

Appendix K-2
NYSDEC Correspondence
June 20, 2019

Scott Robin

From: Yager, Robert (DEC) <robert.yager@dec.ny.gov>
Sent: Friday, June 21, 2019 10:35 AM
To: Chic Voorhis; Ackerman, Sue (DEC)
Subject: RE: NYSDEC; Mined Lands Reclamation Permit; Indian Hills Country Club; The Preserve at Indian Hills, Fort Salonga, NY (1-4726-00666)

The key statement I see is that all the material will remain and be used onsite, so if that's the case a mining permit would not be required.

From: Chic Voorhis <Cvoorhis@nelsonpope.com>
Sent: Thursday, June 20, 2019 6:16 PM
To: Ackerman, Sue (DEC) <sue.ackerman@dec.ny.gov>
Cc: Yager, Robert (DEC) <robert.yager@dec.ny.gov>
Subject: RE: NYSDEC; Mined Lands Reclamation Permit; Indian Hills Country Club; The Preserve at Indian Hills, Fort Salonga, NY (1-4726-00666)

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Hi Sue – this is helpful. I was hoping to get a determination on the mining aspect specifically as the Town is asking for NYSDEC input on this in order to get the DEIS accepted and start the DEIS circulation/coordination period. Toward this end, please find responses below in **red**. Please review and advise. Thanks, Chic

Charles J. Voorhis, CEP, AICP

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From: Ackerman, Sue (DEC) <sue.ackerman@dec.ny.gov>
Sent: Thursday, June 20, 2019 1:29 PM
To: Chic Voorhis <Cvoorhis@nelsonpope.com>; Yager, Robert (DEC) <robert.yager@dec.ny.gov>
Subject: RE: NYSDEC; Mined Lands Reclamation Permit; Indian Hills Country Club; The Preserve at Indian Hills, Fort Salonga, NY (1-4726-00666)

Good afternoon Chic,

DEC has not received an application for this development. (An Article 24 permit will be required) Up to this point the majority of DEC involvement has been through the Town's SEQR process. (We've received a positive declaration, held scoping meetings, and have our first review of the DEIS; The Town is asking if a NYSDEC mining permit is needed) The last set of drawings the Town forwarded to us as part of this process was the 06-15-2018 set. The department does not have updated plans. (updated plans will be submitted with the wetlands application)

It is difficult for the department to make a determination on jurisdiction without a permit application or any formal inquiry directed specifically to this department.

In addition - the answers to the following questions will be necessary:

- Provide documentation from the Town that the purpose of the pond expansion is stormwater retention. (This is not possible; the project engineer for the applicant can provide a letter to address this)
- Explain how the expanded ponds will impact the regulated freshwater wetlands located to the northwest and southeast both during and after construction. (They will reduce off-site stormwater transport and enhance protection of Fresh Pond) Provide a grading plan. (This will be provided with the wetlands permit)
- Provide documentation that the golf course will not need to expand toward the bluff to the north as a result of the loss of space to the ponds and the condo development. (Why is this relevant with respect to the question of whether a mining permit is needed?)
- Will the ponds be lined ? (Yes)
- Will the material excavated be removed from the site ? If so, what quantity will be removed from the site ? (The plan is to use the material on the site.)

Any formal inquiry should be submitted to DEC in paper format. (I know, what would you suggest at this time to just get a determination regarding the need for a Mined Lands Reclamation Permit given that the Town is asking if this is required in order for us to complete the DEIS and start the DEIS circulation/coordination period?) Thank you.

From: Chic Voorhis <CVoorhis@nelsonpope.com>

Sent: Wednesday, June 19, 2019 5:06 PM

To: Ackerman, Sue (DEC) <sue.ackerman@dec.ny.gov>; Yager, Robert (DEC) <robert.yager@dec.ny.gov>

Subject: NYSDEC; Mined Lands Reclamation Permit; Indian Hills Country Club; The Preserve at Indian Hills, Fort Salonga, NY

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Hi Sue and/or Bob – I hope all is well with you. I saw Bob Yager last week and he suggested I contact you to confirm that a Mined Lands Reclamation Permit is not required for expansion of existing golf course ponds for drainage containment (and irrigation water/recycling). I am working on a subdivision project at Indian Hills Country Club in Fort Salonga. The golf course contains existing ponds that receive stormwater and provide aesthetic water features on the golf course. The project involves maintaining the golf course and introducing residential use in 3 separate areas of the site. The roads, subdivision lots and expanded ponds are shown on the attached plan. The ponds will be expanded from 3.20 acres to 14.61 acres in order to meet Town drainage requirements for the subdivision. The balance of the golf course is remaining with the exception of minor modifications. My understanding is that a Mined Lands Reclamation Permit is not required for grading and drainage related soil excavation that will conform to a Town approved subdivision plan. Can you confirm that this is the case under the circumstances outlined herein. If this is not the case, please advise what is required. Thanks! Chic

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