, flags and signage; and maintenance of access trails (utility trails) as described below.

2. Utility Trails, Public Use Trails and Wildlife Observation Areas

The Property is bisected in various locations by several existing utility trails and the Landfill Gas to Energy Interconnect Power Line. Utility trails are 10-15 feet wide, unpaved, and maintained to primarily provide access to surface water and groundwater monitoring stations. Trails are also used by the Declarant's staff to clean up any light debris that may have blown from the active face of the landfill. Access to all portions of the Property is necessary to allow the Declarant to remove any waste that blows onto the Property in accordance with the requirements of applicable laws and regulations and Declarant's Part 360 SWMF Permit. Public use trails and foot paths to wildlife observation areas are presently unpaved and managed to provide public outdoor recreation and education opportunities on the facility. Ongoing management activities required to maintain utility trails, the Landfill Gas to Energy Interconnect Power Line and public use trails and foot paths include limited clearing, cutting or mowing, hand grading to maintain dry conditions, and use of off road vehicles and motorized vehicles.

3. Roads

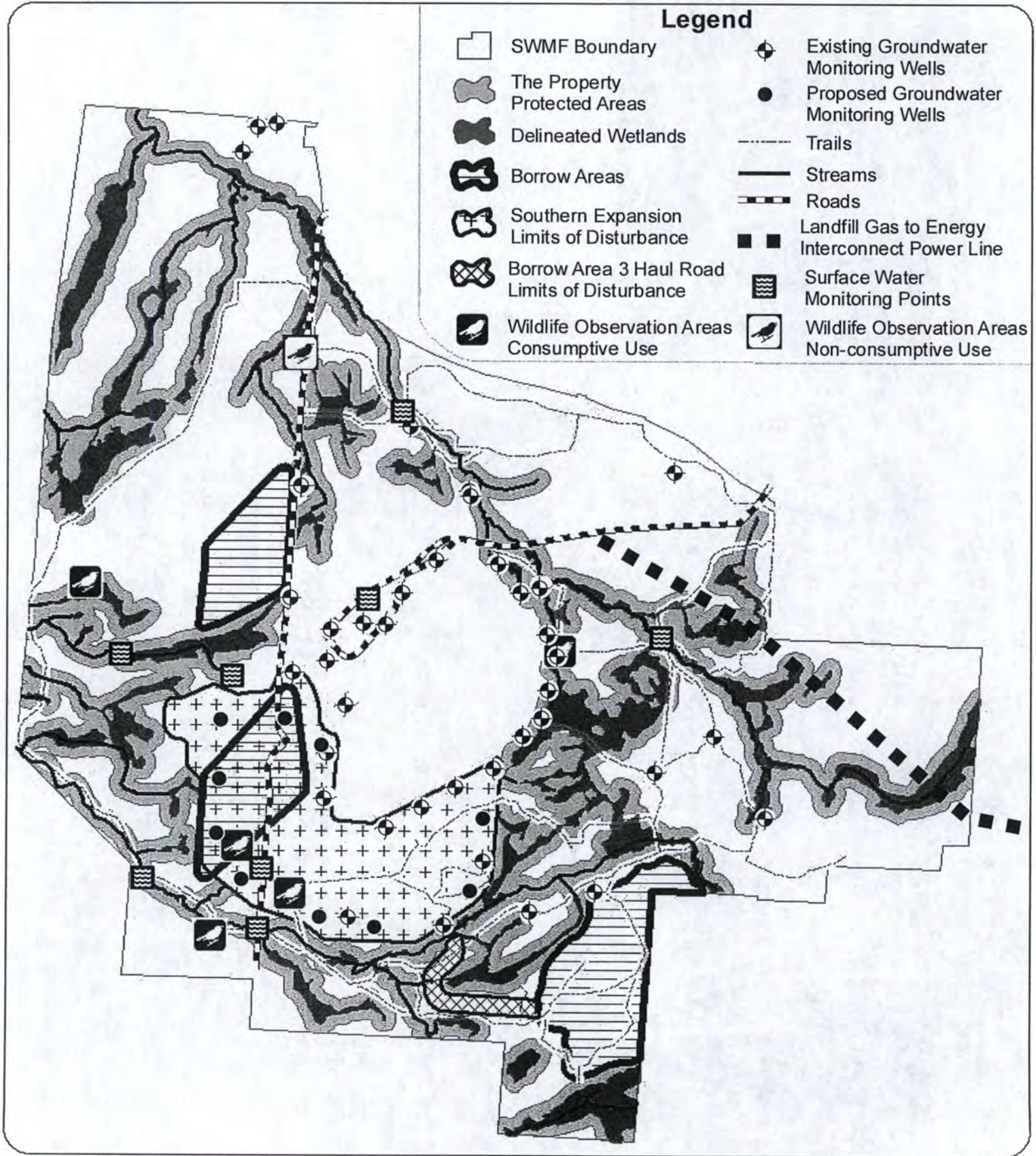
The Property is bisected by two roads: the access road (entrance drive) and Dona Road. Dona Road is a gravel road maintained to provide access primarily to the northern portion of the facility, though it extends to the southern SWMF boundary. Ongoing management activities required to maintain Dona Road include grading, clearing, cutting or mowing, ditch maintenance, and use of motorized vehicles.

Exhibit D Map



Scale 1 : 14,500

Exhibit D Map



Scale 1 : 14,500

EXHIBIT E
LIST OF ENCUMBRANCES

There are no encumbrances.

Appendix E

Adopt a Natural Resource Management Agreement

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**ADOPT-A-NATURAL RESOURCE
STEWARDSHIP PROGRAM**

AGREEMENT

Stewardship No: _____
Project: Lakeview Wildlife Management Area Skinner Road Project
Acres: 3,461

This agreement, made between The Development Authority of the North Country, residing at Dulles State Office Building, 317 Washington St, Watertown, NY 13601, (315)785-2593, Email: info@danc.org, hereinafter called the "Steward"; and the Department of Environmental Conservation of the State of New York, hereinafter called the "Department".

WHEREAS, Section 9-0113 of the Environmental Conservation Law authorizes a stewardship program between the Commissioner and an individual, group or organization for the purpose of preserving, maintaining or enhancing a state-owned natural resource or portion thereof in accordance with the policies of the Department; and,

WHEREAS, there is need for the services and support of volunteers provided through this new stewardship opportunity to aid the preservation, maintenance and enhancement of state-owned natural resources at minimum cost to the state:

NOW, THEREFORE, it is agreed that this Stewardship Agreement for a period of 20 years from the date hereof, shall provide that the natural resource named in this agreement be preserved and maintained in its natural state or managed to enhance or restore the natural resource values it provides, involving the activities specified in this agreement and consistent with the policies of the Department.

This natural resource is located on that certain tract(s) of land known as The Lakeview Wildlife Management Area, and situated in the Township(s) of Ellisburg, County of Jefferson, and the State of New York containing 3,461 acres more or less.

IT IS MUTUALLY AGREED THAT:

1) **Activities**

Activities of the Steward permitted on this natural resource are:
Provide habitat improvement, management and maintenance activities on up to 30 acres of the Lakeview Wildlife Management Area at the Skinner Road Site as needed in accordance with the Skinner Road Wetland and Stream Mitigation Plan. Activities will include grading, planting, invasive species management, mowing, development of public use infrastructure, etc. Activities will also include regular monitoring to ensure the protection and maintenance of habitat

improvements and confirm that NYSDEC management and public use activities are compatible with wetland and stream mitigation goals.

2) **Technical Services**

Assistance provided by the Department shall consist of:

None

3) **Responsibilities**

The Steward is responsible for:

- a) Completing the activities in the matter agreed upon with the Department.
- b) Collecting the name, address and phone number of each volunteer, in advance of the performance of activities. This information is needed to afford the participants liability and workers' compensation protection. Completed participant forms must be provided to the DEC contact person as soon as possible after new participants have been added. (The participant list shall be kept current and attached as part of the agreement).
- c) Complying with the Child Labor Law, as it pertains to under-aged volunteers; parent signature is required for volunteers under the age of 18 and volunteers under 16 may only participate in yard/household type work activities (no machinery) as part of an organization.
- d) Reporting to the Department annually, on work accomplished and number of volunteer hours spent on activities.
- e) Discussing with the Department's contact person any problems, disagreements, questions of interpretation regarding the agreement or other concerns as soon as possible.

The Department is responsible for:

- a) Sending a copy of all completed Participant Lists to Barb Gunther in the Division of Management and Budget, Bureau of Personnel in Albany at mail code 5060 .
- b) Evaluating stewardship activities annually to determine their merit for continuation.
- c) Discussing with the Steward's contact person any problems, disagreements, questions of interpretation regarding the agreement or other concerns as soon as possible.

4) **Contacts**

The contact person for the Steward is Development Authority of the North Country Executive Director, who may be reached at the following address and telephone number Dulles State Office Building, 317 Washington St, Watertown, NY 13601, (315)785-2593

The contact person for the Department is the Region 6 Wildlife Manager, who may be reached at the following address and telephone number Dulles State Office Building, 317

5) **Recognition**

The Department shall provide recognition of the stewardship activities by appropriate signage on or near the adopted natural resource and may provide recognition by such other measures as it may determine appropriate.

6) **Land Use**

Nothing contained herein shall prevent or hinder the Department from carrying out its regular activities on, nor alter or change the traditional access to and public use of the lands covered by this agreement.

7) **Agreement and Renewal**

This agreement may be modified in scope or altered in any other manner, upon mutual agreement by the Department and the Steward. The Steward shall have the option of renewing the agreement with the approval of the Department and subject to the continuation by the Department of the Adopt-A-Natural Resource Stewardship program.

8) **Termination**

The Department may terminate this agreement and remove signs upon thirty (30) days written notice, if in its sole judgment it finds and determines that the Steward or anyone working thereunder are not meeting the terms and conditions of this agreement. The Steward shall provide the Department thirty (30) days written notice prior to terminating this agreement.

9) **Liability Protection**

As volunteers, participants in the program are accorded the same liability and workers' compensation protection as salaried state employees, provided they are acting within the scope of the agreement.

10) **Motorized Saws**

Motorized saws (chainsaws or brush saws) can only be used if the operator can provide proof that he/she has the following equipment and training:

- T First Aid, CPR and Blood Borne Pathogens Training
- T Steel-toed safety boots with kevlar sides
- T Gloves, chaps and a hard-hat with hearing protection and a protective face shield.
- T Game of Logging Level 1 course, **or** an approved chainsaw safety video with an approved instructor present.

11) **Special Conditions**

NONE

Date of Agreement _____

THE DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

By: _____
(Print)

Address: Dulles State Office Building, 317 Washington St, Watertown, NY 13601

Signature: _____
(Individual or Authorized Representative)

Date: _____

COMMISSIONER OF ENVIRONMENTAL CONSERVATION

By: _____
(Print)

Signature _____
(Authorized Representative)

Title _____

Date: _____

Attachment D

Financial Assurances

(Board Resolution No. 2015-01-03; January 29, 2015)



Board Resolution No. 2015-01-03

January 29, 2015

AUTHORIZING THE CREATION OF A RESERVE FUND FOR PERFORMANCE OF OBLIGATIONS REQUIRED UNDER DEPARTMENT OF THE ARMY PROVISIONAL PERMIT NO. 1989-98111

Whereas, pursuant to the duties and powers granted to the Development Authority of the North Country (the "Authority") by the New York State Public Authorities Law, the Authority is considering a southern expansion of its existing Solid Waste Management Facility (the "Facility") located in the Town of Rodman, Jefferson County, New York (the "Project"), and

Whereas, the Project would increase the Facility's disposal capacity, and

Whereas, in connection with the Project, the Department of the Army (the "Department") issued to the Authority a provisional permit no. 1989-98111 (the "Provisional Permit"), and

Whereas, when the Provisional Permit is valid, the Authority will be allowed to undertake permanent and unavoidable impacts to 12.26 acres of wetland and 2,413 linear feet of stream (the "Impacts"), and

Whereas, to compensate for the Impacts, the Authority developed an on-site and off-site plan of mitigation for the Impacts that is set forth in a document entitled, 'Proposed Landfill Expansion, Final Aquatic Resource Mitigation Strategy' dated May 2012, Revised October 2012 (the "Mitigation Strategy"), which Mitigation Strategy is incorporated into the Provisional Permit as Attachment C, and

Whereas, pursuant to Section 10.0 of the Mitigation Strategy, the Authority is required to establish a reserve fund to support the implementation and maintenance of the Mitigation Strategy in the amount of \$677,400.00, and

Whereas, the Provisional Permit provides that work authorized by the permit may not commence until the Authority has received written acceptance of the documentation of the reserve fund from the Department, and

Whereas, at a regular meeting of the Authority held on January 29, 2015, the Authority's Board of Directors discussed the establishment of the reserve fund in the amount of \$2,016,750.00, which sum includes not only the costs of the Mitigation Strategy but also all other costs for forest and non-forest wetland mitigation in anticipation of future action by the Department that would render valid the Provisional Permit, thereby permitting implementation of the Mitigation Strategy.

Auburn Field Office
Received

MAY 05 2016

USACE

Now, upon the recommendation of the Finance Committee, therefore be it

RESOLVED, by the Board of Directors of the Development Authority of the North Country as follows:

The Authority hereby determines to establish a reserve fund in the amount of \$2,016,750.00 for the purpose of funding all anticipated wetland mitigation costs, including those associated with the implementation of the Mitigation Strategy, from which reserve fund \$677,400.00 shall be allocated to the tasks described in Table 11, Reserve Fund Details, set forth in the Mitigation Strategy, and be it further

RESOLVED, that the following procedures will be implemented by the Authority in maintaining the reserve fund:

- (a) the reserve fund will cover the cost to construct and monitor the proposed mitigation and will also provide a potential source of funds to correct or replace unsuccessful mitigation;
- (b) upon commencement of mitigation and prior to impacts, the Authority will provide the Department a copy of this resolution establishing the reserve fund in the amount of \$2,016,750.00;
- (c) the Authority will provide a report annually to the Department regarding the dispersal of the \$677,400.00 portion of the reserve fund allocated for implementation of the Mitigation Strategy;
- (d) contingency and maintenance funds will be used as needed by the Authority post-construction of the Mitigation Strategy to ensure that mitigation satisfies applicable performance standards;
- (e) contingency and maintenance funds will be released from the reserve fund only after performance standards for the Mitigation Strategy have been met to the satisfaction of Department staff and at the conclusion of the monitoring period described in the Mitigation Strategy; and
- (f) long-term management funds for the Mitigation Strategy will be used as needed thereafter at the discretion of Authority staff, and be it further

RESOLVED, that the Executive Director and staff of the Authority are authorized to take whatever steps are necessary to carry out this Resolution, and be it further

RESOLVED, the Authority's Comptroller is authorized and directed to transfer \$2,016,750 from the Capital Reserve fund to the Wetlands Mitigation Reserve, and be it further

RESOLVED, that this Resolution shall take effect immediately.