SPENCER & LAPRE, LLP A Partnership of Spencer Engineering, PC and Lapre Land Development Services, LLC 85 ELM HILL DRIVE NORTH CLARENDON, VT 05759-0380 Post Office Box 380 802-775-3385 - Office

September 15, 2014

Laura Woods 1 National Life Drive, Main 2 Montpelier, VT 05620-3522

Dear Ms. Woods:

Julie Foley instructed me to forward the enclosed directly to you for your determination of administrative completeness.

This application was originally submitted for coverage under the general permit. Julie determined that an individual permit was required. This is the application therefore. The fee of \$2817.50 was submitted previously. At Julie's suggestion no signature page is included. She will use the one from the prior submittal.

If you find anything missing from the package please give me a call. My cell is 802-770-0314 and my personal email is <u>speneng@aol.com</u>.

SPENCER & LAPRE, LLP

Brownson Spencer, PE Partner

Pc: Client (w/enclosure) Julie Foley (w/o enclosure)

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VWP Application 7/1/2012

### Page 18 Vermont Wetland Section Wetland Application Database Form (AFFIX TO THE FRONT OF THE APPLICATION)

Applicant Name: Harry Ryan Representative Name: R. B. Spencer								
Town where project is located: Castleton County: Rutland								
Project Location Description: Avalon Beach Road about 800' easterly of West Shore Road 911 Street Address or direction from nearest intersection								
Project Summary:Road crossing								
Permit Type Requested (check all that apply)	(LUW)							
Vermont General Permit Coverage								
Impact Calculations: Total up proposed impacts from wetland tak								
Total Wetland Impact2457square feet (s.f.)	Total Buffer Zone Impact3419 square feet (s.f.)							
Total Wetland ClearingOsquare feet (s.f.)(qualified linear projects only)	Total Buffer Zone ClearingOsquare feet (s.f.)(qualified linear projects only)							
Permit Fees: Make check payable to - State of Ver	nont							
	rative Fee: \$120							
	eck Amount: \$2,817.50							
Clearing Fee: (\$0.25/sf)\$0.00Existing Land Use Type:I Forestry	Residential (Subdivision) Industrial/ commercial							
(check all that apply)								
Agriculture Transportation Parks/Rec/Trail	Residential (Single Institutional Undeveloped Family)							
Proposed Land Use Type: Forestry	Residential Industrial/ commercial							
(	Subdivision)							
Agriculture Transportation Parks/Rec/Trail	Residential (Single Institutional No Change Family)							
Proposed Impact Type:  Buildings Utilitie								
(check all that apply)								
🗌 Driveway 🛛 Road 🛛 🗌 Parks/Path	Agriculture Pond Lawn							
Dry Hydrant     Beaver dam alteration     Silviculture	Aesthetics Other No Impact							
Wetland 1: (Label using Wetland ID from application if applicable, use supplemental sheets if more than one wetland is being	Location:							
impacted) Wetland Type: <b>PEM - Emergent Wetla</b> ıWL Size Class :	1-5 acres							
Propose	d Alterations							
Wetland Alteration: Buffer Zone Alteration:	Wetland Alteration Type (check all that apply)							
Wetland Fill: 2457s.f.	Dredge Drain							
Temporary: s.f. Temporary: s.f	Cut Vegetation							
Permanent: : 2457s.f. Permanent: : 3419 s.f	⊠Trench/Fill □Other							
Mit	ligation							
Avoidance and MinimizationWetland:(s.f. of wetland NOT impacted):	s.f. Buffer Zone s.f.							
Wetland Mitigation: (s.f. Gained)Restorations.f.Enhancements.f.	Buffer Zone Mitigation (s.f. Gained): Restoration s.f. Enhancement s.f							
Creation s.f. Conservation s.f.	Creation s.f Conservation s.f							
Reason for Mitigation:	Mitigation to offset permit  Voluntary impacts							

## Vermont Wetland Permit Application/Determination Petition

Q	JESTION	INSTRUCTIONS AND APPLICANT ANSWER	STAFF NOTE
1.	Applicant	If the applicant is someone other than the landowner, the landowner information must also be included below.	
	1.1. Applicant Name	Harry Ryan	
	1.2. Applicant Address	PO Box 310, Rutland, VT 05701-0310	
	1.3. Applicant Phone Number	802-786-1040	
	1.4. Applicant Email	HRR@RSCLAW.com	
	1.5. Applicant Signature (original signature required)	By signing this application you are certifying that all the information contained within is true, accurate, and complete to the best of your knowledge.	
2.	Representative	Consultant, engineer, or other representative that is responsible for filling out this application, if other than the applicant or landowner	
	2.1. Representative Name	R. B. Spencer, PE	
	2.2. Representative Address	85 Elm Hill Drive, P.O. Box 380, North Clarendon, Vt. 05759-0380	
	2.3. Representative Phone Number	802 770 0314	
	2.4. Applicant Email	speneng@gmail.com	
	<ul><li>2.5. Representative Signature (original signature required)</li></ul>	By signing this application you are certifying that all the information contained within is true, accurate, and complete to the best of your knowledge	
3.	Landowner	Landowner must sign the application. Use this space if landowner is different from the applicant	
	3.1. Landowner Name	Marilynn Fogarty	
	3.2. Landowner Address	2240 Rte. 30 North, Bomoseen, VT 05732	
	3.3. Landowner Phone Number	802-468-0330	
	3.4. Landowner Email	NA	
	3.5. Landowner Easement	Attach copies of any easements, agreements or other documents conveying permission, and agreement with the landowner stating who will be responsible for meeting the terms and conditions of the permit. List the attachment for this information in this section. See highlighted reservation in the attached deed (Bk 149, Page 377) from NAROD, LLC to the present owner Fogarty. The applicant, Ryan, is a member of NAROD.	
E.	3.6. Landowner Signature (original signature required)	By signing this application you are certifying that all the information contained within is true, accurate, and complete to the best of your knowledge.	
4.	Location of Wetland and Project	Location description should include the road the wetland is located on, the compass direction of the wetland in relation to the road, 911 street address if available, and any other distinguishing geographic features. Wetland is located on the North side of Avalon Beach Rd., in Castelton, VT.	

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## Vermont Wetland Permit Application/Determination Petition

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1.	Applicant	If the applicant is someone other than the landowner, the landowner information must also be included below.	
	1.1. Applicant Name	Harry Ryan	( and
	1.2. Applicant Address	PO Box 310, Rutland, VT 05701-0310	ED
	1.3. Applicant Phone Number		2014
	1.4. Applicant Email	HRR@RSCLAW.com	IL /
	1.5. Applicant Signature (original signature required)	By signing this application you are certifying that all the information contained within is true, accurate, and complete to the best of your knowledge.	
		Date:	
		X	1.6.
2.	Representative	Consultant, engineer, or other representative that is responsible for filling out this application, if other than the applicant or landowner	
	2.1. Representative Name	R. B. Spencer, PE	
	2.2. Representative Address	85 Elm Hill Drive, P.O. Box 380, North Clarendon, Vt. 05759-0380	
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		x	
4.	Location of Wetland and Project	Location description should include the road the wetland is located on, the compass direction of the wetland in relation to the road, 911 street address if available, and any other distinguishing geographic features. Wetland is located on the North side of Avalon Beach Rd., in Castelton, VT.	

5	/P Application 7/1/2012 Site Visit Date and	Date of visit with District	List people present for site visits including					
0.	Attendees	Wetlands Ecologist	Ecologist, landowner, and representatives.	21,10				
		3/23/12	Allen Quackenbush and Bron Spencer					
		November/December 2012	Julie Foley and Bron Spencer					
6.	Wetland Classification	The wetland is a Class II w	etland because (Choose one):					
		The wetland is mapped on	the VSWI map					
7.	Description of Entire Wetland or Wetland Complex	Answer the following questions regarding the entire wetland or wetland complex. A wetland complex is generally defined as two or more wetland types that are contiguous and interrelated. Specific questions about the wetland in the project area will follow.						
	7.1. Size of Wetland Complex in Acres		Environmental Interest Locator Map for mapped					
	7.2. Natural Community Types Present							
	7.3. Landscape Position	Where is the wetland locat basin, edge of a stream, sh The wetland is located at th						
	7.4. Wetland Hydrology	any river, streams, lakes an Wetland hydrology is provi from agricultural land.	ded by seeps, drainage ditch, and surface runoff					
	7.4.1. Direction of flow	Include answers to the follo For example: stream flows Runoff north to south.	from north to south through the wetland complex.	13				
	7.4.2. Influence of		vides flood water to the wetland in the spring.					
	hydrology on wetland complex	Runoff collects at the botto	m of the slope during rain events.					
	7.4.3. Relation to the	Distance between the proje	ect area and any nearby surface waters.					
	project area		n wetland surface waters, and 20' from Lake					
	7.4.4. Hydroperiod	The seeps and side hill we the flat basin located at the will have an intermediate h						
	7.5. Surrounding Landuse of the Wetland Complex		ial and forested; agricultural and undeveloped, east, agricultural land west and north, and forest					
	7.6. Relation to Other Nearby Wetlands	Provide any information on enough to contribute to the The lake Bomoseen lies to Beach Rd.	wetlands or wetland complexes that are close overall function of the wetland in question. the south of the wetland but is cutoff by Avalon					
	7.7. Pre-project Cumulative Impacts to the Wetland	influence the wetland. Exar encroachments off the subj the wetland, or developmen The meadow areas upsloped	oing impacts outside of the project that may nples include but are not limited to wetland ect property, land management in or surrounding at that influences hydrology or water quality. e of the wetland are used for agricultural anagement practices, nutrient and sediment quality.					
	Description of Subject Wetland	Subject Wetland is defined	as the area of wetland in the project area, but not wetland to be directly impacted by the project.	199				

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	For the purposes of this application, the subject wetland should encompass any portion of the larger wetland or wetland complex that could be directly or indirectly impacted by the project, as defined by hydrology, vegetation and/or physical characteristics.	
8.1. Context of Subject Wetland	Describe where the subject wetland is in the context of the larger wetland or wetland complex described above. The subject wetland impact area lies along the property line in the southeast corner of the larger wetland complex and immediately adjcant to a summer residence. The impact area is primarily wet meadow and lies outside the most saturated portions of the scrub shrub wetland.	
8.2. Wetland Landuse	For example: mowed lawn; old field; naturally vegetated. Describe any previous and ongoing disturbance in the subject wetland. The lower portion of the wetland was previously bisected by Avalon Beach Rd., the upper portions of the wetland are in hay and regularly mowed, the area of impact has had limited impact but appears to have been occasionaly mowed or grazed.	
8.3. Wetland Vegetation	List dominant wetland community type and associated dominant plant species. Wet Meadow, dominant species > 50%; Carex sp., Juncus effusus, and Scirpus s.	
8.4. Wetland Soils	Use USDA NRCS information where possible and use the ACOE Delineation Manual soil description Massena poorly drained soil, 0 to 5 inches dark grey silt loam, 5 to 14 inches silt loam, mottling at 10 inches, 14 to 24 inches olive grey silt loam, mottling throughout, free water at 18 inches.	
8.5. Wetland Hydrology	Use descriptions from the ACOE Delineation Manual. Water observed at 18 inches, mottling observed at 10 inches.	
8.6. Buffer Zone	Describe the buffer zone of the subject wetland including:	-
8.6.1. General landuse	For example: mowed road shoulder; forested; old field; paved road and residential lawns etc. Describe any previous and ongoing disturbance in the buffer zone. Mowed lawn immediately to the East, and mowed hay field to the North, and undisturbed wetland to the West, and Avalon Beach Rd. to the South.	
8.6.2. Buffer vegetation	List community type and dominant plant species To the East (lawn) Poa sp., Taraxacum sp., to the North Trifolium pratense, Trifolium repens, Phleum praternse, Dactylis glomerata, and Lotus Corniculatus	
8.6.3. Buffer soils	Use USDA NRCS information where possible, and the ACOE Delineation Manual soil description Taconic- Macomber complex, well to moderately well drained, 0 to 4 inches grayish brown silt loam, 4 to 12 inches light brown silt loam, 12 to 23 inches lolive brown, bedrock at 23 inches.	

9. Wetland Determination	If the application involves a wetland determination please answer the following. If not, skip to Section 10.	1920
9.1. Reason for Petition	Please choose one from the dropdown menu:	
	Add a Section 4.6 presumed wetland to the VSWI map	1 2 2 2 2 2
9.2. Previous Decisions	Please list all determinations and decisions, if any, issued by the Secretary, Panel or former Water Resources Board, pertaining to the wetland or buffer at issue: NA	
9.3. Narrative	Please provide any narrative to support the petition for a wetland determination here. This section is not required for petitions to add a Section 4.6 presumed wetland to the VSWI map, but is required for all other petitions. NA	

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10. Project Description							
10.1.Overall Project	Description of the project. For example: six-lot residential subdivision; expansion of an existing commercial building, access drive to a single family residence. Road relocation.						
10.2.Project Purpose	For example: To construct a residential subdivision, upgrade existing road to improve access, extend a trail system Provide safer access to the property, and move Avalon Beach Road away from the lake shore.						
10.3.Acres Owned by	Acreage of subject property.						
Applicant	55 ac.						
10.4.Acres Involved in the Project	Acreage of area involved in the project. 0.056 acres of wetland impact.	가 있는 것은 것이 없는 것이 없다.					
11. Project Details	Provide details regarding specific impacts	to the wetland and buffer zone					
11.1.Specific Impacts to Wetland and Buffer Zone	List portions of the project that will specific zone. Road construction, 2457 sq. feet of emer wetland buffer will be impacted.	가격 귀엽이 그 것 같아. 여기가					
11.2.Dimension Details	Square footage of buildings, dimension of roads including fill footprint. Roadway impact will be approximately 82 by 30 feet.						
11.3.Bridges and Culverts	Culvert circumference, length, placement No culverts.	Culvert circumference, length, placement and shapes, or bridge details.					
11.4.Construction Sequence	Describe any details pertaining to the wor buffer in terms of sequence or phasing that Establish erosion controls along westside road location, bring in clean fill, grade to d maintain erosion controls until fill slopes a	at is relevant of proposed road location, grub out esign elevation, stabilize fill slopes,					
11.5.Stormwater Design	List any stormwater permits obtained or a stormwater and/or erosion controls propose wetland and buffer zone. No stormwater permits applied for. Estab westside of proposed road location, grub grade to design elevation, stabilize fill slop fill slopes are stabilized. NOI for GP-3-902 issued	sed to prevent discharges to the lish erosion controls along out road location, bring in clean fill, bes, maintain erosion controls until					
11.6.Permanent Demarcation of Limits of Impact	Describe any plantings, fencing, signage, provides permanent on-the-ground bound for ongoing uses.	Describe any plantings, fencing, signage, or other memorialization that provides permanent on-the-ground boundaries for the limits of disturbance for ongoing uses. Toe of slope along roadway will serve as boundary demarkation of limit of					
12. Wetland and Buffer Zone Impacts							
12.1.Wetland Impacts	Summarize the square footage of impact i more than one wetland is impacted, provid supplemental wetland sheets.						
	Totals						
	Wetland Fill	2,457 s.f.					
	Temporary Wetland Impact	0 s.f.					
	Other Permanent Wetland Impact	0 s.f.					

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	Describe in detail the proposed impact.	2012년 11월 12월 문				
12.2.Buffer Zone Impacts	Summarize the square footage of impact in more than one wetland is impacted, provid supplemental wetland sheets.					
	Totals Temporary Buffer Impact	0 s.f.				
	Permanent Buffer Impact	3419 s.f.				
	Describe in detail the proposed impact. Conversion of small portion of buffer to roa	idway.				
12.3.Cumulative Impacts	List any potential cumulative or ongoing, d functions of the wetland that could result fr None					
12.4.Avoidance and Minimization	Please refer to Section 9.5b of the rules on Mitigation Sequencing for this section.					
12.4.1. Avoidance	Can the proposed activity be practicably located outside the wetland/buffer zone, or on another site owned or controlled by the applicant or reasonably available to satisfy the basic project purpose? If not, indicate why. This answer should include any examination of alternatives that you have explored including using other properties, requesting easements, and altering the project design. Other road locations have been considered. This alternative results in the					
12.4.2. Minimization	smallest impact to buffer and wetland. If the proposed activity cannot practicably be located outside the wetland/buffer zone, have all practicable measures have been taken to avoid adverse impacts on protected functions? Please include any information on on-site alternatives that have been examined; minimizing the size and scope of the project to avoid impacts; or relocating portions of the project to avoid impacts By reutilization of existing seasonal farm road, reducing road travel width, making the fill slopes steeper, and by choosing the route that provides the smallest impact to wetland and buffer, impacts to protected wetland functions					
12.4.3. Mitigation	have been minimized. If avoidance of adverse effects on protecte achieved, has the proposed activity has be impacts on the protected functions and a p prompt restoration of any adverse impacts any information on best management pract both for the initial construction and ongoing restoration of temporary impacts, previousl zones or proposed conservation that are be impacts. The proposed activity has been planned to and wetland function. There will be no long beyond the small area of fill. While no temp efforts will be made to restore inadvertently condition. This project will allow traffic along diverted from its current location on the lake feet away.	en planned to minimize adverse lan has been developed for the on protected functions? Include ices to be used for the project use. Also include any proposed y disturbed wetland or buffer eing used to offset the proposed minimize impacts to both wetland g term inpacts to the wetland porary impacts are anticipated, all impacted areas to original g Avalon Beach Road to be				

VWP Application 7/1/2012 12.4.4. Compensation	appropriate wh	ien the pro	oject will resp ed please inc	les for compens ult in an undue a clude a summar	dverse imp				
13. Supporting materials		Vhere appropriate list the accompanying material by title, author, date and ast revision date. Submit these documents and plans with the application.							
13.1.Location map	and white. An	Environme	ental Interes	8 1⁄2" x 11" and t Locator Map is oads, and VSWI	appropriat	te using the			
13.2.Site Plans	delineation and envelopes and	l buffer zo permaner tions Site I	nes, limits o nt memoriali	sion date. Plans f disturbance, er zation. ng class II wetlar	osion contr	rols, building			
13.3.ACOE Delineation	List by author,	location, a	ind date. Re	equired only for	Individual P	Permits.			
Forms	NA								
13.4.Other Supporting Documents	photographs; e wetland submit Photo, copy of	easements ttal for dete deed with	; agreement erminations;	t supports the a s; may include a etc. n to construct ro	a GIS-comp	atible			
13.5.List of Abutters	sheet for locati Attach list of na		mailing addr	esses or submit	as word m	ailing	1.1		
(Neighbors with land	document.					J			
adjoining wetland or buffer zone)	Ansonia, CT 0 Haven, VT 05 01534; Deana Lemmo, 175 A Union St. Sprin Road, Fair Haw VT 05743; Joh Doran, 36 Hac 193 Avalon Bea	Frank Bunsso, Trustee Busnosso Family Living Trust, 34 Hull Street, Ansonia, CT 06401; Paul & Miriam St. George, 2 Second Street, Fair Haven, VT 05743; Joseph Hughart 107 Clubhouse Ln., Northbridge MA 01534; Deana Grube, 2521 15 <sup>th</sup> street, Columbus GA. 31906; Rodney Lemmo, 175 Avalon Beach Road, Fair Haven, VT 05743; David Yesman, 18 Union St. Springfield, VT 05156; Terrance Pellegrino, 193 Avalon Beach Road, Fair Haven, VT 05743; Pauline Doran, 11 Washington St, Fair Haven, VT 05743; John Doran, 53 Vest Haven Dr., Burlington, VT 05401; Daniel Doran, 36 Hackman Road, West Haven, VT 05743; Catherine Pellegrino, 193 Avalon Beach Road, Fair Haven, VT 05743; Maryann Bjerke, 2424 Creek Road, Castleton, VT 05735							
13.5.1. Newspaper Notification	notice, list the r for immediately required for the <b>directly by the</b>	adjacent List of Ab <b>newspap</b> <b>notice p</b>	r to be used landowners outters. ***N oer you list	here. A list of n (500 foot radius OTE: The appli here. Use of no ending on wher	ames and a ) of the pro cant will b ewspaper i	addresses ject area is e billed notification			
4. Check Which Functions are				(if more than on	e wetland u	use			
Present in the Subject Wetland and in the Wetland	supplemental w Functions & Values	vetland she Subject Wetland	eets) Wetland Complex	Functions & Values	Subject Wetland	Wetland Complex			
Complex.	Flood/Storm Storage	$\boxtimes$		RTE Species	$\boxtimes$				
	Storage Surface & Groundwater Protection			Education & Research					
	Fish Habitat			Recreation/ Economic					

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	Exemplary Natural Community			Erosion Control			in sta
15. Coverage under Vermont General Wetland Permit	Determinat the remaini If applying	ion, plea ng applie for Cove rmit, ple	se proce cation qu rage unc ase com	Vermont We led to numbe uestions. ler the Verm plete question	er 16 and a ont Genera	nswer al	
15.1.VWP Vermont General Permit eligibility	If applying for overify the follow	•		ermont General application:	Wetland Per	mit, please	
checklist	The activity Vermont Gen			jible activity fo t	r coverage ι	inder the	
				t the condition Wetland Gene		to the	
	The activity does not qualify as an Allowed Use under Section 6 of the Vermont Wetland Rules.						
		ions and v	alues, no	undue advers r does it need			
	All impacts extent possib		en avoideo	d and minimize	ed to the gre	atest	
		ral Comm	unity or 5.	nificant for Fu 6 Rare, Threa		xemplary	
	☐The activity bog.	/ is not loc	ated in or	adjacent to a	vernal pool,	fen, or	
	☐The wetlan wetland).	d is not at	or above	2,500' in eleva	ation (headw	aters	
	The project zone.	t is not loc	ated in a (	Class I wetland	d or associa	ted buffer	
	☐The activity the Vermont V			roject that con	stitutes a vic	lation of	
Stop here if applying for Covera	ige under the	e Vermor	t Genera	al Wetland P	ermit		

#### Stop here if applying for Coverage under the Vermont General Wetland Permit

Complete the following Functions and Values checklist if applying for an Individual Wetland Permit and/or a Wetland Determination					
Functions and Values	For each Function and Value, first evaluate the entire wetland or <b>wetland</b> <b>complex</b> and check all that apply. Secondly, evaluate how the wetland in the project area contributes to that function. Thirdly explain how the project will not result in adverse impacts to this function. Include any information on specific avoidance and minimization measures. If more than one wetland complex is involved, use the Supplemental Wetland Forms.				
16. Storage for Flood Water and Storm Runoff	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the				

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	wetla	and provides this function.	
	$\boxtimes$	Constricted outlet or no outlet and an unconstricted inlet.	
		Physical space for floodwater expansion and dense, persistent, emergent vegetation or dense woody vegetation that slows down flood waters or stormwater runoff during peak flows and facilitates water removal by evaporation and transpiration.	
		If a stream is present, its course is sinuous and there is sufficient woody vegetation to intercept surface flows in the portion of the wetland that floods.	
		Physical evidence of seasonal flooding or ponding such as water stained leaves, water marks on trees, drift rows, debris deposits, or standing water.	
		Hydrologic or hydraulic study indicates wetland attenuates flooding.	
	funct prov of th	y of the above boxes are checked, the wetland provides this tion. Complete the following to determine if the wetland ides this function above or below a moderate level. If none e following apply, the wetland provides this function at a erate level.	
		ck box if any of the following conditions apply that may cate the wetland provides this function at a <i>lower</i> level.	
		Significant flood storage capacity upstream of the wetland, and the wetland in question provides this function at a negligible level in comparison to upstream storage (unless the upstream storage is temporary such as a beaver impoundment).	
	$\boxtimes$	Wetland is contiguous to a major lake or pond that provides storage benefits independently of the wetland.	
		Wetland's storage capacity is created primarily by recent beaver dams or other temporary structures.	
		Wetland is very small in size, not contiguous to a stream, and not part of a collection of small wetlands in the landscape that provide this function cumulatively.	
		the box if any of the following conditions apply that may eate the wetland provides this function at a <i>higher</i> level.	
		History of downstream flood damage to public or private property.	
		Any of the following conditions present downstream of the wetland, but upstream of a major lake or pond, could be impacted by a loss or reduction of the water storage function.	
		1. Developed public or private property.	
		2. Stream banks susceptible to scouring and erosion.	
		3. Important habitat for aquatic life.	
		The wetland is large in size and naturally vegetated.	

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	Any of the following conditions present upstream of the wetland may indicate a large volume of runoff may reach the wetland.	
	<ul> <li>A large amount of impervious surface in urbanized areas.</li> </ul>	
	2. Relatively impervious soils.	
	3. Steep slopes in the adjacent areas.	
16.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above	
	The subject wetland is adjacent to Lake Bomoseen, and at the base of a sloping hillside with no outlet. The subject wetland provides storage and water velocity protection prior to entering the lake.	
16.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function. The proposed roadway alignment has been studied and planned to minimize impacts to the wetland and it's function. There will be no long term impacts to the wetland beyond the small area of fill on the very edge of the wetland complex. Total impact is less than one percent of wetland area, and most minimal volume impact.	
17. Surface and Ground Water Protection	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the wetland provides this function.	
	Constricted or no outlets.	
	Low water velocity through dense, persistent vegetation.	
	Hydroperiod permanently flooded or saturated.	
	Wetlands in depositional environments with persistent vegetation wider than 20 feet.	
	Wetlands with persistent vegetation comprising a defined delta, island, bar or peninsula.	
	Presence of seeps or springs.	
	Wetland contains a high amount of microtopography that helps slow and filter surface water.	
	Position in the landscape indicates the wetland is a headwaters area.	
×	Wetland is adjacent to surface waters.	6.93
	Wetland recharges a drinking water source.	
	Water sampling indicates removal of pollutants or nutrients.	
	Water sampling indicates retention of sediments or organic matter.	
	Fine mineral soils and alkalinity not low.	
	The wetland provides an obvious filter between surface water or ground water and land uses that may contribute point or nonpoint sources of sediments, toxic substances or nutrients to the wetland, such as: steep erodible slopes; row crops; dumps; areas of pesticide, herbicide or fertilizer	

VWP Application 7/1/2012	Page 10	
	application; feed lots; parking lots or heavily traveled road; and septic systems.	
	If any of the above boxes are checked, the wetland provides this function. Complete the following to determine if the wetland provides this function above or below a moderate level. If none of the following apply, the wetland provides this function at a moderate level.	
	Check box if any of the following conditions apply that may indicate the wetland provides this function at a <i>lower</i> level.	
	Presence of dead forest or shrub areas in sufficient amounts to result in diminished nutrient uptake.	
	Presence of ditches or channels that confine water and restrict contact of water with vegetation.	
	Wetland is very small in size, not contiguous to a stream, and not part of a collection of small wetlands in the landscape that provide this function cumulatively.	
	Current use in the wetland results in disturbance that compromises this function.	
	Check box if any of the following conditions apply that may indicate the wetland provides this function at a <i>higher</i> level.	
	The wetland is adjacent to a well head or source protection area, and provides ground water recharge.	
	The wetland provides flows to Class A surface waters.	
	The wetland contributes to the protection or improvement of water quality of any impaired waters.	
	The wetland is large in size and naturally vegetated.	
17.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed	
	above The subject wetland is adjacent to Lake Bomoseen, and at the base of a sloping hillside with no outlet. As the upgradient property is used for agricultural purposes, the subject wetland will provide protection to Lake Bomoseen from agricultural nutrients, and sediment.	
17.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function. The proposed roadway alignment has been studied and planned to minimize impacts to the wetland and it's function. There will be no long term inpacts to the wetland beyond the small area of fill on the very edge of the wetland complex. Total impact is less than one percent of wetland area, and most minimal volume impact. Realignment of the roadway will reroute traffic away from Lake Bomoseen, and reduce lakeside traffic impacts.	
18. Fish Habitat	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the wetland provides this function.	
	Contains woody vegetation that overhangs the banks of a stream or river and provides any of the following: shading that controls summer water temperature; cover including refuges created by overhanging branches or undercut banks; source of terrestrial insects as fish food; or	

VWP Application 7/1/2012	Page 11 streambank stability.			
	Provides spawning, nursery, feeding or cover habitat for fish (documented or professionally judged). Common habitat includes deep marsh and shallow marsh associates with lakes and streams, and seasonally flooded wetlands associated with streams and rivers.			
	Documented or professionally judged spawning habitat for northern pike.			
	Provides cold spring discharge that lowers the temperature of receiving waters and creates summer habitat for salmonoid species.			
	The wetland is located along a tributary that does not support fish, but contributes to a larger body of water that does support fish. The tributary supports downstream fish by providing cooler water, and food sources.			
18.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above This is a closed wetland complex with no permanent surface water feature, and does not provide fish habitat.			
18.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function.			
19. Wildlife Habitat	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the wetland provides this function.			
	Provides resting, feeding staging or roosting habitat to support waterfowl migration, and feeding habitat for wading birds. Good habitats for these species include open water wetlands.			
	Habitat to support one or more breeding pairs or broods of waterfowl including all species of ducks, geese, and swans. Good habitats for these species include open water habitats adjacent shallow marsh, deep marsh, shrub wetland, forested wetland, or naturally vegetated buffer zone.			
	Provides a nest site, a buffer for a nest site or feeding habitat for wading birds including but not limited to: great blue heron, black-crowned night heron, green-backed heron, cattle egret, or snowy egret. Good habitats for these species include open water or deep marsh adjacent to forested wetlands, or standing dead trees.			
	Supports or has the habitat to support one or more breeding pairs of any migratory bird that requires wetland habitat for breeding, nesting, rearing of young, feeding, staging roosting, or migration, including: Virginia rail, common snipe, marsh wren, American bittern, northern water thrush, northern harrier, spruce grouse, Cerulean warbler, and common loon.			
	Supports winter habitat for white-tailed deer. Good habitats	242		

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	for these species include softwood swamps. Evidence of use includes deer browsing, bark stripping, worn trails, or pellet piles.
	Provides important feeding habitat for black bear, bobcat, or moose based on an assessment of use. Good habitat for these types of species includes wetlands located in a forested mosaic.
	Has the habitat to support muskrat, otter or mink. Good habitats for these species include deep marshes, wetlands adjacent to bodies of water including lakes, ponds, rivers and streams.
	Supports an active beaver dam, one or more lodges, or evidence of use in two or more consecutive years by an adult beaver population.
	Provides the following habitats that support the reproduction of Uncommon Vermont amphibian species including:
	1. Wood Frog, Jefferson Salamander, Blue-spotted Salamander, or Spotted Salamander. Breeding habitat for these species includes vernal pools and small ponds.
	<ul> <li>2. Northern Dusky Salamander and the Spring Salamander. Habitat for these species includes headwater seeps, springs, and streams.</li> </ul>
	3. The Four-toed salamander; Fowler's Toad; Western or Boreal Chorus frog, or other amphibians found in Vermont of similar significance.
	Supports or has the habitat to support significant populations of Vermont amphibian species including, but not limited to Pickerel Frog, Northern Leopard Frog, Mink Frog, and others found in Vermont of similar significance. Good habitat for these types of species includes large marsh systems with open water components.
	Supports or has the habitat to support populations of uncommon Vermont reptile species including: Wood Turtle, Northern Map Turtle, Eastern Musk Turtle, Spotted Turtle, Spiny Softshell, Eastern Ribbonsnake, Northern Watersnake, and others found in Vermont of similar significance.
	Supports or has the habitat to support significant populations of Vermont reptile species, including Smooth Greensnake, DeKay's Brownsnake, or other more common wetland-associated species.
	Meets four or more of the following conditions indicative of wildlife habitat diversity:
	1. Three or more wetland vegetation classes (greater than 1/2 acre) present including but not limited to: open water contiguous to, but not necessarily part of, the wetland, deep marsh, shallow marsh, shrub swamp, forested swamp, fen, or bog;

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	2. The dominant vegetation class is one of the following types: deep marsh, shallow marsh, shrub swamp or, forested swamp;	
	3. Located adjacent to a lake, pond, river or stream;	200
	<ul> <li>Fifty percent or more of surrounding habitat type is one or more of the following: forest, agricultural land, old field or open land;</li> </ul>	
	<ul> <li>5. Emergent or woody vegetation occupies 26 to 75 percent of wetland, the rest is open water;</li> </ul>	
	6. One of the following:	
	<ul> <li>i. hydrologically connected to other wetlands of different dominant classes or open water within 1 mile;</li> </ul>	
	ii. hydrologically connected to other wetlands of same dominant class within 1/2 mile;	
	iii. within 1/4 mile of other wetlands of different dominant classes or open water, but not hydrologically connected;	
	Wetland or wetland complex is owned in whole or in part by state or federal government and managed for wildlife and habitat conservation; and	
	Contains evidence that it is used by wetland dependent wildlife species.	
	If any of the above boxes are checked, the wetland provides this function. Complete the following to determine if the wetland provides this function above or below a moderate level. If none of the following apply, the wetland provides this function at a moderate level.	
	Check box if any of the following conditions apply that may indicate the wetland provides this function at a <i>lower</i> level.	
	The wetland is small in size for its type and does not represent fugitive habitat in developed areas (vernal pools and seeps are generally small in size, so this does not apply).	
	The surrounding land use is densely developed enough to limit use by wildlife species (with the exception of wetlands with open water habitat). Can be negated by evidence of use.	
	The current use in the wetland results in frequent cutting, mowing or other disturbance.	
	The wetland hydrology and character is at a drier end of the scale and does not support wetland dependent species.	
	Check box if any of the following conditions apply that may indicate the wetland provides this function at a <i>higher</i> level.	
	The wetland complex is large in size and high in quality.	
	The habitat has the potential to support several species	i cur

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	based on the assessment above.			
	Wetland is associated with an important wildlife corridor.			
	The wetland has been identified as a locally important wildlife habitat by an ANR Wildlife Biologist.			
19.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above			
	The subject wetland is adjacent to Lake Bomoseen, and has a small feeder stream that mink could use for feeding.			
19.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function. The proposed impact is on the frige of the wetland complex, and does not impede the ability for wildlife to migrate from Lake Bomoseen to the wetland.			
20. Exemplary Wetland Natural Community	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the wetland provides this function.			
	Wetlands that are identified as high quality examples of Vermont's natural community types recognized by the Natural Heritage Information Project of the Vermont Fish and Wildlife Department, including rare types such as dwarf shrub bogs, rich fens, alpine peatlands, red maple-black gum swamps and the more common types including deep bulrush marshes, cattail marshes, northern white cedar swamps, spruce-fir-tamarack swamps, and red maple-black ash seepage swamps are automatically significant for this function.			
	The wetland is also likely to be significant if any of the following conditions are met:			
	Is an example of a wetland natural community type that has been identified and mapped by, or meets the ranking and mapping standards of, the Natural Heritage Information Project of the Vermont Fish and Wildlife Department.			
	Contains ecological features that contribute to Vermont's natural heritage, including, but not limited to:			
	<ul> <li>Deep peat accumulation reflecting a long history of wetland formation;</li> </ul>			
	Forested wetlands displaying very old trees and other old growth characteristics;			
	A wetland natural community that is at the edge of the normal range for that type;			
	A wetland mosaic containing examples of several to many wetland community types; or			
	A large wetland complex containing examples of several wetland community types.			
	List species or communities of concern:			
20.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above			

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	The wetland has no significant natural community.			
20.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function.			
21. Rare, Threatened, and Endangered Species Habitat	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the wetland provides this function.			
	Wetlands that contain one or more species on the federal or state threatened or endangered lists, as well as species that are rare in Vermont, are automatically significant for this function.			
	The wetland is also likely to be significant if any of the following apply:			
	There is creditable documentation that the wetland provides important habitat for any species on the federal or state threatened or endangered species lists;			
	There is creditable documentation that threatened or endangered species have been present in past 10 years;			
	There is creditable documentation that the wetland provides important habitat for any species listed as rare in Vermont (S1 or S2 ranks), state historic (SH rank), or rare to uncommon globally (G1, G2, or G3 ranks) by the Natural Heritage Information Project of the Vermont Fish and Wildlife Department;			
	There is creditable documentation that the wetland provides habitat for multiple uncommon species of plants or animals (S3 rank).			
	List name of species and ranking:			
21.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above The Environmental Interest Locator depicts a circle indicating that a damselfly was observed.			
21.2.Statement of no adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function. The impact will not impede the ability for a damselfly to migrate from the lake to the wetland comlex. The proposed impact will be in a low habitat quality area, and will impact of less than 1% of wetland complex.			
22. Education and Research in Natural Sciences	Function is present and likely to be significant: Any of the following characteristics indicate the wetland provides this function.			
	Owned by or leased to a public entity dedicated to education or research.			
	<ul> <li>History of use for education or research.</li> <li>Has one or more characteristics making it valuable for</li> </ul>			
00 1 Outrinet Matters d	education or research.			
22.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above			

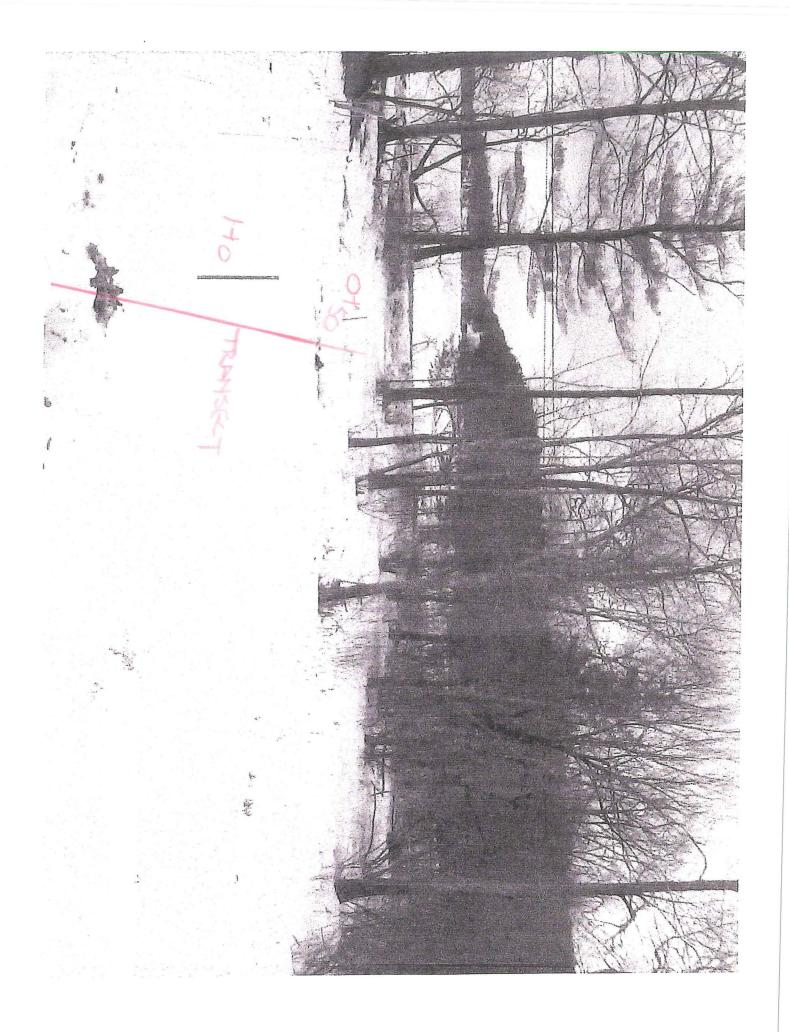
VWP Application 7/1/2012	_ Page 16	
	The subject wetland is on private property, and has never been used for education or research.	
22.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function.	
23. Recreational Value and Economic Benefits	Function is present and likely to be significant: Any of the following characteristics indicate the wetland provides this function.	
	Used for, or contributes to, recreational activities.	
	Provides economic benefits.	
	Provides important habitat for fish or wildlife which can be fished, hunted or trapped under applicable state law.	
-	Used for harvesting of wild foods.	
	Comments:	
23.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above The subject wetland is private property, and posted against hunting, fishing, or trapping.	
23.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function.	
24. Open Space and Aesthetics	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the wetland provides this function.	
	Can be readily observed by the public; and	
	Possesses special or unique aesthetic qualities; or	
	Has prominence as a distinct feature in the surrounding landscape;	
	<ul> <li>Has been identified as important open space in a municipal, regional or state plan.</li> </ul>	
	Comments:	
		2007
24.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed above The subject wetland does not have any asthetic significance.	
24.2.Statement of no undue adverse impact	Please explain how the proposed project will not result in any undue, adverse impact to this function. Include any avoidance and minimization measures relevant to this function. The realignment of the roadway will move Avalon Beach Road from being directly on the shores of Lake Bomoseen, to a wooded buffer area 500+ feet away. Moving Avalon Beach Road will enhance the asthetic quality of Lake Bomoseen	
25. Erosion Control through Binding and Stabilizing the	Function is present and likely to be significant: Any of the following physical and vegetative characteristics indicate the	

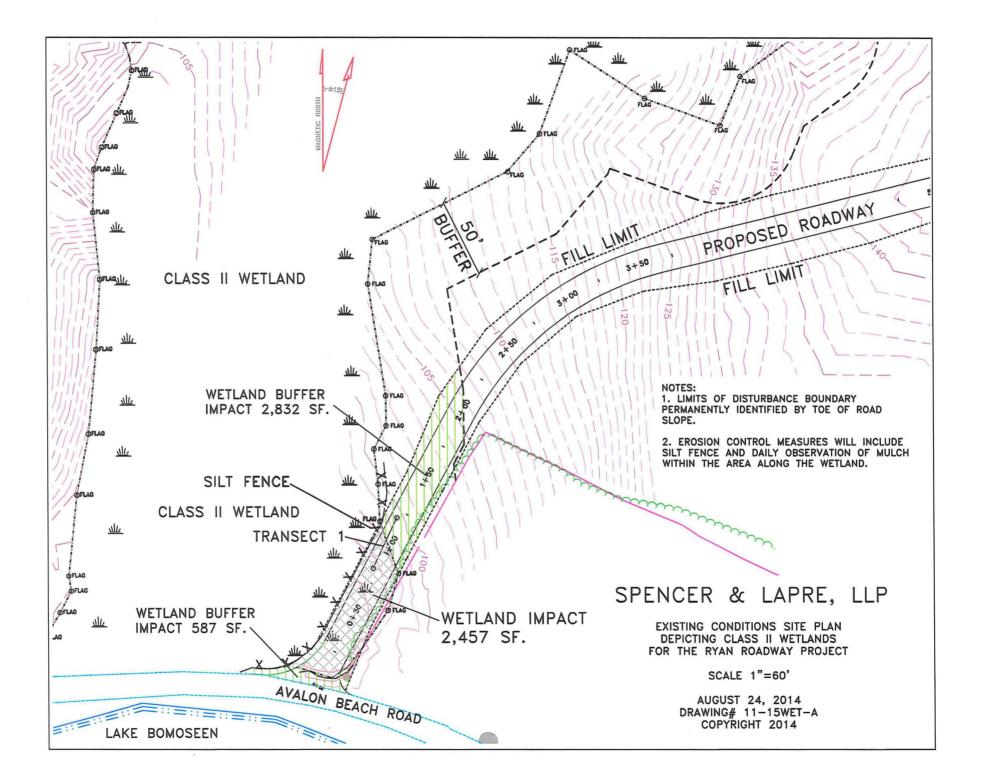
/WP Application 7/1/2012	Page 17
Soil	wetland provides this function.
	<ul> <li>Erosive forces such as wave or current energy are present and any of the following are present as well:</li> <li>Dense, persistent vegetation along a shoreline or stream bank that reduces an adjacent erosive force.</li> </ul>
	<ul> <li>Good interspersion of persistent emergent vegetation and water along course of water flow.</li> <li>Studies show that wetlands of similar size, vegetation type, and hydrology are important for erosion control.</li> </ul>
	What type of erosive forces are present:
	Lake fetch and waves
	High current velocities:
	Water level influenced by upstream impoundment
	If any of the above boxes are checked, the wetland provides this function. Complete the following to determine if the wetland provides this function above or below a moderate level. If none of the following apply, the wetland provides this function at a moderate level.
	Check box if any of the following conditions apply that may indicate the wetland provides this function at a <i>lower</i> level.
	The stream is artificially channelized and/or lacks vegetation that contributes to controlling the erosive force.
	Check box if any of the following conditions apply that may indicate the wetland provides this function at a <i>higher</i> level.
	The stream contains high sinuosity.
	Has been identified through fluvial geomorphic assessment to be important in maintaining the natural condition of the stream or river corridor.
25.1.Subject Wetland	Please explain how the subject wetland contributes to the function listed
	above As the wetland is at the low spot in the landscape, the subject wetland has no erosion control or stabilization function.
25.2.Statement of no undu adverse impact	

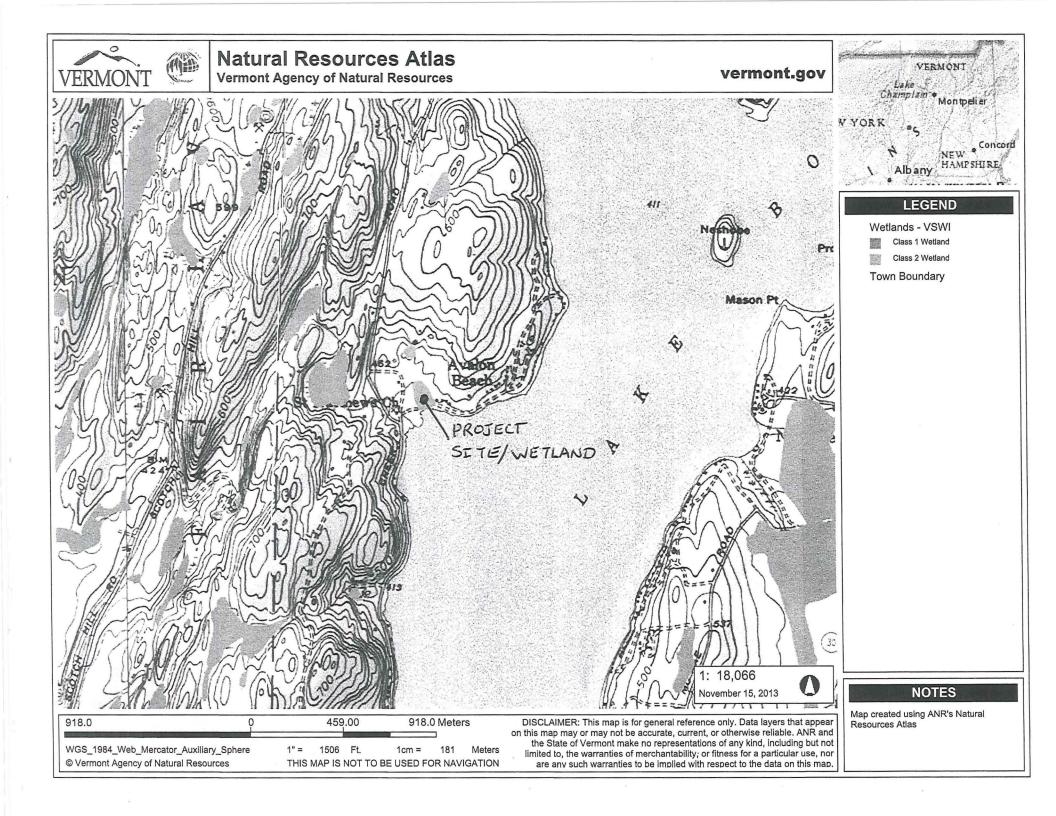
VWP Application 7/1/2012

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	All Application	s Should be Mai	led To:
	Water ( 103 S Build	Wetlands Progra Quality Division outh Main St ling 10 North y, VT 05671-040	
	Staff	To Complete	
Wetland Project Number:		1	
0		DEC ID#:	영양성 이 것 같은 것이 같은 것 같은 것이 같이 했다.
Date Application Received:	Carlos de La Clara		
Request for Information Date: Information Received Date:		eceived Date:	
Request for Information Date:		Information Received Date:	
Date Application Complete:		Distribution Complete Date:	
A		Notice End Date:	
Final Action Date:		Public Meeting Date:	
Check#	Check Amoun	t	Date Check Received
Check#	Check Amoun	t	Date Check Received







BOOK 149, PAge 377 >

Page.

#### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT IT, NAROD, LLC, a Vermont limited liability company with its principal place of business in the Town of Castleton, County of Rutland, and State of Vermont, GRANTOR, in the consideration of One Dollar and Other Valuable Consideration paid to its full satisfaction by MARILYNN FOGARTY of the Town of Castleton, County of Rutland, and State of Vermont, GRANTEE, by these presents do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said GRANTEE, MARILYNN FOGARTY and her successors, heirs and assigns forever, a certain piece of land in the Town of Castleton, in the County of Rutland and State of Vermont, described as follows, viz:

Being all and the same lands and premises conveyed to Narod, LLC by Administrator's Deed from the Estate of Raymond F. Doran, dated May 27, 2011, and recorded May 31, 2011 in Book 149, Page 206 of the Town of Castleton Land Records (the "Property") and more particularly described as follows:

"Being all and the same lands and premises deeded to Raymond F. Doran, late of Castleton by the following deeds:

- Being Parcel #1 conveyed to Raymond Doran from Edward Doran, Catherine D. Pellegrino, Ambrose Doran, Paul St. George, John J Doran, Paul F. Doran, and Alice M. Villemaire dated July 27, 1964 and recorded in Book 51, at Page 49 of the Town of Castleton Land Records;
- 2. Being a portion of the lands and premises conveyed to Raymond Doran from Catherine D. Pellegrino dated July 27, 1964 and recorded in Book 51, at Page 53 of the Town of Castleton land records (being Parcel #1 described in the deed at Book 51, Page 51 of the Castleton Land Records). Reference is made to the deed conveyed to Catherine D. Pellegrino from the Estate of James B. Doran dated July 27, 1964, and recorded in Book 51, at Page 51 of the Town of Castleton Land Records;
- 3. Being a portion of the same lands and premises conveyed to Raymond Doran, et al., by Decree of Distribution in the Estate of John Doran dated August 17, 1960, and recorded in Book 49, at Page 231 of the Town of Castleton Land Records;
- 4. Being a portion of the same lands and premises conveyed to Raymond Doran, et al., by Decree of Distribution in the Estate of Margaret W. Doran dated August 17, 1960, and recorded in Book 49, at Page 232, and the Amended Decree in the Estate of Margaret W. Doran dated October 31, 1960, and recorded in Book 49, at Page 237 of the Town of Castleton Land Records.

Meaning and intending to convey all the right title and interest acquired by the late Raymond F. Doran by the above-referenced deeds, and described as Parcel 1 herein and in the Schedule A attached hereto, EXCEPT the following premises:

. . . . .

 Being all and the same lands and premises conveyed from Raymond F. Doran to Terrance Pellegrino and Susan Pellegrino, dated January 2, 1995 and recorded in Book 94, Page 423 of the Castleton Land Records.

Said lands and premises are further and more particularly described on Schedule A attached hereto and incorporated herein by this reference. The lands and premises conveyed hereby are also known as the "Farm Lot". Including herein fee simple in and to that portion of the so-called Avalon Beach Road which traverses the herein conveyed property." (herein the "Property")

By acceptance of this deed, GRANTEE agrees to purchase and accepts the Property in "AS IS" condition, as it exists as of the date of delivery of this deed, with no express or implied representations or warranties of habitability, permitability or fitness for any particular purpose or use, other than the warranty of title.

**SUBJECT TO** all legally enforceable easements, rights-of-way, rights of travel along public ways, covenants, conditions, declarations and rights of ingress and egress of Grantor, its successors, and assigns, and others, including along the so-called Avalon Beach Road, as it traverses over the Property, or as relocated as hereinafter stated.

RESERVING unto the Grantor, its successors, assigns and others, including but not limited to all users of, and property owners on or along the so-called Avalon Beach Road, and their heirs and assigns, an easement and right-of-way, as well as the right to construct and maintain said easement and right-of-way, across the southerly portion of the Property, which easement and right-of-way will be located by Grantor. The easement and right-of-way shall be for all lawful purposes including, but not limited to, the relocation of a section of the so-called Avalon Beach Road on the Property for the benefit of Grantor, its successors, and assigns, and all property owners' access on or along the so-called Avalon Beach Road, including vehicular access, ingress, egress, utilities, service vehicles and all other normal or customary uses. The easement and right-of way shall be 50 feet in width, more or less, or as may be necessary for constructing the relocated so-called Avalon Beach Road, including proper sloping, snow removal, utilities and the like. The general location of the herein-reserved easement and right-of-way is depicted on the sketch attached hereto and incorporated herein, labeled Exhibit A. Final location, scope, size and width of the relocated so-called Avalon Beach Road shall be its location following construction, and use of its former location shall be abandoned.

closed and disallowed by Grantee, her heirs, successors and assigns. Upon completion of construction of the relocated portion of the so-called Avalon Beach Road, Grantor shall commission a survey of final location thereof, and Grantee, her heirs, successors, and assigns, shall execute an additional easement deed incorporating the surveyed description, which description will control as to the final location, scope, size, and width of the hereinreserved easement and right-of-way.

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FURTHER RESERVING unto the Grantor, its successors and assigns, an option to purchase, for one dollar, the following: Carve Out 1, being approximately two acres along the easterly-most boundary of herein-conveyed lands and premises abutting property now believed to be owned by, or formerly owned by, Moe; and, Carve Out 2, being that portion of the Property that lies generally southerly of the above-reserved easement and right-of-way and generally northerly of properties along the so-called Avalon Beach Road from property now believed to be owned by St George, generally easterly to property now owned by Ryan. The general locations of the parcels subject to this option to purchase are depicted as "Carve Out 1" and "Carve Out 2" on the sketch attached hereto and incorporated herein, labeled Exhibit A. Upon exercise of either option to purchase, Grantor shall commission survey(s) of Carve Out 1 and/or Carve Out 2, and Grantee, her heirs, successors, and assigns, shall execute quit claim deed(s) to Grantor, or its successors, or assigns, incorporating the survey descriptions, which survey descriptions shall control the final description of the parcels subject to the herein described options to purchase, Exercise of this option by Grantor shall be at Grantor's expense.

FURTHER GRANTING to the Grantee herein, her successors, and assigns, for a period of five (5) years from the date of closing a right of first refusal on other currently owned lands and premises of Grantor located within the Town of Castleton, except for any lands and premises sold, or to be sold, by Grantor, its successors, and assigns, to owners of property along, or adjacent to, the so-called Avalon Beach Road.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said GRANTEE, MARILYNN FOGARTY and her successors, heirs and assigns, to her own use and behoof forever; and it, the said GRANTOR, NAROD, LLC for itself and its successors and assigns, do covenant with the said GRANTEE, MARILYNN FOGARTY and her successors, heirs and assigns, that until the ensealing of these presents it is the sole owner of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as hereinbefore mentioned, and it hereby engage to WARRANT AND, DEFEND the same against all lawful claims whatever, except as hereinbefore mentioned.

Page3

IN WITNESS WHEREOF, we have hereunder set our hands and seals this 1st day of July, A.D. 2011.

NAROD, LLC

James Doran, member

DAAM

Edward Brown, member

T. R. Ryan, membe

TOWN Clerk's Office Castleton, VT Received For Record AD 20 11 o'clock\_30\_minutes. 8 And Recorded In Castleton Land Records Book. Page 37 381 Attest: 1 Utad Town Clerk

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AGREED AND ACCEPTED

Harry R. Ryan, III. nher larilynn Fogar

STATE OF VERMONT COUNTY OF RUTLAND

At Rutland this 1<sup>st</sup> day of July, 2011, personally appeared James Doran, Edward Brown, T. R. Ryan and Harry R. Ryan, III, members of NAROD, LLC, and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed, and the free act and deed of NAROD, LLC., and personally appeared Marilynn Fogarty, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed.

Vermont Property Trazsfer Tax 32 V.S.A. Chap. 231 --- ACKNOWLEDGMENT - -Return Recid--Board of Health Cert. Rec'd-Vt. Land Use & Davelopment Plans Act. Cert. Rec'd. (A.T. IL ULCO Slerk Signed Date

Before me.

Notary Public: Paul A. Donaldson My Commission Expires: 02/10/15

Before me

Notary Public: John D. Burke My Commission Expires: 02/10/15

RS&C Ltd. 9910-1/388320 / NAROD to Fogarty / HRR 7-01-11

**Print Form** 

DEC 1 9 2013

Notice of Intent (NC	)I)	
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for Stormwater Discharges Associated with Construction Activity on

## Low Risk Sites

WsMF ENVIRONMENTAL CONSERVATION Under Vermont Construction General Permit 3-9020 Submission of this completed Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State, from the project identified in Section C, under Vermont's Construction General Permit (CGP). Submission of the NOI constitutes notice that the party identified in Section A of this form has read, understands, and meets the eligibility conditions of the CGP; has determined that the project qualifies for coverage as a Low Risk project in conformance with Appendix A of the CGP; agrees to comply with all applicable terms and conditions of the CGP; understands that continued authorization under the CGP is contingent on maintaining eligibility for coverage; and that all applicable practices in the Low Risk Site Handbook for Erosion Prevention and Sediment Control must be implemented and maintained for the duration of construction activities. In order to be granted coverage, all information required on this

form must be provided and an application fee of \$50 payable to the State of Vermont must be submitted.

For Department Use Only

NOI Number:

A. Landowner Information			
1a. Name: Harry Ryan		1b. Contact (if a	pplicable):
2. Mailing Address a. Street/P.O. Box:			
b. City/Town:		c. State: Vermont	d. Zip:
3. Contact Information a. Phone: 802-786-1040	b. Fax:	c. Email:	sclaw.com
<b>B. Principal Operator Informa</b>	tion (if known)		
1. Name:			and the second second
2. Mailing Address a. Street/P.O. Box:			
b. City/Town:		c. State:	d. Zip:
3. Contact Information			
a. Phone:	b. Fax:	_ c. Email:	
C. Application Preparer Inform	nation (if applicable)		
1a.Name:		1b. Contact (if ap)	plicable):
2. Mailing Address: P.O. Box 380 a. Street/P.O. Box:			
b. City/Town:		c. State:	d. Zip:
3. Contact Information a. Phone: 802-775-3385	b. Fax:	c. Email:	lapre@aol.com
See Filing Directions for Low Risk Projects	· · · · · · · · · · · · · · · · · · ·		6

D. Project Information 1. Project Name: Avalon Beach Road Relocation
2a. Is this project part of a Common Plan of Development <sup>1</sup> ?
3a. Does this project have any previously issued or pending stormwater discharge permits?  Yes  No Sb. If Yes, Prior NOI Number(s):
4. Location Address         a. Street:       Avalon Beach Road         b. City/Town:       Castleton         c. Latitude:       43 • 38 • 25 ° d. Longitude:       73 • 13 • 39 ° e. County:       Rutland
c. Latitude: <u>43 ° 38 ' 25 "</u> d. Longitude: <u>73 ° 13 ' 39 "</u> e. County: <u>Rutland</u>
Use DEC's Waterbody Identification (WBID) ArcGIS webpage (click here) to answer questions 5 and 6 below.
5. Name of receiving water(s) <sup>2</sup> : Lake Bomoseen 6. Include a topographic location map.
7. Project Type: 📝 Residential 🔲 Commercial 🗌 Industrial 🗌 Other:
8. Total Area of Disturbance: <u>1.9</u> acres 9. Description of construction activities to be permitted (below):
Reroute Avalon Beach Road
E. Public Notice Requirement
You must provide a copy of this complete NOI form to the municipal clerk for posting in the municipality in which the project is located. If the project and the related discharge(s) are located in different municipalities, then the completed NOI must be filed with the municipal clerk in each municipality. The municipal clerk must post the completed NOI. In order to be considered complete, you must include the date of posting.
Date of Posting at Municipal Office(s): $\frac{12/9/13}{2}$
Information for the Municipal Clerk regarding posting instructions can be found on Page 4 of this NOI.
F. Certification Relating to the Accuracy of the Information Submitted I hereby certify under penalty of law that this document and all attachments were prepared under my direction or
supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated
the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief,
true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including
the possibility of fine and imprisonment for knowing violations. I also certify that the applicable practices in The Low Risk
Site Handbook for Erosion Prevention and Sediment Control will be implemented for the duration of the project for which this NOI is submitted.
Landowner Name: Harry Ryan
Signature: Mill Kym Date: 11/23/13
Principal Operator: Title:
Signature: Date:
Application Preparer: R.B. Spencer, P.E Title:
(if applicable)
Signature: Date:
"Common Plan of Zevelonment" is defined within the CGP 3-9020 Annendix C - Definitions, page A-12

<sup>1</sup> "Common Plan of Development" is defined within the CGP 3-9020, Appendix C – Definitions, page A-12 <sup>2</sup> "Waters of the State" (i.e. receiving water) is defined within the CGP 3-9020, Appendix C – Definitions, page A-16

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Print Form

#### Notice of Intent (NOI)

for Stormwater Discharges Associated with . Construction Activity on

## Low Risk Sites

Under Vermont Construction General Permit 3-9020

For Department Use Only NOI Number:

VERMON Environmental Conservation

Submission of this completed Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State, from the project identified in Section C, under Vermont's Construction General Permit (CGP). Submission of the NOI constitutes notice that the party identified in Section A of this form has read, understands, and meets the eligibility conditions of the CGP; has determined that the project qualifies for coverage as a Low Risk project in conformance with Appendix A of the CGP; agrees to comply with all applicable terms and conditions of the CGP; understands that continued authorization under the CGP is contingent on maintaining eligibility for coverage; and that all applicable practices in the Low Risk Site Handbook for Erosion Prevention and Sediment Control must be implemented and maintained for the duration of construction activities. In order to be granted coverage, all information required on this form must be provided and an application fee of **\$50** payable to the State of Vermont must be submitted.

A. Landowner Information 1a. Name: Marilynn Fogarty		1b. Contact (if applicable	):
2. Mailing Address a. Street/P.O. Box:			
b. City/Town:		c. State: Vermont	d. Zip:
3. Contact Information a. Phone: 802-468-0330	b. Fax:	c. Email:	
B. Principal Operator Information	ation (if known)	ينين معنين المعري مانين الرائم ال ماري معنين المعري مانين الرائم ال	and a second
1. Name:			
2. Mailing Address a. Street/P.O. Box:		*	
b. City/Town:		c. State: Vermont	d. Zip:
3. Contact Information a. Phone:	b. Fax:	c. Email:	
C. Application Preparer Information			· · · · · · · · · · · · · · · · · · ·
1a.Name: R.B. Spencer		1b. Contact (if applicable):	
2. Mailing Address: <sub>P.O. Box</sub> 380 a. Street/P.O. Box:		•	~
b. City/Town:		c. State: Vermont	d. Zip:
3. Contact Information a. Phone: 802-775-3385	b. Fax:	c. Email:	aol.com
ee Filing Directions for Low Risk Projects			·

D. Project Information	
1. Project Name: Avalon Beach Road Relocation	
2a. Is this project part of a Common Plan of Development <sup>1</sup> ? 2b. If Yes, Name of Development:	🗌 Yes 🛛 No
3a. Does this project have any previously issued or pending 3b. If Yes, Prior NOI Number(s):	
4. Location Address a. Street: <u>Avalon Beach Road</u> c. Latitude: <u>43 ° 38 , 25 </u> d. Longitude: <u>73 °</u>	b. City/Town: Castleton
c. Latitude: <u>43</u> <u>38</u> <u>38</u> <u>45</u> <u>45</u> <u>45</u> <u>45</u> <u>45</u> <u>45</u> <u>45</u> <u>45</u>	13 , 39 " e. County: Rutland
<ul> <li>Use DEC's Waterbody Identification (WBID) ArcGIS webpage (click here)</li> <li>Name of receiving water(s)<sup>2</sup>. Lake Bomoseen</li> </ul>	ere) to answer questions 5 and 6 below.
7. Project Type: 🗹 Residential 🗌 Commercial 🗌 Industr	
8. Total Area of Disturbance: <u>1.9</u> acres 9. Description of	
Reroute Avalon Beach Road	
	the state of the s
project is located. If the project and the related discharge(s) are in NOI must be filed with the municipal clerk in each municipality. Torder to be considered complete, you must include the date of protect of Posting at Municipal Office(s): 12/9/13 Information for the Municipal Clerk regarding posting instructions can be four <b>F. Certification Relating to the Accuracy of the Inform</b> . I hereby certify under penalty of law that this document and all at supervision in accordance with a system designed to assure that the information submitted. Based on my inquiry of the person or directly responsible for gathering the information, the information for the Accuracy of the Information for the Accuracy of the person or directly responsible for gathering the information, the information frue, accurate, and complete. I am aware that there are significant the possibility of fine and imprisonment for knowing violations. I a Site Handbook for Erosion Prevention and Sediment Control will this NOI is submitted. Landowner Name Marily (Fogarty Signature: Accurate) (f known)	he municipal clerk must post the completed NOI. In posting. und on Page 4 of this NOI. nation Submitted tachments were prepared under my direction or qualified personnel properly gathered and evaluated persons who manage the system, or those persons submitted is, to the best of my knowledge and belief, nt penalties for submitting false information, including also certify that the applicable practices in The Low Risk
Signature:	Date:
Application Preparer: R.B. Spencer, P.E.	
(if applicable)	Title:
Signature:	Date: 11/23/13
"Common Plan of Development" is defined within the CGP 3-9020, Appendix C - Defi	initions, page A-12

<sup>2</sup>"Waters of the State" (i.e. receiving water) is defined within the CGP 3-9020, Appendix C – Definitions, page A-16

For Department Use Only

#### VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION AUTHORIZATION TO DISCHARGE

A determination has been made that the proposed construction activities qualify for coverage under General Permit 3-9020 (amended 2008) as a Low Risk project. Subject to the conditions of General Permit 3-9020 (amended 2008) the applicant is hereby authorized to discharge stormwater runoff from a construction site as described in this Notice of Intent Number  $\frac{7131}{-9020}$ .

Dated this 10t

10th day of January , 20<sup>14</sup>

David K. Mears, Commissioner Department of Environmental Conservation

By:

Padraic Monks, Program Manager Stormwater Program

## TRANSECT #1

#### WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: <u>AVALON BEACH ROAD</u> City/County: <u>CASTLE</u> Applicant/Owner: <u>MARTLYNN</u> <i>FOGARTY</i> Investigator(s): <u>R.B.</u> SPENCER, <u>JP. LAPPE</u> Section, Township, Range Landform (hillslope, terrace, etc.): <u>BOTTOM LAND</u> Local relief (concave, convex	State: Sampling Point:
Subregion (LRR or MLRA): Lat: Long:	Datum:
Soil Map Unit Name: 68A MASSENA SELT LOAM	NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes V No	(If no, explain in Remarks.)
	mal Circumstances" present? Yes No
	ed, explain any answers in Remarks.)
SUMMARY OF FINDINGS – Attach site map showing sampling point loca	
Hydrophytic Vegetation Present?       Yes       No       Is the Sampled Arr         Hydric Soil Present?       Yes       No       within a Wetland?         Wetland Hydrology Present?       Yes       No       If yes, optional Wetland?         Remarks:       (Explain alternative procedures here or in a separate report.)       If yes, optional Wetland?	Yes No
HYDROLOGY	
Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)	Surface Soil Cracks (B6)
Surface Water (A1) Water-Stained Leaves (B9)	Drainage Patterns (B10)
K High Water Table (A2) Aquatic Fauna (B13)	Moss Trim Lines (B16)
<u>A</u> Saturation (A3) <u>Marl Deposits (B15)</u>	Dry-Season Water Table (C2)
Water Marks (B1) Hydrogen Sulfide Odor (C1)	Crayfish Burrows (C8)
Sediment Deposits (B2) Oxidized Rhizospheres on Living Roots (C Drift Deposits (B3) Presence of Reduced Iron (C4)	3) Saturation Visible on Aerial Imagery (C9)     Stunted or Stressed Plants (D1)
Algal Mat or Crust (B4)Recent Iron Reduction in Tilled Soils (C6)	Geomorphic Position (D2)
Iron Deposits (B5) Thin Muck Surface (C7)	Shallow Aquitard (D3)
Inundation Visible on Aerial Imagery (B7) Other (Explain in Remarks)	Microtopographic Relief (D4)
Sparsely Vegetated Concave Surface (B8)	FAC-Neutral Test (D5)
Field Observations:	
Surface Water Present? Yes No No Depth (inches):	
Water Table Present? Yes X No Depth (inches): 477	
Saturation Present? Yes <u>X</u> No Depth (inches): <u>AT Surface</u> Wetlan (includes capillary fringe)	d Hydrology Present? Yes 📈 No
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if a	available:
Remarks:	
	3.

з <sup>ў</sup>р.

#### SOIL

7 1

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Sampling Point:

Profile Desc	ription: (Describe t	o the depth	needed to docum	nent the in	ndicator	or confirm	n the absence of i	ndicators.)	
Depth	Matrix		Redox	Features					
(inches)	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		Remarks	
0-8	54R312	100			-		SilfLORM	SATURATE	
8-14	7.58241	100					SilfLoans	Saturate	d
						······			
<sup>1</sup> Type: C=Co	ncentration, D=Deple	tion. RM=Re	educed Matrix. MS	=Masked	Sand Gra	ins.	<sup>2</sup> Location: PL	=Pore Lining, M=Ma	trix.
Hydric Soil I								Problematic Hydric	
Histosol (			Polyvalue Below	Surface (	S8) (LRR	R,		(A10) (LRR K, L, ML	
	ipedon (A2)		MLRA 149B)	(00) (1)				ie Redox (A16) (LRR	
Black His	n Sulfide (A4)		Thin Dark Surfac					y Peat or Peat (S3) (I ce (S7) (LRR K, L)	LKK N, L, K)
	Layers (A5)		Loamy Gleyed M		(2101010)	_,		Below Surface (S8) (L	.RR K, L)
X Depleted	Below Dark Surface	(A11)	Depleted Matrix	(F3)				Surface (S9) (LRR K,	
	rk Surface (A12)		Redox Dark Surf		、			nese Masses (F12) (	
	ucky Mineral (S1) eyed Matrix (S4)		Depleted Dark Si Redox Depression		)			loodplain Soils (F19) lic (TA6) (MLRA 144	and the statement when the second sec
Sandy Re								Material (F21)	, , ,
	Matrix (S6)							w Dark Surface (TF1	2)
Dark Surf	face (S7) (LRR R, ML	.RA 149B)					Other (Expl	ain in Remarks)	
<sup>3</sup> Indicators of	hydrophytic vegetatio	on and wetlar	nd hydrology must	be presen	t, unless	disturbed	or problematic.		
	ayer (if observed):		, ., _						
Туре:								k.	
Depth (incl	nes):		_				Hydric Soil Pres	ent?Yes 📈	No
Remarks:			and the second se						
		1	/						

VEGETATION - Use scientific names of plants.

r = 0

VEGETATION – Use scientific names of plants		Sampling Point:
Tree Stratum (Plot size: 15	Absolute Dominant Indicator % Cover Species? Status	Dominance Test worksneet:
1. Popolus Balsamitiera	30% Y FACW	Number of Dominant Species (A)
2. Fraxinus Nigras		
3		Species Across All Strata: (B)
4		Percent of Dominant Species That Are OBL, FACW, or FAC:75% (A/B)
5		
6		Prevalence Index worksheet:
7	60 = Total Cover	
Sapling/Shrub Stratum (Plot size: 15)		OBL species         x 1 =           FACW species         x 2 =
1. Lonicera Morrowii	15% Y FACU	
2		FACU species x 4 =
3		UPL species         x 5 =           Column Tatalay         (A)
4		Column Totals: (A) (B)
5		Prevalence Index = B/A =
6		Hydrophytic Vegetation Indicators:
7		1 - Rapid Test for Hydrophytic Vegetation
ا سبح	15 = Total Cover	2 - Dominance Test is >50% 3 - Prevalence Index is $\leq 3.0^{1}$
Herb Stratum (Plot size:)	60% Y Facw	4 - Morphological Adaptations <sup>1</sup> (Provide supporting
1. ONOCLEA SENSIBILIS	e 19.	data in Remarks or on a separate sheet)
2. PHALARIS ARUNDINACEA	A A A A A A A A A A A A A A A A A A A	Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
3. CAREX AN THERODES 4. EQUISETUM ARUENSE		<sup>1</sup> Indicators of hydric soil and wetland hydrology must
		be present, unless disturbed or problematic.
5		Definitions of Vegetation Strata:
7		Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
8		Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.
10		Herb – All herbaceous (non-woody) plants, regardless
11	-	of size, and woody plants less than 3.28 ft tall.
12		Woody vines – All woody vines greater than 3.28 ft in height.
1	82 = Total Cover	noight.
Woody Vine Stratum (Plot size: 15)		
1		
2		
1		Hydrophytic Vegetation
4	= Total Cover	Present? Yes No
Remarks: (Include photo numbers here or on a separate sh		
		×
		× .

## TRANSECT #1

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WE	TLAND DETER	MINATION D	ATA FORM – N	orthcentral and Northe	ast Region
Project/Site: <u>AVALor</u>	U BEACH	ROAD	City/County:	Castleton	Sampling Date: 5/1.2/1
Applicant/Owner: MAR	LILYNN	FOGAR		State:	
Investigator(s): R.B. S	DENCER \$	JP LAPR		hip, Range:	
Landform (hillslope, terrace, e	etc.): Hillsid	C	Local relief (conca	ve, convex, none): NON	e Slope (%): 4 %
					Datum:
Soil Map Unit Name: 68					ification:
				_ No (If no, explain in	
				Are "Normal Circumstances	
				(If needed, explain any answ	
					ts, important features, etc.
SOWWART OF FINDIN	00 - Attach Si	te map show		ont locations, transec	is, important leatures, etc.
Hydrophytic Vegetation Pres	ent? Yes_	No_		mpled Area	No 1
Hydric Soil Present?		No	-	Wetland? Yes	
Wetland Hydrology Present?		No		tional Wetland Site ID:	
Remarks: (Explain alternativ	re procedures here	or in a separate fo	epon.)		
	. #;				
HYDROLOGY					
Wetland Hydrology Indicat	ors:			Secondary Indi	cators (minimum of two required)
Primary Indicators (minimum		check all that ann	(v)		il Cracks (B6)
Surface Water (A1)	of one is required,		ed Leaves (B9)		atterns (B10)
High Water Table (A2)		Aquatic Fau			Lines (B16)
Saturation (A3)		Marl Deposi			Water Table (C2)
Water Marks (B1)			ulfide Odor (C1)	Crayfish Bu	
Sediment Deposits (B2)			izospheres on Livin		Visible on Aerial Imagery (C9)
Drift Deposits (B3)			Reduced Iron (C4)		Stressed Plants (D1)
Algal Mat or Crust (B4)			Reduction in Tilled		c Position (D2)
Iron Deposits (B5)		Thin Muck S		Shallow Aq	
Inundation Visible on Ae	rial Imagery (B7)	Other (Expla			raphic Relief (D4)
Sparsely Vegetated Con			,		al Test (D5)
Field Observations:					
Surface Water Present?	Yes No 🌶	O Depth (inch	es):6"		
Water Table Present?	Yes No _	Depth (inch	es): 16 !!		
Saturation Present?	Yes No _	Depth (inch	es): 164	Wetland Hydrology Prese	nt? Yes No 📈
(includes capillary fringe) Describe Recorded Data (stre	eam gauge, monitor	ing well, aerial ph	otos, previous inspe	ctions), if available:	
,	0 0			, <b>, , , , , , , , , , , , , , , , , , </b>	
D					
Remarks:					

#### SOIL

Sampling Point:

Depth (inches)       Matrix       Redox Features         Color (moist)       %       Type <sup>1</sup> Loc <sup>2</sup> Texture       Remarks         0+3 <sup>44</sup> ZSYR_4/2       Si HL       Si HL       Si HL       Si HL         3-16       2.5 YR_4/3       Si HL       Si HL       Si HL       Si HL
<u>3-// 2.5YR 4/3</u>
<sup>1</sup> Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. <sup>2</sup> Location: PL=Pore Lining, M=Matrix. Hydric Soil Indicators: Indicators for Problematic Hydric Soils <sup>3</sup> :
Histosol (A1) Polyvalue Below Surface (S8) (LRR R, 2 cm Muck (A10) (LRR K, L, MLRA 149B)
Histic Epipedon (A2)       MLRA 149B)      Coast Prairie Redox (A16) (LRR K, L, R)        Black Histic (A3)      Thin Dark Surface (S9) (LRR R, MLRA 149B)      5 cm Mucky Peat or Peat (S3) (LRR K, L, R)
Hydrogen Sulfide (A4)       Loamy Mucky Mineral (F1) (LRR K, L)       Dark Surface (S7) (LRR K, L)         Stratified Layers (A5)       Loamy Gleyed Matrix (F2)       Polyvalue Below Surface (S8) (LRR K, L)
Depleted Below Dark Surface (A11) Depleted Matrix (F3) Thin Dark Surface (S9) (LRR K, L)
Sandy Gleyed Matrix (S4) Redox Depressions (F8) Mesic Spodic (TA6) (MLRA 144A, 145, 149B) Red Parent Material (F21)
Stripped Matrix (S6) Very Shallow Dark Surface (TF12)
Dark Surface (S7) (LRR R, MLRA 149B) Other (Explain in Remarks)
Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
Type:
Depth (inches): No
Remarks:
·

VEGETATION - Use scientific names of plants.

VEGETATION – Use scientific names of plants.				Sampling Point:
Tree Stratum (Plot size: 15)	Absolute % Cover	Dominant Species?		Dominance Test worksheet:
1)				Number of Dominant Species
2				That Are OBL, FACW, or FAC: (A)
3				Total Number of Dominant     Species Across All Strata:     (B)
4				Percent of Dominant Species That Are OBL, FACW, or FAC:
5				(
6				Prevalence Index worksheet:
7				Total % Cover of: Multiply by:
Sapling/Shrub Stratum (Plot size: 15 ')		= Total Cove	er	OBL species x 1 =
				FACW species x 2 =
1				FAC species         x 3 =           FACU species         x 4 =
2				UPL species         x 5 =
3				Column Totals: (A) (B)
4				
5				Prevalence Index = B/A =
6				Hydrophytic Vegetation Indicators:
7				1 - Rapid Test for Hydrophytic Vegetation
- 1		Total Cove	er	2 - Dominance Test is >50%
Herb Stratum (Plot size: <u>S</u> ) 1. PHALARIS ARUNDINACEA	900	600	FACU	<ul> <li>3 - Prevalence Index is ≤3.0<sup>1</sup></li> <li>4 - Morphological Adaptations<sup>1</sup> (Provide supporting</li> </ul>
				data in Remarks or on a separate sheet)
2				Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
3				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
5				
6				Definitions of Vegetation Strata:
7				<b>Tree</b> – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
8				Sapling/shrub – Woody plants less than 3 in. DBH
9				and greater than or equal to 3.28 ft (1 m) tall.
10				Herb – All herbaceous (non-woody) plants, regardless
11.	*			of size, and woody plants less than 3.28 ft tall.
12				Woody vines - All woody vines greater than 3.28 ft in
		Total Cover	r	height.
Woody Vine Stratum (Plot size:)				
1/				
2				
2			]	Hydrophytic
4				Hydrophytic Vegetation
·				Present? Yes No V
Remarks: (Include photo numbers here or on a separate sh		Total Cover		
Remarks: (include photo numbers here of on a separate sr	ieel.)			
				· .