

Wildlife Site Characterization Report

April 2022

SunEast Flat Creek Solar

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ACRONYMS AND ABBREVIATIONS

Notation	Definition
Applicant	SunEast Flat Creek Solar LLC
BBA	Breeding Bird Atlas
BCC	Birds of Conservation Concern
BGEPA	Bald and Golden Eagle Protection Act
EAF	Environmental Assessment Form
ECL	Environmental Conservation Law
ECOS	Environmental Conservation Online System
ESA	Endangered Species Act
FE	Federally Endangered
FT	Federally Threatened
HPSGCN	High Priority Species of Greatest Conservation Need
IBA	Important Bird Area
IPaC	Information for Planning and Consultation
МВТА	Migratory Bird Treaty Act
MRLC	Multi-Resolution Land Characteristics Consortium
MW	megawatt
NDA	Non-Disclosure Agreement
NLCD	National Land Cover Database
NRCS	Natural Resource Conservation Service
NWI	National Wetlands Inventory
NYCRR	New York Codes, Rules, and Regulations
NYNHP	New York Natural Heritage Program
NYS	New York State
NYSDEC	New York State Department of Environmental Conservation
ORES	Office of Renewable Energy Siting
PADUS	Protected Areas Database of the United States
PFO	palustrine forested wetlands
POI	point of interconnection
PEM	palustrine emergent
Project	Flat Creek Solar LLC
PSS	palustrine scrub-shrub
SE	State Endangered
SOSC	State Species of Special Concern
ST	State Threatened
U.S.	United States
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
	U.S. FISH and Wildlife Service
	U.S. Geological Survey
	Wetlanda Deserve Dragger
I WKP	i vveuanos Reserve Program



Regulatory Section	Documentation	Located
900-1.3 (g)(1)	At the earliest point possible in the applicant's preliminary project planning, the applicant shall conduct a wildlife site characterization summarizing existing public information on bird, bat, and other species, including, but not limited to, New York's Environmental Assessment Form (EAF) Mapper, New York Natural Heritage Program (NYNHP), United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) and Environmental Conservation Online System (ECOs) databases, New York's Environmental Resource Mapper (ERM), Nature Explorer, and Biodiversity and Wind Siting Mapping Tool, eBird, Audubon Christmas Bird Counts (CBC), United States Geological Survey (USGS) breeding bird surveys (BBS), the current New York Breeding Bird Atlas (BBA) III program, New York State (NYS) Ornithological Association, Bat Conservation International's (BCI) database on bat species ranges, NYS Department of Environmental Conservation (NYSDEC) bat information.	Section 2.0; Appendix B; Appendix C
900-1.3 (g)(1)(i)	Species documented at the proposed facility, access roads, interconnections, connecting lines, from available data sources. A subset of NYS threatened or endangered species identified within the last five (5) years shall be provided.	Section 5; Table 5; Appendix B
900-1.3 (g)(1)(ii)	For each listed animal species documented from available data sources, provide an evaluation of current habitat suitability for those species at the project site.	Section 5; Table 5
900-1.3 (g)(1)(iii)	Landscape features and resources of potential concern within five (5) miles of the facility that may function to funnel or concentrate birds and bats, with a focus on NYS threatened or endangered species, during migration or for feeding, breeding, wintering, or roosting activities, such as national wildlife refuges, wildlife management areas, grassland focus areas, core forest blocks (contiguous areas one hundred fifty (150) acres or larger), Audubon Important Bird Areas, high elevation mountaintops, prominent ridgelines, forested riparian areas, known hibernacula, records of caves and mines, or other significant habitat areas.	Section 4
900-1.3 (g)(1)(iv)	Geographical, topographical, and other physical features within five (5) miles of the facility, interconnections, connecting lines, and access roads.	Section 3; Tables 1-3; Appendix A
900-1.3 (g)(1)(v)	National Wetlands Inventory (NWI) and NYSDEC mapped wetlands, streams, waterbodies, state forests, parks, land use, and other available information relevant to siting the facility.	Section 3.3; Tables 1-3; Appendix A
90 <mark>0-1.3 (g)(1)(vi)</mark>	A review of National Audubon Society climate change modeling for listed bird species documented in the wildlife site characterization, and review of other climate change models relevant to listed bird species and other wildlife species documented at the facility site, as available.	Section 5.3



1.0 Introduction

1.1 **Project Description**

SunEast Flat Creek Solar LLC (Applicant) proposes the construction of SunEast Flat Creek Solar Project (Project), an approximately 300-megawatt (MW) photovoltaic solar energy generation facility in the Towns of Root and Canajoharie, Montgomery County, New York. The Applicant is assessing available land across 54 parcels on approximately 4,611 acres of private land owned by multiple participating landowners consisting of cultivated crops, hay/pasture, woody wetlands, and mixed forests (Project Study Area; Figure 1). Project facilities will include commercial-scale solar arrays, access roads, buried (and possibly overhead) electric collection lines, and electrical interconnection facilities (i.e., a collection substation and point of interconnection (POI) switchyard). The proposed collection substation and POI switchyard will be located on land within the Project Study Area. The Applicant intends to interconnect to the LS Power Grid New York Corporation's 345 kV transmission line which is being constructed within the route of the existing New York State Electric & Gas (NYSEG) 115 kV transmission line that traverses the Project.

1.2 Objectives

TRC was contracted by the Applicant to characterize wildlife habitat and use, and areas of environmental or regulatory concern that could be affected by Project development. Results of this analysis will inform the development of an application to the New York State (NYS) Office of Renewable Energy Siting (ORES) to construct the Project under Section 94-c of the New York Executive Law (New York Codes, Rules and Regulations (NYCRR) Chapter XVIII, Title 19 Part 900, subparts 900-1 through 900-14). This Wildlife Site Characterization Report (WSCR or Report) is intended to meet the requirements of §900-1.3 (g)(1) of that draft regulation. A 5-mile buffer was applied to the Project Study Area, as specified by resource in §900-1.3 (g)(1) and is herein referred to as the "WSCR Study Area" (Figure 2, Appendix A). Information in this report is provided to:

- Summarize existing information on bird, bat, and other wildlife species within or with
 potential to occur in the Project and WSCR Study Areas;
- Characterize habitat conditions present within the Project Study Area, including identification of significant natural communities, wildlife concentration areas, grassland habitat, or potential roosting habitat; and
- Evaluate habitat suitability and potential occurrence of any listed species identified during desktop reviews or during field-based studies conducted on site.



2.0 METHODS

2.1 Desktop Review

Occurrence data of threatened or endangered species reported within the WSCR Study Area within the last 5-years were reviewed using the New York Natural Heritage Program (NYNHP), United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) and Environmental Conservation Online System (ECOs) database. Other publicly available databases reviewed included:

- Cornell University's eBird;
- New York State Department of Environmental Conservation (NYSDEC) Nature Explorer;
- NYSDEC Environmental Resource Mapper (ERM);
- NYSDEC Environmental Assessment Form (EAF) Mapper;
- New York State (NYS) Breeding Bird Atlas (BBA) 3;
- Audubon Christmas Bird Count (CBC);
- Audubon's Climate Change Model for bird species;
- Audubon Important Bird Areas (IBAs);
- New York State Ornithological Association;
- USGS Breeding Bird Survey;
- New York State Bat Information;
- Local birding organizations;
- Grassland Focus Area survey data; and
- Bat Conservation International's (BCI) Database on bat species ranges.

Digital data, including the National Land Cover Database (NLCD), National Wetland Inventory (NWI), NYSDEC wetland mapping, and USDA CropScape were mapped for the Project using Geographic Information System (GIS) mapping. These spatial datasets were used to generate tables of the acreages and associated percentages of features within the Project Study Area and the 5-mile surrounding WSCR Study Area (USDA 2021).

2.2 Field Reconnaissance

Field reconnaissance surveys were conducted from public rights-of-way within the Project Study Area and immediate vicinity in November 2020 thru March 2021 and May 2021 thru June 2021. Wetland delineations were conducted on site from August 2021 thru November 2021. Winter Raptor Surveys were conducted on site from November 2021 through March 2022. During these surveys, biologists maintained a list of observed wildlife and habitats/vegetation communities. This information was also used to describe vegetation and general characteristics of wildlife habitats observed, identify less common habitats not represented in desktop mapping, and confirm the presence or absence of habitat types for threatened, endangered, and species of special concern identified during desktop review (Appendix B).

2.3 Rare, Threatened, and Endangered Species Analysis

Information gathered during field reconnaissance was cross-referenced with desktop review information, which included publicly available occurrence records, habitat mapping, habitat preferences, and seasonal occurrence ranges. For bird species, potential for occurrence was



refined based on specific eBird location data records, when available. The Applicant also executed a Non-Disclosure Agreement (NDA) with NYSDEC for the sharing of data from the state's Natural History Database. This information was a useful compliment to the publicly available in allowing the Applicant an opportunity to pursue avoidance and minimization during design. These data may be superficially referenced within this Report, but no information is explicitly shared to protect the confidentiality of this data.

Each listed species was assigned to one of five hierarchical categories of potential occurrence within the Project Study Area:

- Essential Habitat Observed: Species or sign of species presence observed/recorded in the Project Study Area. For threatened and endangered species (T & E) any essential behaviors observed are noted. Essential behaviors include roosting, foraging, breeding, or other behaviors essential to the species' survival and perpetuation.
- *Likely:* Species or sign not observed on site, but reasonably likely to occur on the Project Study Area based on known records in similar habitats nearby or overlapping Project Study Area
- *Potential:* Species or sign not observed in the Project Study Area, but conditions suitable for occurrence based on species ecology and regional occurrence data
- *Unlikely:* Species or sign not observed on the Project Study Area, conditions marginal for occurrence based on species ecology and regional occurrence data

NLCD datasets were used to assess the extent (area and/or length) of suitable habitat features within the Project Study Area for each federally and state-listed threatened or endangered species assigned as *observed*, *likely*, *potential* or *unlikely* for occurrence in the Project Study Area. NWI was used to assess the acreage of wetland and stream features. If the habitat of a listed species was described similarly to a mapped land cover or feature type, habitat for that species was determined to be present.



3.0 Project Study Area Description

3.1 Landscape and Ecoregion Analysis

The proposed Project is located in central New York near the center of Montgomery County (Figure 1) approximately 11 miles northeast of Sharon Springs, New York. The Project is mapped within the Canajoharie, Randall, Sharon Springs and Carlisle, NY United States Geological Survey (USGS) topographic 7.5-minute quadrangle maps (Figure 1). The Project Study Area generally increases in elevation on the eastern portion of the Project Study Area, ranging from 800 - 1,282 feet above mean sea level with a general incline present in the easternmost portion of the Project Study Area.

The United States Environmental Protection Agency ecoregion boundaries (USEPA 2003) are based on the composition of geology, physiography, native vegetation, climate, soils, land use, wildlife, and hydrology. Vegetative cover is an important part of the classification process. The Project Study Area lies within the Eastern Temperate Forests Level I Ecoregion; Mixed Wood Plains Level II Ecoregion; Eastern Great Lakes Lowlands Level III Ecoregion and Mohawk Valley Level IV Ecoregion (Bailey 1995; Bryce *et al.*, 2010; NYS 2021; Figure 6, Appendix A). The Mohawk Valley Level IV Ecoregion is characterized by a broad, irregular valley containing rolling hills, river terraces, and low mountains topography (Bryce 2010).

3.2 **Project Land Cover Characteristics**

3.2.1 National Land Cover Database

According to the 2016 NLCD, the predominant land cover type within the Project Study Area is pasture/hay (49%, Table 1; Figure 3). This land cover composition is consistent with that of the 5-mile WSCR Study Area (Table 1).

3.2.2 Vegetation and Plant Communities

Table 1 summarizes the land cover types within the Project and WSCR Study Areas. Figure 3 (Appendix A) illustrates the land cover types within the Project Study Area. Together, pasture/hay and cultivated crops cover 71% of the Project Study Area (49% and 22%, respectively) (Table 1; Figure 4). Mixed, deciduous, and evergreen forest account for an additional 20%. These forests primarily exist as intermixed patches among a matrix of cultivated crops. Developed land accounts for 2% of the Project Study Area.



Table 1: Land Cover Ty	vpes Identified within the Pro	ect and WSCR Study Areas

Land Cover Type ¹	Acres within Project Study Area	Percent of the Project Study Area	Acres within WSCR Study Area	Percent of the WSCR Study Area
Pasture/Hay	2,263.69	49.20	48,523.76	42.07
Cultivated Crops	1,021.16	22.19	10,493.00	9.10
Mixed Forest	460.81	10.02	14,132.91	12.25
Deciduous Forest	345.58	7.51	15,712.67	13.62
Woody Wetlands	238.42	5.18	9,114.85	7.90
Evergreen Forest	97.53	2.12	5,486.15	4.76
Developed, Open Space	59.34	1.29	4,492.16	3.89
Emergent Herbaceous Wetlands	45.13	0.98	1,522.59	1.32
Developed, Low Intensity	25.75	0.56	2,479.31	2.15
Shrub/Scrub	12.34	0.27	447.32	0.39
Open Water	7.93	0.17	1,040.41	0.90
Developed, Medium Intensity	7.17	0.16	1,082.16	0.94
Developed, High Intensity	6.72	0.15	275.22	0.24
Grassland/Herbaceous	5.95	0.13	466.07	0.40
Barren Land (Rock/Sand/Clay)	3.68	0.08	77.75	0.07
Total	4,601.21		115,346.32	

¹Source: NLCD 2019 Data

3.3 Wetlands and Waterbodies

NWI-mapped wetland and other water (riverine) features cover approximately 52 acres of the Project Study Area (Table 2; Figure 4). This includes freshwater pond (13.03 acres) and riverine features (39.05 acres).

The NYSDEC classifies watersheds more broadly and uses the definitions of watersheds and drainage basins interchangeably. New York's waters (e.g., lakes, rivers, wetlands, and streams) fall within one of seventeen major drainage basins. The NYSDEC defines these drainage basins or watersheds as an area of land that drains water into a specific body of water within or adjacent



to NYS, and includes networks of rivers, streams, lakes, and the surrounding lands. The NYSDEC-classified watersheds are separated by high elevation geographic features (e.g., mountains, hills, and ridges). Each major drainage basin corresponds to one or more USGS sub-basins (USGS HUC 8-digit and HUC 10-digit codes).

The entire Project Study Area is located within the Mohawk sub-basin (HUC-8 02020004; NYSDEC 2021b). More specifically, the majority of the Project Study Area is located within the Cayadutta Creek-Mohawk River (HUC-10 0202000410) sub-watershed with several parcels located within the Canajoharie Creek- Mohawk River (HUC 10 0202000409) sub-watershed (USEPA 2017). Other prominent waterbodies include Flat Creek, which traverses the entire western Project Study Area, and Lasher Creek, which intersects the northeastern Project Study Area boundary.

Table 3 provides a breakdown of the NYSDEC-mapped wetlands within the Project and WSCR Study Areas by wetland class.

NYSDEC-mapped wetland features total 24.12 acres within the Project Study Area and 5,043 acres within the greater WSCR Study Area (Table 3; Figure 5). There are 12.23 miles of NYSDEC mapped stream features within the Project Study Area and roughly 354.18 miles of NYSDEC-mapped stream features within the WSCR Study Area (NLCD 2016; Table 3; Figure 5).

		Acre		
Feature Type	Cover Type	Project Study Area	WSCR Study Area	Definition ¹
Riverine	Riverine (R)	39.05	1,890.70	River or stream channel
Freshwater Emergent	Palustrine Emergent (PEM)	0	292.32	Herbaceous marsh, fen, swale, and wet meadow
Freshwater Forested/Scrub	Palustrine Scrub- Shrub (PSS)	0	1,393.60	Wetland scrub- shrub or bog
Freshwater Forested	Palustrine Forested (PFO)	0	0	Forested swamp or wetland
Freshwater Pond	Palustrine Unconsolidated Bottom (PUB)	0	0	Pond
Freshwater Pond	Palustrine Unconsolidated Shore (PUS)	13.03	368.28	Pond
Lake	Lacustrine (L)	0	23.44	Lake
Other			1.29	
	Total	52.08	3,969.63	
¹ Wetlands Mapper	¹ Wetlands Mapper Legend Categories (USFWS 2016)			

Table 2: \	Wetlands and Waterbodies I	dentified by NWI within the	Project and WSCR
9	Study Areas		



Table 3: NYSDEC-mapped Wetlands and Waterbodies within the Project and WSCR Study Areas

Feature	NYSDEC	Linea	ar Feet	Acres		
Feature Type Stream Wetland	Classification	Project Study Area	WSCR Study Area	Project Study Area	WSCR Study Area	
	А	0	0	-	-	
	AA	0	433.45	-	-	
	AA(T)	0	10,151.97	-	-	
Ctracro	В	0	91,185.39	-	-	
Stream	B(T)	0	0	-	-	
	С	64,578.70	1,713,102.57	-	-	
	C(T)	0	55,204.59	-	-	
	C(TS)	0	0	-	-	
	0	-	-	0	20.56	
Watland	1	-	-	2.32	1,636.11	
vvelianu	2	-	-	21.80	2,651.17	
	3	-	-	0	735.04	
Source: NYS G Note: Data is de Analysts.	Source: NYS GIS 2021 Note: Data is downloaded from NYS GIS and calculations within the Project and Study Areas are performed by TRC GIS Analysts.					

4.0 PROTECTED LANDS

Table 4 summarizes the federal, state, and other classified protected lands identified within the Project and WSCR Study Areas. No federal, state, or other classified protected lands, which may serve as areas of congregation for wildlife species, are found within the approximately 4,611-acre Project Study Area. The WSCR Study Area overlaps governmental, state, local, and private lands (Figure 7). The resources of potential concern for wildlife within the Study Area are discussed below.

Table 4: Protected Land Ownership Identified within the Project and WSCR Study Areas

Ownership ¹	Acres within Project Study Area	Acres within WSCR Study Area
USDA NRCS Conservation Easement	0	421.93
State	0	2,877.60
Local	0	630.37
Private	0	151.18
Total	0	4,081.08

Source: PADUS 20211.

Note: ¹PADUS outlines protected areas of the U.S. that are dedicated to the "preservation of biological diversity and to other natural, recreational, and cultural uses (PADUS 2021). This database identifies "ownership" of protected and non-protected lands. The majority of this area is likely to be privately owned and not identified as protected areas.



4.1 Federal Lands

4.1.1 USDA NRCS Conservation Easement Program

According to the USGS PADUS (2021), two easements within the WSCR Study Area, totaling approximately 422 acres, are currently enrolled in the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Wetlands Reserve Program (WRP) (Figure 7). The nearest parcel abuts but does not intersect the Project Study Area boundary. The WRP is a voluntary program that offers landowners the opportunity to protect, restore, and enhance wetlands on their property (USDA NRCS 2021). The goal of the NRCS is to achieve the greatest wetlands functions and values, along with optimum wildlife habitat, on every acre enrolled in the program (USDA NRCS 2021).

4.2 State Lands

4.2.1 Wildlife Management Areas

There are no Wildlife Management Areas within the Project or WSCR Study Areas.

4.2.2 New York State Forests

There are two tracts of state-owned land located within the WSCR Study Area (Figure 7).

Yatesville Falls State Forest, 0.5 miles northeast from the Project Study Area boundary (Figure 7). The 1,286-acre state park was purchased by NYS for watershed production, timber production, wildlife habitat and recreational use. Public activities on site include hunting, trapping, camping skiing, and hiking (NYSDEC, 2021f). Rural Grove State Forest is located directly south of Yatesville State Forest, 0.85 miles east of the Project Study Area.

4.2.3 New York State Lands

Several New York State Recreation Lands are located within the WSCR Study Area, including the Yatesville Falls State Forest, described above, 0.5 miles northeast of the Project Area. In addition, a section of the Erie Canalway Water Trail follows along the Mohawk River 1.59 miles north from the Project Study Area. In total, it is 450 miles of canals, lakes and rivers that runs from Buffalo, NY to Albany, NY. Public activities along the Canalway Trail include biking, camping, kayaking and hiking (NHC 2021).

4.2.4 Local Lands

There are several local lands within the WSCR Study Area (Figure 7). The Montgomery County Local Resource Management Area and Montgomery County Lands Local Conservation Area are located 0.77 miles north and 4.58 miles southeast of the Project Study Area. Montgomery County Local Conservation Area is managed for biodiversity with all disturbances prohibited (USGS 2020). There is a non-governmental land within the WSCR Study Area, Dillenbeck Property. It is managed by the Schoharie Land Trust and located 3.81 miles away from the Project Study Area boundary. This 157-acre parcel will be preserved in perpetuity (Schoharie Land Trust 2021). Fonda Reservoir Lands Local Resource Management Areas are located 4.24 miles north of the Project boundary. Palatine Bridge Village Lands are located across the Mohawk River approximately 1 mile north of the Project Study Area. Canajoharie Central School Lands Local Park and Canajoharie Village Local Park are located directly adjacent to the



northwest boundary of the Project Study Area. Sharon Springs Village Lands Local Park is located 4.77 miles southwest of the Project Study Area.

4.3 Other Classified Lands

4.3.1 Natural Communities and Important Areas

There are six unique geologic features within the WSCR Study Area. Palatine Bridge Quarry is a quarry with highly localized dolomite alteration in the Tribes Hill located 1 mile north from Project Study Area boundary. Canajoharie Creek is a well-exposed fossiliferous Creekside located within the WSCR Study Area 1.82 miles northwest of the Project Study Area boundary. Wintergreen Park is a park located 0.13 miles northwest from the Project Study Area with Utica shale that is black, laminated and contains locally fossiliferous features including trilobites, brachiopods, graptolites, and nautiloids. Stone Ridge is a roadside feature with uplifted land associated with the Noses fault. It is located 3.97 miles away from the Project Study Area boundary area boundary is a large-scale feature poorly sorted with clasts size from small boulders to coarse sand. The final feature is unnamed and located 3.97 miles away from the Project Study Area boundary contains rusty, weathering Precambrian garnet gneiss, brecciated dolostone, and a fault-line scarp of Noses Fault.

There are no NYNHP Important Areas or NYSDEC Critical Environmental Areas present within the Project Study Area (Figure 6).

Big Nose Calcareous Talus Slope Woodland is located 1.83 miles north of the Project Study Area (Figure 6). It is 50 acres and is listed as a Significant Natural Community and as a NYS Natural Heritage Community. It is a limestone-dolostone hill along the Mohawk River with a summit consisting of dry ridge-crest vegetation. An extensive limestone cliff occurs just down from the summit and a large calcareous talus slope woodland occurs at the base of the cliffs. It has been used historically for logging (NYNHP 2021).

4.3.2 Important Bird Areas

Neither the Project nor WSCR Study Areas overlap an Audubon IBA.

4.3.3 Grassland Focus Areas

The Project Study Area does not overlap any Grassland Focus Areas. The WSCR Study Area overlaps the Mohawk River Grassland Focus Area 4. In 2005, Audubon New York conducted surveys during the breeding season to determine the species composition within each focus area, identify priority species for each focus area and to guide conservation activities within. Priority species within the Mohawk River Grassland Focus Area included

and

other species had relatively low representation in the survey. These areas should, however, be considered areas of concern, particularly where habitat for grassland birds exists.

4.3.4 Known Bat

There are

(Figure 6). Section 5.1.1 describes additional information on



NDA

State natural history data provided to the Applicant under are

There are no known **Study** Area (Appendix C).

hibernacula within the Project or WSCR

4.3.5 Core Forest Blocks

Core forest blocks are defined as contiguous segments of mixed, deciduous, or evergreen forest and forested wetlands totaling 150 acres or larger.

blocks are located throughout the Project Study Area and 44,446.58 acres are located within the WSCR Study Area (MLRC 2016). Figure 8 within Appendix A displays the core forest blocks.

5.0 WILDLIFE RESOURCES

5.1 Federally Listed Species

According to the computer-generated USFWS IPaC Reports (Appendix C), federally listed species, the species, the species is the species of the

Review of publicly available databases including eBird, ERM, EAF, NYBBA, and Nature Explorer found no records of federally listed avian species within the Project Study Area or WSCR Study Area.

5.1.1 Mammalian Species

The was listed as a federally threatened species in April 2015, with	h an
interim 4(d) Rule; the final 4(d) Rule was effective as of February 16, 2016. Section 4(d) of	f the
ESA allows the USFWS to promulgate special rules for species listed as threatened that pro	vide
flexibility in implementing the ESA and to target the take prohibitions to those that pro	vide
conservation benefits for the species. This targeted approach can reduce ESA conflicts	s by
allowing some activities that do no harm the species to continue, while focusing our effort	s on
the threats that make a difference to the species' recovery (USFWS 2021d). For the	

, the 4(d) rule prohibits incidental take if the take occurs within a second a construction of the take from tree removal activities and the activity occurs within 0.25 mile (0.4 km) of a known construction is or, the activity cuts or destroys a known, occupied maternity roost tree or other trees within a 150-foot radius from the maternity roost tree during the pup season from June 1 through July 31.

The spends winter months hibernating in large caves and mines and spends the summer/fall months roosting under loose bark or in crevices and hollows in both live trees and snags. During the summer, this species roosts either singly or in colonies. Seem to be flexible in roost selection, choosing roost trees based on suitability to retain bark or provide cavities or crevices (USFWS 2021d). Rarely have been observed roosting in man-made structures such as sheds or barns. Breeding begins in late summer or early fall when males begin swarming near (USWFS 2021d). There are within the portion of the summer within the portion of the summer of th



There are 1,142.34 acres of forested habitats (deciduous, evergreen, and mixed forest, woody wetlands) present within the Project Study Area (Table 1; Figure 3). Much of the the Project and some areas of the project and the project and some areas of the project and some areas of the project and the project and the project and the project areas of the project and the project areas of the project and the project and the project areas of the project area

Based on a desktop review, winter	occurrences	of		have	been
documented within the		and		are	
	(NYSDEC 20	018, USFW	'S 2021d). State r	natural h	istory
data provided to the Applicant under NI	DA confirms th	nat these	are		

Based on a review of species-specific habitat requirements, range and distribution, and current Project and WSCR Study Area conditions, the the

, with	located	
and the		

On March 23, 2022, the USFWS published a proposed rule to the Federal Register to up list the from threatened to endangered. The proposed rule will go through a 60day public comment period and the USFWS estimates the final rule will be published to the Federal Register in November 2022. The final rule will go into effect one month after the final rule is published to the Federal Register. In the interim the 4(d) Rule still applies to the northern long-eared bat.

5.1.2 Avian Species

Based on a desktop review of IPaC, eBird, NYBBA, ERM, and EAF Mapper, there are no federally listed avian species within the WSCR Study Area (eBird 2021; NYSDEC 2021 d,e; NYBBA 2021; USFWS 2021b).

5.1.3 Avian Species Protected Under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA)

Migratory birds nest in the U.S. and Canada during summer months and migrate south to the southern U.S., tropical regions of Mexico, Central or South America, and the Caribbean for the non-breeding season. These species are protected pursuant to the Migratory Bird Treaty Act (MBTA) under U.S. Code 703-711. A species is protected under the MBTA if it meets one of the following criteria:

- It occurs in the United States (U.S.) or territories as a result of natural processes and is currently, or was previously listed as, a species or part of a protected family;
- revised taxonomy results in the species being newly split from a species previously on the list; or
- new evidence exists for its natural occurrence in the U.S. or its territories resulting from natural distribution changes, and the species occurs in a protected family.

The MBTA prohibits the take, kill, possession, and transportation of migratory birds, their eggs, and parts except when specifically permitted. Six species were listed on the IPaC report as USFWS Birds of Conservation Concern (BCC) within the Project Study Area: **Mathematical Structure**, black-billed cuckoo (*Coccyzus erythrophtalmus*), blue-winged warbler (*Vermivora cyanoptera*), bobolink (*Dolichonyx oryzivorus*), prairie warbler (*Setophaga discolor*), and wood thrush



(*Hylocichla mustelina*). In addition, bald and golden eagles are protected pursuant to the Bald and Golden Eagle Protection Act (BGEPA) under 16 U.S. Code 668-668(d), which prohibits the take and disturbance of individual eagles, their nests, eggs, or parts. Violation of the BGEPA incurs criminal penalties for violators who take, possess, sell, purchase, transport, import or export bald or golden eagles (alive or dead) or their derivatives (USFWS 2020b). The BGEPA defines "taking" as the pursuit of, shooting, shooting at, poisoning, wounding, capturing, trapping, collecting, or disturbing (USFWS 2020b). "Disturbing" means to agitate or bother bald or golden eagles to a degree that causes (or is likely to cause) the following:

- Injury to an eagle;
- a decrease in an individual's productivity by interfering with normal breeding, feeding, or sheltering behavior; or
- nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior.

are traditionally associated with forested habitats and aquatic features such as lakes, ponds, and watercourses throughout the year because fish are their primary food source (Gehring 2006). And winter roosts are most often found within 2 miles of suitable foraging locations (Buehler 2000), though the species may travel up to 10 miles from the state to forage. And communal roosts are usually within view of a lake, river or large creek and a pair often chooses a dominant tree within the surrounding woodland. According to Gehring (2006) are known to also rely on road-killed carrion during the winter months.

,	and	ł
for for and the numerous roads throughout the P	Project Study Area, al	ong with
increased hunting activities (i.e., in rural areas) may potentially su	upply carrion. Based	on state
natural history data provided to the Applicant under NDA		
A	around	of the
. Proximity to these		
of flyover, foraging, and potential breeding observations		

are not known to actively in New York; they do occur as an uncommon resident in the winter and during migration (NYSDEC 2021g). Kochert et al. (2002) summarizes that "typically forage in open habitats: grasslands or steppe like vegetation." As they have an

5.1.4 Reptile Species

No federally-listed reptilian species have been recorded within the Project or WSCR Study Areas.

5.1.5 Insect Species

No federally-listed insect species have been recorded within the Project or WSCR Study Areas.



5.1.6 Plant Species

No federally-listed plant species were identified during the desktop review within the Project Study Area.

5.2 State-Listed Species

Publicly reported data from 2016 to 2021 including eBird, NYBBA, IPaC, and results from winter raptor surveys were reviewed to determine the potential for occurrence of New York State-listed endangered (SE), threatened (ST), or species of special concern (SOSC) within the Project Study Area.



; SE) The Indiana bat winters in caves and mines, and **second** in large, tight clusters that may contain thousands of individuals. Females form maternity colonies of up to 100 bats during the summer. These colonies are usually located behind the loose bark of trees, often near tree-lined streams and rivers. There are **second**. There are **second**. There are **second**.

3). Based on habitat availability and sources included in the desktop review (see Appendix B) within the Project Area, the , however,



this species was not listed in the USFWS IPaC report, nor was it identified by the NYSDEC ERM or EAF as _______. In addition, according to the USFWS Environmental Conservation Online System (ECOS), which provides a much finerscale range map than other available sources included in the desktop review,

5.2.2 Avian Species

To assess the potential for NYS listed threatened and endangered migratory birds and BBA III and CBC data for the Project and WSCR Study Areas was reviewed. This review was restricted to data located entirely within or overlapping a 5-mile radius of the Project Study Area for the proposed Project, with state-listed species shown in Table 5. The Project Study Area intersects with the Fort Plain CBC circle and several BBA III survey blocks including Canajoharie SE, Carlisle NW, Carlisle CW, Sharon Springs CE, and Sharon Springs NE (NYBBA 2021). The Study Area contains the following Survey Blocks:

Canajoharie CE,

Canajoharie SE,

Carlisle CE,

Carlisle CW,

Carlisle NW,

Carlisle SW,

Esperance CW,

Esperance NW,

Esperance SW,

Randall CE,

Randall CW,

Randall SE,

Sharon Springs, CE,

Sharon Springs NE,

Sharon Springs SE,

and Tribes Hill SW.

Neither the Project nor WSCR Study Areas are within five miles of any USGS BBS Routes and thus this database was not evaluated.

There were state-listed birds identified by the desktop review with the potential to occur in the Project Study Area (Table 5). If of these state-listed birds
were
; SOSC) – commonly use freshwater
wetland habitats. This species is found all over New York. There are
, as well as



(Table 1, Figure 3). This s a	and there is
, ST undisturbed forested areas near lakes, rivers, throughout New York State. There are (Table 1, habitat near foraging areas such as promine (i.e. circlin surveys and st under NDA) – are typically associated with or other open water habitat. This species is found Figure 3). Commonly in forested ent bodies of water. g, fly-through, and perching) during winter raptor ate natural history data provided to the Applicant thus it
has a ; SE) – marshes and along edges of shallow lakes of found migrating all over New York. There ar	commonly use semi-secluded large freshwater open prairies or northern forests. This species is e (Table 1, Figure 3). This species is
; SOSC; riparian and mature upland forest habitats. Th There are ma SC)	are typically associated with s species is found breeding in southern New York. (Table 1, Figure 3). The kes this species habit freshwater lakes and ponds. This
species breeds in northern Yor ; SOS habitats including coastal dunes and beaches use farmlands and marshes during migration.	ugh southern NY. There are (Table 1, Figure 3). This species is SC) – SC) – inhabit various open , forest clearings, and grassland, though may also There are
. This species breeds in a species has ; ST) – beaches and forge over open waters. This s York, but is	nd has been recorded throughout New York. This prefer to nest on rocky island, coastal pecies can be found migrating across all of New
; SOSC) mixed, deciduous, and coniferous forests hal and in residential areas. This species is found species has been ; SE) –	are typically associated with bitats, and may also be found foraging over fields I throughout New York. There are (Table 1, Figure 3). This breed in remote mountainous areas with
open habitat with abundant small game and g	liffs available for nesting but will forage over open

open habitat with abundant small game and cliffs available for nesting but will forage over open fields and grasslands during migration. This species only occurs as a migrant in New York.



There are	(Table 1, Figure 3). This
species has a	
open grasslands, hayfields, pastures and State. There are 3). This species has	; SOSC) – breed in prairies. Breeding records exist throughout New York (Table 1, Figure
moist fields and meadows. Small populat areas. There are has	; ST) – breed in fallow, weedy, tions exist within New York, , though records exist outside of these (Table 1, Figure 3). This species
; SOSC the breeding and wintering seasons. Thi throughout New York, There are) – utilize open agricultural habitat during is species is both a breeding and wintering resident
throughout new rolk. There are	(Table 1, Figure 3). This species has been
SO forests, preferring large tracts of coniferon with relatively open understory. This species (Table 1, Figure 3). This species has	SC) – inhabit boreal or temperate us, deciduous, or mixed coniferous-deciduous forests ies is found year-round in New York. There are
; ST) pasture/hay, shrublands, marshes, and winter. This species a year-round residen) – Example 1 reside in open grasslands, bogs, and will inhabit agricultural areas during the t and widely distributed in New York. There are
. The Project Study Area has . This species has been	(Table 1, Figure 3), as well as
; SOSC) – use both near coastal and inland waterboo	require access to open water habitat and may dies. This species breeds throughout New York. There
	(Table 1, Figure 3). There are
; SE) the faces of rocky cliffs. They also use m During migration, the species may be mountainous areas. This species has bee	often nest on ledges or holes on nanmade structures such as bridges or tall buildings. found in open habitats, along shorelines, or in n



; ST) – require dense stands of deep- water emergent vegetation situated close to open water for nesting. This species is reported in isolated occurrences throughout New York. There are
natural history data provided to the Applicant under NDA
·
SOSC) – will inhabit various open deciduous woodlands with groves of decaying trees. In New York, this species has been documented in open woods, open wooded swamps and bottomlands. Records of breeding individuals have been recorded throughout eastern New York, except within Adirondack State Park, and the species is a winter resident in the southern tier and western portions of the state. There are (Table 1, Figure 3). This species has
; SOSC) – inhabit bottomland hardwood forests, riparian habitats, flooded swamps, and upland forests. This species is primarily found breeding in western and northern New York and is a year-round resident in southern New York.
; T) – is associated with herbaceous marshes and wet meadows or hayfields with grasses and/or sedges. This species is rare and locally distributed throughout New York. There are (Table 1, Figure 3). Based on state
; SOSC) – are associated with mixed, deciduous, and coniferous forests. This species widely distributed in New York. There are (Table 1, Figure 3). This species has been
; SE) – inhabit large, open areas with low vegetation, including prairie and coastal grasslands, meadows, shrublands, marshes, and agricultural areas. There are
(Table 1, Figure 3). This species has been o



with a mixture of short and tall grasses and forbs. This species is an uncommon breeder in New
. Based on state
natural history data provided to the Applicant under NDA,
and native prairie. This species is found all over New York. There are
3). This species has
5.2.3 Reptile Species
state-listed reptile species of concern were identified during the desktop review (Table 5).
; ST) – reside in deciduous hardwood
forests with rugged terrain. Within the Based on state natural history data provided to the Applicant under NDA, this species
has
bogs, and seasonal pools a seasonal pool
throughout New York state.
5.2.4 Amphibian Species
state-listed amphibian species of concern were identified during the desktop review (Table
; SOSC) – reside in
moist forest floor of deciduous or mixed woodlands near ephemeral bodies of water. Within the
; SOSC) – inhabit
upland deciduous or mixed woodlands as well as bottomland forests adjacent to disturbed and

5.2.5 Fish Species

No state-listed fish species were identified during the desktop review or during field reconnaissance within the Project Study Area.



5.2.6 Insect Species

No state-listed insect species were identified during the desktop review within the Project Study Area.

5.2.7 Plant Species

No state-listed plant species were identified during the desktop review within the Project Study Area.



Fable 5: New York State-Listed Species Potentially Occurring in the Project Study Area						
Common Name	Scientific Name	Status ¹	Habitat Requirements	Recorded On-Site	Potential for Occurrence within Project Study Area	Source(s) ²
		1				



Common Name	Scientific Name	Status ¹	Habitat Requirements	Recorded On-Site	Potential for Occurrence within Project Study Area	Source(s) ²



Common Name	Scientific Name	Status ¹	Habitat Requirements	Recorded On-Site	Potential for Occurrence within Project Study Area	Source(s) ²

SunEast Flat Creek Solar Wildlife Site Characterization Report



Common Name	Scientific Name	Status ¹	Habitat Requirements	Recorded On-Site	Potential for Occurrence within Project Study Area	Source(s) ²
V						

¹ FE: Federally Endangered; FT: Federally Threatened; SE: State Endangered; ST: State Threatened; SOSC: State Species of Special Concern

² A: Observed on-site by TRC Biologists

B: Observed during avian surveys

C: NYSDEC/NYNHP mammals webpage Range maps and Descriptions

D: Species identified by USFWS online database (IPaC)

E: Species identified in the NYS Breeding Bird Atlas

F: Species identified in the Audubon Christmas Bird Count

G: Species identified in eBird

H: Species identified in the NYS Amphibian and Reptile Atlas Project

I: Species identified in the NYSDEC Statewide Fisheries Database

J: Species identified by USGS Breeding Bird Survey

K: Species distribution Range in NYSDEC SWAP

L: Species identified in the Bat Conservational International Range Maps

M: Species identified during consultations with state or federal agencies

N: Species identified in NYSDEC Nature Explorer



5.3 Climate Change for Bird Species

Climate change has been proven to adversely alter significant portions of flora and fauna home range. According to National Audubon Society (Audubon), climate change is the number one threat to U.S. birds (Audubon's Birds and Climate Change Report, 2014). Solar and other green energy projects are an important tool for combating this threat and generating clean, renewable energy is not mutually exclusive with natural resource protection.

Audubon's *Survival by Degrees* climate change model assesses the vulnerability of over 600 avian species to climate change (Audubon 2021c). According to the model, the summer and winter range and distribution of each bird species presented in this document is vulnerable as a result of an increase in ambient air temperature ranging from 1.5-3.0°C. The model results indicate that each species' range and distribution will shift, expand, or contract as a result of increased global temperatures.

Table 6 includes the climate vulnerability for listed bird species identified as having a moderate or high potential to occur within the Project Study Area. The summer range of arctic birds, boreal birds, coastal eastern forest birds, and water birds within the Project Study Area are assigned a high vulnerability ranking, representing a moderate to high loss of habitat for year-round residents and nesting, foraging, and migratory populations. According to Audubon's climate change model, birds with high to moderate vulnerability may lose more than half their current range and will be forced to search for suitable habitat elsewhere. However, the winter range of these species is assigned a lesser vulnerability ranking, representing a stable, low, to moderate loss of habitat in southern climates where migrating populations spend the winter (Audubon 2021c).

Common Name	Seasonal Range within the 5-mile WSCR Study	Overall Species Vulnerability Status for each Warming Scenario			
	Area	+1.5 °C	+2.0 °C	+3.0 °C	
			1		
			1		
			1		
			<u> </u>		
			<u> </u>		

Table 6: Climate Vulnerability for State-Listed Species within the WSCR Study Area



Table 0. Omnate Vumerability for Otate-Listed Opecies within the WOON Otady Area				
Common Name	Seasonal Range within the 5-mile WSCR Study Area	Overall Species Vulnerability Status for each Warming Scenario		
		+1.5 °C	+2.0 °C	+3.0 °C

Table 6: Climate Vulnerability for State-Listed Species within the WSCR Study Area

Source: Audubon 2021b.

Aside from the National Audubon Society *Survival by Degrees* climate change model, no regionalor species-specific climate change models or model results were identified for the wildlife and fish species presented in this document.

The National Audubon Society Survival by Degrees climate change models are based on the assumption that a substantial increase (+1.5-3.0°C) in ambient air temperature is expected to occur over the next 80 year, resulting in regional changes to habitat distribution and seasonal ranges for nearly two-thirds of bird species. Efforts to mitigate climate change, however, may reduce those impacts substantially (Audubon 2021c). Rapid deployment of renewable energy production will help to reduce and/or replace existing fossil fuel emitting energy systems, thereby reducing carbon emissions (Audubon 2021c). The SunEast Flat Creek Solar Project would contribute to this necessary reduction of global carbon emissions. According to the National Audubon Society, if global ambient air temperatures are limited to 1.5°C above pre-industrial levels, the risk of bird species vulnerability will be lessened in comparison to projections associated with traditional and current fossil fuel emission sources. To quote Audubon's Director of Climate Communications and Strategy, Lynsey Smithson-Stanley, and co-author, Liz Bergstrom, Audubon's Climate Content Manager, "All energy development has some impact on habitats and wildlife, and in the big picture, the threat of climate change poses a greater risk to entire species than renewable energy installations generally pose to individual birds" (Audubon 2017).



6.0 Conclusions

This document is intended to provide sufficient information to ORES and NYSDEC to determine whether occupied habitat for NYS listed species exists on site or whether additional surveys may be necessary. This compilation of information on species and habitat preferences is provided to assist in the assessment of the likelihood that occupied habitat for NYS-protected species exists on site and whether the construction and operation of a ground-mounted solar energy facility would affect NYS listed species. Based on this review, the following conclusions were identified that will be considered during facility design which will be submitted as part of the Project's 94-c application:

- The Project Study Area is made up of private and protected lands and is dominated by agricultural land uses (3,284.85 acres) consisting of hayfields, pasturelands, and row crops that are likely continuously rotated between varying agricultural uses.
- 52.08 acres of NYSDEC-mapped wetlands and approximately 12.23 miles of NYSDECmapped waterbodies were identified within the Project Study Area.



• SunEast Flat Creek Solar aims to harness the safe, abundant, renewable, and nonpolluting energy from the sun to help combat the global effects of climate change and advance the goals set forth in the Climate Leadership and Community Protection Act (CLCPA).



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Appendix A:

Figures












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DECIDUOUS FOREST LAND COVER TYPE EVERGREEN FOREST WOODY WETLANDS OPEN WATER MIXED FOREST BARREN LAND (ROCK/SAND/CLAY)

N 2,000 FEET

LAND COVER IN THE PROJECT AREA

SUNEAST FLAT CREEK SOLAR MONTGOMERY COUNTY, NY FIGURE 3 APRIL 2022 MAP PRODUCED BY

DATA: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES, GIS PROGRAM OFFICE, 2020 LAND COVER: MRLC NATIONAL LAND COVER DATABASE 2019 BASE MAP: GOOGLE ORTHO PHOTOGRAPHY, 2021





























Appendix B:

Wildlife Inventory Tables

Common Name	Scientific Name	Species Status ¹	NYSDEC ERM/EAF/Agency Consultation	Species distribution range in the NYSDEC SWAP	USFWS IPaC	USGS Breeding Bird Survey	NYS Breeding Bird Atlas III ²	eBird	Audubon Christmas Bird Counts
Alder Flycatcher	Empidonax alnorum					x	x	x	
		SOSC							
American Black Duck	Anas rubripes	SGCN-HP		X				x	X
American Crow	Corvus brachyrhynchos					X	X	x	X
American Goldfinch	Spinus tristis					x	x	x	x
American Kestrel	Falco sparverius			X		X	X	x	X
American Pipit	Anthus rubescens							x	
American Redstart	Setophaga ruticilla					X	X	x	
American Robin	Turdus migratorius					X	X	x	X
American Tree Sparrow	Spizelloides arborea						X	x	X
American White Pelican	Pelecanus erythrorhynchos						X	x	
American Wigeon	Anas americana							x	
American Woodcock	Scolopax minor			X			X	x	
		ST							
Baltimore Oriole	Icterus galbula					X	X	х	
Bank Swallow	Riparia riparia					X	X	х	
Barn Swallow	Hirundo rustica					x	X	x	
Barred Owl	Strix varia					X	X	x	x
Bay-breasted Warbler	Setophaga castanea	SGCN-HP		x				x	
Belted Kingfisher	Megaceryle alcyon					X	X	x	x
Black Vulture	Coragyps atratus						X	x	X
Black-and-white Warbler	Mniotilta varia					x		x	
Black-billed Cuckoo	Coccyzus erythropthalmus			X	X	X		x	
Blackburnian Warbler	Setophaga fusca					X		X	
Black-capped Chickadee	Poecile atricapillus					X	X	X	X
Black-crowned Night-Heron	Nycticorax nycticorax			X				X	
Blackpoll Warbler	Setophaga striata							X	
Black-throated Blue Warbler	Setophaga caerulescens			X		X		X	
Black-throated Green Warbler	Setophaga virens		ļ			X	X	X	
Blue Jay						X	X	X	X
Blue-gray Gnatcatcher	Polioptila caerulea					X		X	
Blue-neaded vireo	Vireo solitarius					X	X	X	
Blue-winged Teal	Anas discors			X			X	X	
Blue-winged Warbler				X	X	X	X	X	
Bobolink	Dolichonyx oryzivorus	SGCN-HP		X	X	X	X	X	~
Broad wingod Hawk				X		Y	v	X	X
Brown Crooper	Corthia amaricana					×	X	X	~
Brown Thrashor				v		Y	X	X	X
Brown-beaded Cowbird				X		X	X V	X	v
Bufflebeed	Ruconhala alboala		ł			×	X	X	X
Cackling Goose	Branta hutchinsii						~	× ×	^
Canada Goose	Branta canadensis					Y	¥	×	Y
Canada Warbler	Cardellina canadensis	SGCN-HP		v		^	^	~ ~	^
Canvasback	Avthva valisineria			^				× ×	
Cape May Warbler	Setophaga tigrina	SGCN-HP		Y				× ×	
Carolina Wren	Thryothorus Iudovicianus			^		Y	¥	× ×	y v
Caspian Tern	Hydroprogne caspia			Y Y		^	^	x x	^
Cattle Egret	Bubulcus ibis	SGCN-HP	1	x				x	
			1		1	1	1		1

Common Name	Scientific Name	Species Status ¹	NYSDEC ERM/EAF/Agency Consultation	Species distribution range in the NYSDEC SWAP	USFWS IPaC	USGS Breeding Bird Survey	NYS Breeding Bird Atlas III ²	eBird	Audubon Christmas Bird Counts
Cedar Waxwing	Bombycilla cedrorum					x	X	x	x
Chestnut-sided Warbler	Setophaga pensylvanica					x	Х	х	
Chimney Swift	Chaetura pelagica					X	Х	х	
Chipping Sparrow	Spizella passerina					X	Х	х	X
Clay-colored Sparrow	Spizella pallida							x	
Cliff Swallow	Petrochelidon pyrrhonota					x	Х	x	
Common Gallinule	Gallinula galeata							х	
Common Goldeneye	Bucephala clangula			X			Х	х	X
Common Grackle	Quiscalus quiscula					x	Х	х	X
		SOSC							
Common Merganser	Mergus merganser					x	X	x	X
		SOSC							
Common Raven	Corvus corax					X	X	х	X
Common Redpoll	Acanthis flammea							х	X
		ST							
Common Yellowthroat	Geothlypis trichas					x	<u>X</u>	x	
		SOSC							
Dark-eyed Junco	Junco hyemalis					x	X	х	X
Dickcissel	Spiza americana			x				x	
Double-crested Cormorant	Phalacrocorax auritus							x	
Downy Woodpecker	Picoides pubescens					X	X	х	X
Eastern Bluebird	Sialia sialis					x	X	х	x
Eastern Kingbird	Tyrannus tyrannus					x	Х	х	
Eastern Meadowlark	Sturnella magna	SGCN-HP		x		X	X	х	X
Eastern Phoebe	Sayornis phoebe					x	X	x	
Eastern Screech-Owl	Megascops asio					X		х	X
Eastern Towhee	Pipilo erythrophthalmus					x	X	х	X
Eastern Wood-Pewee	Contopus virens					x	X	x	
European Starling	Sturnus vulgaris					x	X	x	x
Evening Grosbeak	Coccothraustes vespertinus							x	
Field Sparrow	Spizella pusilla					x	X	x	
Fish Crow	Corvus ossifragus							x	
Fox Sparrow	Passerella iliaca							X	
Gadwall	Anas strepera							x	
		SE							
Golden-crowned Kinglet	Regulus satrapa						X	x	X
		SOSC							
Gray Catbird	Dumetella carolinensis					X	X	x	
Great Black-backed Gull	Larus marinus							X	X
Great Blue Heron	Ardea herodias					X	X	X	X
Great Crested Flycatcher	IVIYIArchus crinitus					X	X	X	
Great Lorned Curl	Ardea alba			X			X	X	
Great Homed OWI							X	X	X
Greater Scaup	Aytnya marila							X	
Greater Vellewiess	Ariser albitrons							X	
Greater Yellowlegs	I ringa melanoleuca			X				X	
	Butorides virescens					X	X	X	
Green-winged real	Arias crecca						X	X	
пану ихооорескег	Picolaes Villosus		I			X	X	Х	X

Common Name	Scientific Name	Species Status ¹	NYSDEC ERM/EAF/Agency Consultation	Species distribution range in the NYSDEC SWAP	USFWS IPaC	USGS Breeding Bird Survey	NYS Breeding Bird Atlas III ²	eBird	Audubon Christmas Bird Counts
		ST							
Hermit Thrush	Catharus guttatus					x	X	x	
Herring Gull	Larus argentatus							x	x
Hooded Merganser	Lophodytes cucullatus						X	x	x
Hooded Warbler	Setophaga citrina					x		x	
Horned Grebe	Podiceps auritus			X				x	
		SOSC							
House Finch	Haemorhous mexicanus					x	X	x	x
House Sparrow	Passer domesticus					x	X	x	x
House Wren	Troglodytes aedon					x	X	x	
Indigo Bunting	Passerina cyanea					x	X	x	
Killdeer	Charadrius vociferus					x	X	x	
Lapland Longspur	Calcarius lapponicus							x	x
Least Flycatcher	Empidonax minimus					x		x	
Least Sandpiper	Calidris minutilla							x	
Lesser Scaup	Aythya affinis			X				x	
Lesser Yellowlegs	Tringa flavipes							x	
Lincoln's Sparrow	Melospiza lincolnii							x	
Little Blue Heron	Egretta caerulea			X				x	
Long-tailed Duck	Clangula hyemalis			X				x	
Louisiana Waterthrush	Parkesia motacilla			X		x	X	x	
Magnolia Warbler	Setophaga magnolia					x		x	
Mallard	Anas platyrhynchos					x	X	x	x
Marsh Wren	Cistothorus palustris							x	
Merlin	Falco columbarius							x	x
Mississippi Kite	lctinia mississippiensis							x	
Mourning Dove	Zenaida macroura					X	Х	X	X
Mourning Warbler	Geothlypis philadelphia						X	x	
Mute Swan	Cygnus olor							x	
Nashville Warbler	Oreothlypis ruficapilla						X	x	
Northern Bobwhite	Colinus virginianus	SGCN-HP				x			
Northern Cardinal	Cardinalis cardinalis					X	X	x	X
Northern Flicker	Colaptes auratus					X	X	x	X
		SOSC	_	_			_		
		ST							
Northern Mockingbird	Mimus polyglottos					X		х	X
Northern Parula	Setophaga americana							х	
Northern Pintail	Anas acuta			X				x	X
Northern Rough-winged Swallow	Stelgidopteryx serripennis					X	X	X	
Northern Saw-whet Owl	Aegolius acadicus								X
Northern Shoveler	Anas clypeata							x	
Northern Shrike	Lanius excubitor							x	x
Northern Waterthrush	Parkesia noveboracensis							x	
Orchard Oriole	Icterus spurius					x		x	
		SOSC							
Ovenbird	Seiurus aurocapilla			ļ		x	x	x	
Palm Warbler	Setophaga palmarum							x	
Pectoral Sandpiper	Calidris melanotos							x	
		SE							

Common Name	Scientific Name	Species Status ¹	NYSDEC ERM/EAF/Agency Consultation	Species distribution range in the NYSDEC SWAP	USFWS IPaC	USGS Breeding Bird Survey	NYS Breeding Bird Atlas III ²	eBird	Audubon Christmas Bird Counts
Philadelphia Vireo	Vireo philadelphicus							x	
		ST							
Pileated Woodpecker	Dryocopus pileatus					x	X	x	X
Pine Grosbeak	Pinicola enucleator							x	
Pine Siskin	Spinus pinus					X		x	X
Pine Warbler	Setophaga pinus					x		x	
Prairie Warbler	Setophaga discolor			x	x	x		x	
Purple Finch	Haemorhous purpureus					x	x	x	x
Purple Martin	Progne subis					x			
Redhead	Avthva americana							x	
Red Crossbill	l oxia curvirostra							~	x
Red-bellied Woodpecker	Melanerpes carolinus					x	x	x	x
Red-breasted Merganser	Mergus serrator					~	^	x	^
Red-breasted Nuthatch	Sitta canadensis					x	x	x	x
Red-eved Vireo	Vireo olivaceus					x	x	x	~
r		SOSC				~	X		
Red-necked Grebe	Podiceps grisegena							x	
		SOSC							
Red-tailed Hawk	Buteo iamaicensis					x	x	x	x
Red-winged Blackbird	Agelaius phoeniceus					x	x	x	x
Ring-billed Gull	Larus delawarensis							x	x
Ring-necked Duck	Aythya collaris						x	x	
Ring-necked Pheasant	Phasianus colchicus					x	x	x	x
Rock Pigeon	Columba livia					X	x	x	X
Rose-breasted Grosbeak	Pheucticus Iudovicianus					X	x	x	
Rough-legged Hawk	Buteo lagopus						x	x	X
Ruby-crowned Kinglet	Regulus calendula						Х	x	
Ruby-throated Hummingbird	Archilochus colubris					x		х	
Ruddy Duck	Oxyura jamaicensis			X				x	
Ruffed Grouse	Bonasa umbellus			X				x	X
Rusty Blackbird	Euphagus carolinus	SGCN-HP		X				x	
Sandhill Crane	Antigone canadensis							x	
Savannah Sparrow	Passerculus sandwichensis					X	x	x	
Scarlet Tanager	Piranga olivacea			X		x	X	x	
Sedge Wren	Cistothorus platensis	ST	X	_					_
		SOSC							
		SE							
Snow Bunting	Plectrophenax nivalis						X	x	X
Snow Goose	Chen caerulescens							X	X
Snowy Owl	Bubo scandiacus							X	
Solitary Sandpiper	I ringa solitaria							x	
Song Sparrow	Ivielospiza melodia					X	X	X	X
Spotted Sandpiper	Actitis macularius					X		X	
Swainson's Thrush	Catharus ustulatus							X	
Swamp Sparrow	Ivielospiza georgiana					X	X	X	
				X				X	
	racnycineta bicolor					X	X	X	
	Baeolophus bicolor					X	X	X	X
Turkey Vulture	Catnartes aura					X	X	X	X

Common Name	Scientific Name	Species Status ¹	NYSDEC ERM/EAF/Agency Consultation	Species distribution range in the NYSDEC SWAP	USFWS IPaC	USGS Breeding Bird Survey	NYS Breeding Bird Atlas III ²	eBird	Audubon Christmas Bird Counts
		ST						X	
Veery	Catharus fuscescens					X	X	х	
		SOSC							
Virginia Rail	Rallus limicola							x	
Warbling Vireo	Vireo gilvus					X	X	x	
White-breasted Nuthatch	Sitta carolinensis					X	X	x	x
White-crowned Sparrow	Zonotrichia leucophrys							x	X
White-eyed Vireo	Vireo griseus					x			
White-rumped Sandpiper	Calidris fuscicollis							x	
White-throated Sparrow	Zonotrichia albicollis					x	Х	x	X
Wild Turkey	Meleagris gallopavo					X	X	x	
Willow Flycatcher	Empidonax traillii			X		X		x	
Wilson's Snipe	Gallinago delicata						X	x	
Wilson's Warbler	Cardellina pusilla							x	
Winter Wren	Troglodytes hiemalis					X		x	
Wood Duck	Aix sponsa					X		x	
Wood Thrush	Hylocichla mustelina			X	x	x	Х	x	
Yellow Warbler	Setophaga petechia					X	X	x	
Yellow-bellied Flycatcher	Empidonax flaviventris							х	
Yellow-bellied Sapsucker	Sphyrapicus varius					X	Х	х	
Yellow-billed Cuckoo	Coccyzus americanus					x		x	
		SOSC							
Yellow-rumped Warbler	Setophaga coronata					X		x	
Yellow-throated Vireo	Vireo flavifrons					X	X	x	

Table B-2. Mammal Species Potentially Occurring within the Flat Creek Solar Project Study Area

Common Name	Scientific Name	Species Status ¹	USFWS Online Database (IPaC)	NYSDEC ERM/EAF/Agency Consultation	New York Nature Explorer	NYSDEC Mammals Range Maps and Descriptions	Species Distribution Range in the NYSDEC SWAP	Bat Conservation International	Observed on-site by TRC Biologists
Little bassing and is	Advedia localifactura	δE							
Little brown myotis	Myotis lucitugus					X	X	X	
Hoary bat	Lasiurus cinereus				x		X	X	
Eastern red bat	Lasiurus borealis				x		X	X	
Silver-haired bat	Lasionycteris noctivagans	07			x		X	X	
		SI							
		SOSC							
Little Brown Bat	Myotis lucifugus				x				
Eastern Pipistrelle	Perimyotis subflavus								
Big Brown Bat	Eptesicus fuscus							X	
Northern Long-eared Myotis	Myotis septentrionalis							X	
Black Bear	Ursus americanus					X			
Bobcat	Lynx rufus					X			
Eastern Coyote	Canis latrans					X			X
Gray Fox	Urocyon cinereoargenteus					X			
Red Fox	Vulpes vulpes					x			
White-tailed Deer	Odocoileus virginianus					x			X
Long-tailed Weasel	Mustela frenata					x			
Mink	Mustela vison					x			
Muskrat	Ondatra zibethicus					x			
Raccoon	Procyon lotor					x			
River Otter	Lontra canadensis					x			
Striped Skunk	Mephitis mephitis					x			
Virginia Opossum	Didephis virginiana					x			
Eastern Chipmunk	Tamias striatus					x			
Woodchuck	Marmota monax					x			
Eastern Gray Squirrel	Sciurus carolinensis					x			
Eastern Fox Squirrel	Sciurus niger					x			
Red Squirrel	Tamiasciurus hudsonicus					x			
Southern Flying Squirrel	Glaucomys volans					x			
Northern Flying Squirrel	Glaucomys sabrinus					x			
American Beaver	Castor canadensis					x			
North American Deermouse	Peromyscus maniculatus					x			
White-footed Deermouse	Peromyscus leucopus					x			
Allegheny Woodrat	Neotoma magister					x			
Southern Red-backed Vole	Myodes gapperi					x			
Meadow Vole	Microtus pennslyvanicus					x			
Rock Vole	Microtus chrotorrhinus					x			
Woodland Vole	Microtus pinetorum					x			
Southern Bog Lemming	Synaptomys cooperi					x			
Roof Rat	Rattus rattus					x			
Brown Rat	Rattus norvegicus					x			
House Mouse	Mus musculus					x			
Meadow Jumping Mouse	Zapus hudsonius					x			
Woodland Jumping Mouse	Napaeozapus dorsata					x			
North American Porcupine	Erethizon dorsata					x			

Table B-2. Mammal Species Potentially Occurring within the Flat Creek Solar Project Study Area

Common Name	Scientific Name	Species Status ¹	USFWS Online Database (IPaC)	NYSDEC ERM/EAF/Agency Consultation	New York Nature Explorer	NYSDEC Mammals Range Maps and Descriptions	Species Distribution Range in the NYSDEC SWAP	Bat Conservation International	Observed on-site by TRC Biologists
Eastern Cottontail	Sylvilagus floridanus					x			
Masked Shrew	Sorex cinereus					x			
Pygmy Shrew	Sorex hoyi					x			
Long-tailed Shrew	Sorex dispar					x			
Smoky Shrew	Sorex fumeus					x			
Least Shrew	Cryptotis parva					x			
Northern Short-tailed Shrew	Blarina brevicauda					x			
Water Shrew	Sorex palustris					x			
Hairy-tailed mole	Parascalops breweri					x			
Star-nosed mole	Condylura cristata					X			X

¹FT = Federal Threatened; FE = Federal Endangered; ST = State Threatened; SE = State Endangered; SOSC = Species of Special Concern; HPSGCN = High Priority Species of Greatest Conservation Need

Table B-3. Fish Species Potentially Occurring within the Flat Creek Solar Project Study Area

	1	1	1		
			Species		NYSDEC Statewide
		Species	Distribution	New York	Fisheries
Common	Scientific Name	Status ²	Pango in the	Nature	Database/Fish Atlas
		Status		Explorer	Maps of New York
			NYSDEC SWAP	-	Atlas of Inland Fishes
American Eel	Anguilla rostrata	SGCN-HP	x		x
Blueback Herring	Alosa aestivalis		x		x
Gizzard Shad	Dorosoma cepedianum				x
Central Stoperoller	Campostoma anomalum				x
Northern Redbelly Dace	Chrosomus eos				~ ×
Rodsido Daco	Clipostomus olongatus				* *
Setiefin Shiper					<u>×</u>
					X
Spottin Sniner	Cyprinella spiloptera				X
Common Carp	Cyprinus carpio				X
Cutlip Minnow	Exoglossum maxillingua				x
Brassy Minnow	Hybognathus hankinsoni				x
Common Shiner	Luxilus cornutus				x
Alleghany Pearl Dace	Margariscus margarita				x
Golden Shiner	Notemigonus crysoleucas				x
Emerald Shiner	Notropis atherinoides				x
Bridle Shiner	Notropis bifrenatus	1	х		x
Spottail Shiner	Notropis hudsonius				x
Bosyface Shiner	Notropis rubellus				× ×
Bluptposo Mippow	Pimonhalos notatus				×
Eathood Minnow	Pimophalos promolas				^
	Plinephales prometas				X
Eastern Blackhose Dace	Rhinichthys atratulus				X
Longnose Dace	Rhinichthys cataractae				X
Creek Chub	Semotilus atromaculatus				X
Fallfish	Semotilus corporalis				X
White Sucker	Catostomus commersonii				x
Northern Hog Sucker	Hypentelium nigricans				x
Shorthead Redhorse	Moxostoma macrolepidotum				x
Yellow Bullhead	Ameiurus natalis				x
Brown Bullhead	Ameiurus nebulosus				x
Stonecat	Noturus flavus	1			x
Margined Madtom	Noturus insignis				x
Rainbow Smelt	Osmerus mordax		x		x
Lake Whitefish			~		×
Rainbow Trout	Oncorbynchus mykiss				~
Brown Trout	Salmo trutta				× ×
Brook Trout	Salualinua fontinalia				X
BIOOK HOUL					X
					X
Northern Pike	Esox lucius				x
Chain Pickerel	Esox niger				x
Central Mudminnow	Umbra limi				X
Trout-perch	Percopsis omiscomaycus				x
Brook Silverside	Labidesthes sicculus				x
Banded Killfish	Fundulus diaphanus				x
Brook Stickleback	Culaea inconstans				x
Slimy Sculpin	Cottus cognatus				x
Rock Bass	Ambloplites rupestris				x
Redbreast Sunfish	Lepomis auritus	1			x
Green Sunfish	Lepomis cvanellus				x
Pumpkinseed	Lepomis gibbosus				x
Bluegill	Lepomis macrochirus				x
Smallmouth Bass	Micropterus dolomieu				v v
Lorgomouth Bass	Micropterus colmoidos				* *
Black Crappio	Demovie pigromoculature				<u>×</u>
Diauk Ciappie	Ethoootomo bloggista				X
					X
Fantall Darter	Etneostoma flabellare				X
Tessellated Darter	Etheostoma olmstedi				X
Yellow Perch	Perca flavescens	I			X
Logperch	Percina caprodes				X
Walleye	Sander vitreus				X
Freshwater Drum	Aplodinotus grunniens				x

Table B-3. Fish Species Potentially Occurring within the Flat Creek Solar Project Study Area

Common Scientific Name	Species Status ²	Species Distribution Range in the NYSDEC SWAP	New York Nature Explorer	NYSDEC Statewide Fisheries Database/Fish Atlas Maps of New York Atlas of Inland Fishes
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¹ No fish species were identified by the USFWS IPaC as having the potential to occur within the 5-mile Study Area (USFWS 2021a). No fish species were observed during on-site surveys (TRC 2020a,b,c). No fish species were identified by the NYNHP as having the potential to occur within or immediately adjacent to the Project Area (NYNHP 2020).

² SE = State Endangered; ST = State Threatened; SOSC = Species of Special Concern; HPSGCN = High Priority Species of Greatest Conservation Need; SGCN = Species of Greatest Conservation Need.

Sources: USFWS 2021a; NYSDEC 2021a,b,c, j 2020, 2015

Table B-4. Reptile and Amphibian Species Potentially Occurring within the Flat Creek Solar Project Study Area

-		-		
Common Name	Scientific Name	Species Status ¹	NYS Amphibian & Reptile Atlas	NYSDEC Range Maps and Description s
		SOSC		
		SOSC		
Spotted Salamander	Ambystoma maculatum		x	
Red-spotted Newt	Notophthalmus v. viridescens		x	x
Northern Dusky Salamander	Desmognathus fuscus		x	
Northern Redback Salamander	Plethodon c. cinereus		x	
Northern Spring Salamander	Gyrinophilus p. porphyriticus		x	
Northern Two-lined Salamander	Eurycea bislineata		x	
Eastern American Toad	Bufo a. americanus		x	
Gray Treefrog	Hyla versicolor		x	
Northern Spring Peeper	Pseudacris c. crucifer		x	
Bullfrog	Rana catesbeiana		x	x
Green Frog	Rana clamitans melanota		x	
Mink Frog	Rana septentrionalis		x	
Wood Frog	Rana sylvatica		х	
Northern Leopard Frog	Rana pipiens		х	
Pickerel Frog	Rana palustris		x	
Common Snapping Turtle	Chelydra s. serpentina		x	x
		SOSC		
Painted Turtle	Chrysemys picta		x	
		ST		
Northern Water Snake	Nerodia s. sipedon		x	
Northern Brown Snake	Storeria d. dekayi		x	
Northern Redbelly Snake	Storeria o. occipitomaculata		x	
Common Garter Snake	Thamnophis sirtalis		x	
Eastern Ribbon Snake	Thamnophis sauritus		x	

Table B-5 Species Observed by TRC Biologists On-Site at Flat Creek Solar Project Study Area

Common Name	Scientific Name	Species Status
		SOSC
American Crow	Corvus brachyrhynchos	
American Goldfinch	Spinus tristis	
American Kestrel	Falco sparverius	HPSGCN
American Robin	Turdus migratorious	
American Tree Sparrow	Spizelloides arborea	
American Woodcock	Scolopax minor	
		ST
Barred Owl	Strix varia	
Black Vulture	Coragyps atatus	
Black-capped Chickadee	Poecile atricapillus	
Blue Jay	Cyanocitta cristata	
Canada Goose	Branta canadensis	
Cedar Waxwing	Bombycilla cedrorum	
Common Grackle	Quiscalus quiscula	
Common Raven	Corvus corax	
		SOSC
Dark-eyed Junco	Junco hyemalis	
Downy Woodpecker	Picoides pubescens	
Eastern Bluebird	Sialia sialis	
European Starling	Sturnus vulgaris	
Field Sparrow	Spizella pusilla	
Great Blue Heron	Ardea herodias	
Hairy Woodpecker	Dryobates villosus	
Horned Lark	Eremophila alpestris	
House Sparrow	Passer domesticus	
Mallard	Anas platyrhnynchos	
Merlin	Falco columbarius	
Mourning Dove	Zenaida macroura	
Northern Cardinal	Cardinalis cardinalis	
Northern Flicker	Colaptes auratus	
		ST
		SOSC
		SE
Pileated Woodpecker	Dryocopus pileatus	
Red-bellied Woodpecker	Melanerpes carolinus	
Red-tailed Hawk	Buteo jamaicensis	
Red-winged Blackbird	Agelaius phoeniceus	
Ring-billed Gull	Larus delawarensis	
Ring-necked Pheasant	Phasianus colchicus	
Rock Pigeon	Columba livia	
Rough-legged Hawk	Buteo lagopus	
Ruffed Grouse	Bonasa umbellum	HPSGCN
		SOSC
		SE
Snow Bunting	Plectrophenax nivalis	
Song Sparrow	Melospiza melodia	
Tufted Titmouse	Baeolophus bicolor	
Turkey Vulture	Cathartes aura	
White-throated Sparrow	Zonotrichia albicollis	
Wild Turkey	Meleagris gallopavo	

Table B-5 Species Observed by TRC Biologists On-Site at Flat Creek Solar Project Study Area

Wilson's Snipe	Gallinago delicata	
Yellow-bellied Sapsucker	Sphyrapicus varius	
Eastern Coyote	Canis latrans	
White-tailed Deer	Odocoileus virginianus	
Star-nosed mole	Condylura cristata	



Appendix C:

Correspondence



United States Department of the Interior

FISH AND WILDLIFE SERVICE New York Ecological Services Field Office 3817 Luker Road Cortland, NY 13045-9385 Phone: (607) 753-9334 Fax: (607) 753-9699 http://www.fws.gov/northeast/nyfo/es/section7.htm



In Reply Refer To: Project Code: 2022-0034466 Project Name: Flat Creek Solar April 21, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/ executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office 3817 Luker Road Cortland, NY 13045-9385 (607) 753-9334

Project Summary

-	
Project Code:	2022-0034466
Event Code:	None
Project Name:	Flat Creek Solar
Project Type:	Power Gen - Solar
Project Description:	The Flat Creek Solar Project is an approximately 300-megawatt (MW)
	photovoltaic solar energy generation facility in the Towns of Root and
	Canajoharie, Montgomery County, New York comprised of 54 parcels on
	approximately 4,611 acres of private land owned by multiple participating
	landowners consisting of cultivated crops, hay/pasture, woody wetlands,
	and mixed forests.

Project Location:

Approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@42.856457500000005,-74.49642489398005,14z</u>



Counties: Montgomery County, New York

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
IPaC User Contact Information

Agency:	TRC
Name:	Isabel Brofsky
Address:	10 Maxwell Drive
Address Line 2:	Suite #200
City:	Clifton Park
State:	NY
Zip:	12065
Email	ibrofsky@trccompanies.com
Phone:	8609514074

IPaC

U.S. Fish & Wildlife Service

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to astrust resources) under the U.S. Fish and WildlifeService's (USFWS) jurisdiction that are known or expected to be on or near the project areæferenced below. The list may also include trust resources that occur outside of the project areæfut that could potentially be directly or indirectly **f**ected by activities in the project area. However, determining the likelihood and extent of **f**ects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section thatfollows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location



Local office

New York Ecological Services Field Office

└ (607) 753-9334 **i** (607) 753-9699

3817 Luker Road

Cortland, NY 13045-9385

http://www.fws.gov/northeast/nyfo/es/section7.htm

NOTFORCONSULTATIO

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered An AOI includes areas outside of the species range if the species could be indirectly facted by activities in that area (e.g., placing a dam upstream of *a* ish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating wate flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project areaTo fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act**requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local force and a species list which fulfills this requirement can**only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the locafield office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries ar**not** shown on this list. Please contact<u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>

1. Species listed under the<u>Endangered Species Ac</u>tare threatened or endangered; IPaC also shows species that are candidates, or proposed, for listingSee the <u>listing status page</u>for more information. IPaC only showsspecies that are regulated by USFWS (see FAQ). 2. <u>NOAA Fisheries</u> also known as the National Marine Fisheries Service (NMFS), is an **f**oice of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

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	-01		

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Adatand the Bald and Golden Eagle Protection Act€.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as describedelow.

- 1. The Migratory Birds Treaty Actof 1918.
- 2. The Bald and Golden Eagle Protection Actof 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern<u>https://www.fws.gov/program/migratory-birds/specie</u>s
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-tak</u>e-<u>migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/defaultfiles/documents/nationwide-standard-conservation-measures.pdf</u>

The birds listed below are birds of particular concern either because they occur on the <u>USFWS Birds of Conservation Concerr</u>(BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ<u>below</u>. This is not a list of every bird you mayfind in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the<u>E-bird data mapping tool</u>(Tip: enter your location, desired date range and a species on your list). For projects that occur **ff** the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found<u>below</u>.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON(IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Dec 1 to Aug 31
Black-billed Cuckoo Coccyzus erythropthalmus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <u>https://ecos.fws.gov/ecp/species/939</u> 9	Breeds May 15 to Oct 10
Blue-winged Warbler Vermivora pinus This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 1 to Jun 30
Bobolink Dolichonyx oryzivorus	Breeds May 20 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	L
Prairie Warbler Dendroica discolor This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Wood Thrush Hylocichla mustelina This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31
Probability of Presence Summary	

The graphs below provide our best understanding of when birds of concern armost likely to be present in your project area. This information can be used to tailor and schedulgour project activities to avoid or minimize impacts to birdsPlease make sure you read and understand the FAQ"Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence(

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year(A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presenceThe survey effort (see below) can be used to establish aevel of confidence in the presence score. One can have higher confidence in the presence score if thecorresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey evention the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability f presence is calculated. This is the probability of presence divided by themaximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that he probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season(=)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed forthat species in the 10km grid cell(s) your project area overlapsThe number of surveys is expressed as a rangefor example, 33 to 64 surveys.

To see a bar's survey fort range, simply hover your mouse cursor over the bar.

No Data (–)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas **o**ff the Atlantic coast, where bird returns are based on all years of availabledata, since data in these areas is currently much more sparse.

			🗖 pr	obabilit	y of pre	esence	breed	ling sea	son	survey e	ffort	– no data
SPECIES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC

Bald Eagle Non-BCC Vulnerable (This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development			+ + + + +		-	
development or activities.) Black-billed Cuckoo BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)		R		S)\
Blue-winged Warbler BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)	TF	+·	· I - • I + • I		-++	

Bobolink BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)	++ NNNNNNNNNNNNN
Prairie Warbler BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)	
Wood Thrush BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)	

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation these measures is particularly important when birds are most likely to occur in the project area. When birds maye breeding in the area, identifying the locations of any active nests and avoiding their destruction is a verbelpful impact minimization measure. To see when birds are most likely to occur and be breeding in your projectrea, view the Probability of Presence Summary. Additional measures or permits may be advisabledepending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my spetied location?

The Migratory Bird Resource List is comprised of USFW<u>Birds of Conservation Concern (BCC</u>) and other species that may warrant special attention in your project location.

4/21/22, 12:56 PM

The migratory bird list generated for your project is derived from data provided by th<u>evian Knowledge</u> <u>Network (AKN)</u> The AKN data is basedon a growing collection of<u>survey, banding, and citizen science</u> <u>datasets</u> and is queried andfiltered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identfied as warranting special attention because they are a BCC species in that area, aneagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>AKN Phenology Too</u>l

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specfied location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the <u>Avian Knowledge Network (AKN)</u> This data is derived from a growing collection o<u>furvey, banding, and citizen science datasets</u>.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources<u>The Cornell Lab of Ornithology All</u> <u>About Birds Bird Guide</u> or (if you are unsuccessful in locating the bird of interest there), th<u>eornell Lab of</u> <u>Ornithology Neotropical Birds guide</u> If a bird on your migratory bird species list has a breeding season associated with it, if that birddoes occur in your project area, there may be nests present at some point within the timeframe specfied. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

- 1. "BCC Rangewide" birds are<u>Birds of Conservation Concern</u>(BCC) that are of concern throughout their range anywhere within the USA(including Hawaii, the Pacfic Islands, Puerto Rico, and the Virgin Islands);
- 2. "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the <u>Eagle Act</u> requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain typesof development or activities (e.g. <code>dfshore energy development or longline fishing)</code>.

Although it is important to try to avoid and minimize impacts to all birds,feorts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern.For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially **a**fected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area **6** the Atlantic Coast, please visit the<u>Northeast Ocean Data</u> <u>Portal</u>. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model result**s**iles underlying the portal maps through the<u>NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird</u> <u>Distributions and Abundance on the Atlantic Outer Continental Shel</u>**6** roject webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration.Models relying on survey data may not include this information.For additional information on marine bird tracking data, see the <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiege</u> or <u>Pam Loring</u>.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need t<u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specfied location". Please be aware this report provides the "probability of presence" of birdswithin the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the no data" indicator (a red horizontal bar). A high survey fort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey fort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is noperfect; it is simply a starting point for identifying what birds of concern have the potential to be in youproject area, when they might be there, and if they might be breeding (which means nests might be present). The listelps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservatiomeasures to avoid or minimize potential impacts from your project activities, should presence be commed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the<u>National Wildlife Refuge</u>system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the loca<u>U.S. Army Corps of</u> Engineers District

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the <u>NWI map</u> to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or clas**fi**cation established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth v**eri**tation work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery **d**ield work. There may be occasional dfferences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tub**éi**cid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may **die** and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to d**e** ine the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving mo**d** ications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning spe**fie** agency regulatory programs and proprietary jurisdictions that may **f** ect such activities.

TEORCONSUL

New York Nature Explorer County Results Report

Criteria: County: Montgomery; Distribution Status: Recently Confirmed





New York State Department of Environmental Conservation

Common Name	Subgroup	Distribution	Year Last	Protection Status		Conservation Rank	
		Status	Documente	State	Federal	State	Global
						_	
American Black Duck	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open		S3B,SNRI	N G5
Anas rubripes				season			
American Crow	Crows and Jays	Recently Confirmed	2000-2005	Protected Bird - Game with open		S5	G5
Corvus brachyrhynchos				season			
American Goldfinch	Finches and Crossbills	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Spinus tristis							
American Kestrel	Hawks, Falcons, Eagles, Vultures	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Falco sparverius							
American Redstart	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Setophaga ruticilla							
American Robin	Thrushes and Bluebirds	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Turdus migratorius							
American Woodcock	Gulls, Terns, Plovers, Shorebirds	Recently Confirmed	2000-2005	Protected Bird - Game with open		S5B	G5
Scolopax minor				season			
Baltimore Oriole	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Icterus galbula							
Bank Swallow	Swallows	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Riparia riparia							
Barn Swallow	Swallows	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Hirundo rustica							
Barred Owl	Owls	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Strix varia							
Belted Kingfisher	Kingfishers	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Megaceryle alcyon							
Black-and-white Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Mniotilta varia							
Black-billed Cuckoo Coccyzus erythropthalmus	Cuckoos	Recently Confirmed	2000-2005	Protected Bird		S5B	G5

Common Name	Subgroup	Distribution	Year Last	Protection Status	Conserv	ation Rank
		Status	Documente	State Federal	State	Global
Black-capped Chickadee	Chickadees and Titmice	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Poecile atricapillus						
Black-throated Blue Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Setophaga caerulescens						
Black-throated Green Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Setophaga virens						
Blackburnian Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Setophaga fusca						
Blue Jay	Crows and Jays	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Cyanocitta cristata						
Blue-gray Gnatcatcher	Gnatcatchers	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Polioptila caerulea						
Blue-headed Vireo	Vireos	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Vireo solitarius						
Blue-winged Teal	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open	S2S3B,SN RN	G5
Anas discors				season		
Blue-winged Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Vermivora cyanoptera						
Bobolink	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Dolichonyx oryzivorus						
Broad-winged Hawk	Hawks, Falcons, Eagles, Vultures	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Buteo platypterus						
Brown Creeper	Creepers	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Certhia americana						
Brown Thrasher	Mockingbirds and Thrashers	Recently Confirmed	2000-2005	Protected Bird	S3S4B	G5
Toxostoma rufum						
Brown-headed Cowbird	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Molothrus ater						
Canada Goose	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open	S5	G5
Branta canadensis				season		
Canada Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Cardellina canadensis						

Common Name	Subgroup	Distribution	Year Last	Protection	Status	Conser	vation Rank
		Status	Documente	State	Federal	State	Global
Carolina Wren	Wrens	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Thryothorus ludovicianus							
Cedar Waxwing	Waxwings	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Bombycilla cedrorum							
Chestnut-sided Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Setophaga pensylvanica							
Chimney Swift	Hummingbirds and Swifts	Recently Confirmed	2000-2005	Protected Bird		S5B	G4G5
Chaetura pelagica							
Chipping Sparrow	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Spizella passerina							
Cliff Swallow	Swallows	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Petrochelidon pyrrhonota							
Common Grackle	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Quiscalus quiscula							
Common Merganser	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open		S5	G5
Mergus merganser				season			
Common Moorhen	Rails, Coots and Cranes	Recently	2000-2005	Protected Bird -		S3S4	G5
Gallinula galeata		Commed		season			
-		Pacantly					
Common Raven	Crows and Jays	Confirmed	2000-2005	Protected Bird		S4	G5
Corvus corax		D 4					
Common Yellowthroat	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Geothlypis trichas							
Dark-eyed Junco	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Junco hyemalis							
Downy Woodpecker	Woodpeckers	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Picoides pubescens							
Eastern Bluebird	Thrushes and Bluebirds	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Sialia sialis							
Eastern Kingbird	Flycatchers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Tyrannus tyrannus							

Common Name	Subgroup	Distribution	Year Last	Protection Status	Conser	vation Rank
		Status	Documente	State Federal	State	Global
Eastern Meadowlark	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Sturnella magna						
Eastern Phoebe	Flycatchers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Sayornis phoebe						
Eastern Screech-Owl	Owls	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Megascops asio						
Eastern Towhee	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Pipilo erythrophthalmus						
Eastern Wood-Pewee	Flycatchers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Contopus virens						
European Starling	Starlings	Recently Confirmed	2000-2005		SNA	G5
Sturnus vulgaris						
Evening Grosbeak	Finches and Crossbills	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Coccothraustes vespertinus						
Field Sparrow	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Spizella pusilla						
Fish Crow	Crows and Jays	Recently Confirmed	2000-2005	Protected Bird - Game with open	S4	G5
Corvus ossifragus				season		
Golden-crowned Kinglet	Kinglets	Recently	2000-2005	Protected Bird	S5B	G5
Regulus satrana		Confirmed				
Gray Catbird	Mockingbirds and	Recently	2000-2005	Protected Bird	S5B	G5
Dumetella carolinensis	mashers	Commed				
Great Blue Heron	Herons, Bitterns, Egrets,	Recently	2000-2005	Protected Bird	S5	G5
Ardea herodias		Committee				
Great Crested Flycatcher	Flycatchers	Recently	2000-2005	Protected Bird	S5B	G5
Myiarchus crinitus		Commod				
Great Horned Owl	Owls	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Bubo virginianus						

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Common Name	Subgroup	Distribution	Year Last	Protection Status	Conser	vation Rank
		Status	Documente	State Federal	State	Global
Green Heron	Herons, Bitterns, Egrets, Pelicans	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Butorides virescens						
Green-winged Teal	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open	S3	G5
Anas crecca				season		
Hairy Woodpecker	Woodpeckers	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Picoides villosus						
Hermit Thrush	Thrushes and Bluebirds	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Catharus guttatus						
Hooded Merganser	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open	S4	G5
Lophodytes cucullatus				season		
House Finch	Finches and Crossbills	Recently Confirmed	2000-2005	Protected Bird	SNA	G5
Haemorhous mexicanus						
House Sparrow	Old World Sparrows	Recently Confirmed	2000-2005		SNA	G5
Passer domesticus						
House Wren	Wrens	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Troglodytes aedon						
Indigo Bunting	Cardinals and Buntings	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Passerina cyanea						
Killdeer	Gulls, Terns, Plovers, Shorebirds	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Charadrius vociferus						
Least Flycatcher	Flycatchers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Empidonax minimus						
Louisiana Waterthrush	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Parkesia motacilla						
Magnolia Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Setophaga magnolia						
Mallard	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open	S5	G5
Anas platyrhynchos				5885011		

Common Name	Subgroup	Distribution	Year Last	Protection Status	Conser	vation Rank
		Status	Documente	State Federal	State	Global
Marsh Wren	Wrens	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Cistothorus palustris						
Mourning Dove	Pigeons and Doves	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Zenaida macroura						
Mourning Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Geothlypis philadelphia						
Nashville Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Oreothlypis ruficapilla						
Northern Cardinal	Cardinals and Buntings	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Cardinalis cardinalis						
Northern Flicker	Woodpeckers	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Colaptes auratus						
Northern Mockingbird	Mockingbirds and Thrashers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Mimus polyglottos						
Northern Rough-winged Swallow Stelgidopteryx serripennis	Swallows	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Northern Waterthrush	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Parkesia noveboracensis						
Orchard Oriole	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird	S4B	G5
Icterus spurius						
Ovenbird	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Seiurus aurocapilla						
Pileated Woodpecker	Woodpeckers	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Dryocopus pileatus						

Common Name	Subgroup	Distribution	Year Last	Protection St	atus	Conserv	vation Rank
		Status	Documente	State F	ederal	State	Global
Pine Siskin	Finches and Crossbills	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Spinus pinus							
Pine Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Setophaga pinus							
Prairie Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Setophaga discolor							
Purple Finch	Finches and Crossbills	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Haemorhous purpureus							
Red Crossbill	Finches and Crossbills	Recently Confirmed	2000-2005	Protected Bird		S2S3	G5
Loxia curvirostra							
Red-bellied Woodpecker	Woodpeckers	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Melanerpes carolinus							
Red-breasted Nuthatch	Nuthatches	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Sitta canadensis							
Red-eyed Vireo	Vireos	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Vireo olivaceus							
Red-tailed Hawk	Hawks, Falcons, Eagles, Vultures	Recently Confirmed	2000-2005	Protected Bird		S5	G5
Buteo jamaicensis							
Red-winged Blackbird	Blackbirds and Orioles	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Agelaius phoeniceus							
Ring-necked Pheasant	Grouse, Pheasants, Turkeys	Recently Confirmed	2000-2005	Protected Bird - Game with open		SNA	G5
Phasianus colchicus				season			
Rock Pigeon	Pigeons and Doves	Recently Confirmed	2000-2005			SNA	G5
Columba livia							
Rose-breasted Grosbeak	Cardinals and Buntings	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Pheucticus ludovicianus							
Ruby-throated Hummingbird	Hummingbirds and Swifts	Recently Confirmed	2000-2005	Protected Bird		S5B	G5
Archilochus colubris							
Ruffed Grouse	Grouse, Pheasants, Turkeys	Recently Confirmed	2000-2005	Protected Bird - Game with open		S5	G5
Bonasa umbellus				season			

Common Name	Subgroup	Distribution	Year Last	Protection Status	Conser	vation Rank
		Status	Documente	State Federal	State	Global
Savannah Sparrow Passerculus sandwichensis	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Scarlet Tanager	Cardinals and Buntings	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Piranga olivacea						
Song Sparrow	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Melospiza melodia						
Sora	Rails, Coots and Cranes	Recently Confirmed	2000-2005	Protected Bird - Game with open	S4	G5
Porzana carolina				season		
Spotted Sandpiper	Gulls, Terns, Plovers, Shorebirds	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Actitis macularius						
Swamp Sparrow	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Melospiza georgiana						
Tree Swallow	Swallows	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Tachycineta bicolor						
Tufted Titmouse	Chickadees and Titmice	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Baeolophus bicolor						
Turkey Vulture	Hawks, Falcons, Eagles, Vultures	Recently Confirmed	2000-2005	Protected Bird	S4B	G5
Cathartes aura						
Veery	Thrushes and Bluebirds	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Catharus fuscescens						
Virginia Rail	Rails, Coots and Cranes	Recently Confirmed	2000-2005	Protected Bird - Game with open	S5	G5
Rallus limicola				season		

Common Name	Subgroup	Distribution	Year Last	Protection Status	Conser	vation Rank
		Status	Documente	State Federal	State	Global
Warbling Vireo	Vireos	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Vireo gilvus						
White-breasted Nuthatch	Nuthatches	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Sitta carolinensis						
White-throated Sparrow	Sparrows and Towhees	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Zonotrichia albicollis						
Wild Turkey	Grouse, Pheasants, Turkeys	Recently Confirmed	2000-2005	Protected Bird - Game with open	S5	G5
Meleagris gallopavo				3643011		
Willow Flycatcher	Flycatchers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Empidonax traillii						
Wilson's Snipe	Gulls, Terns, Plovers, Shorebirds	Recently Confirmed	2000-2005	Protected Bird - Game with open season	S5B	G5
Gallinago delicata						
Winter Wren	Wrens	Recently Confirmed	2000-2005	Protected Bird	S5	G5
Troglodytes hiemalis						
Wood Duck	Ducks, Geese, Waterfowl	Recently Confirmed	2000-2005	Protected Bird - Game with open season	S5	G5
Aix sponsa						
Wood Thrush	Thrushes and Bluebirds	Recently Confirmed	2000-2005	Protected Bird	S5B	G4
Hylocichla mustelina						
Yellow Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Setophaga petechia						
Yellow-bellied Sapsucker	Woodpeckers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Sphyrapicus varius						
Yellow-billed Cuckoo	Cuckoos	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Coccyzus americanus						
Yellow-rumped Warbler	Wood-Warblers	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Setophaga coronata						
Yellow-throated Vireo	Vireos	Recently Confirmed	2000-2005	Protected Bird	S5B	G5
Vireo flavifrons						

Animal: Reptiles

Thamnophis sirtalis	

Common Name	Subgroup	Distribution	Year Last	Protection Status	Consei	Conservation Rank	
		Status	Documente	State Feder	al State	Global	
Dekay's Brownsnake	Snakes	Recently Confirmed	1990-1999	Game with no open season	S5	G5	
Storeria dekayi							
Eastern Ratsnake	Snakes	Recently Confirmed	1990-1999	Game with no open season	S4	G4G5	
Pantherophis spiloides							
Milksnake	Snakes	Recently Confirmed	1990-1999	Game with no open season	S5	G5	
Lampropeltis triangulum							
Northern Watersnake	Snakes	Recently Confirmed	1990-1999	Game with no open season	S5	G5	
Nerodia sipedon							
Red-bellied Snake	Snakes	Recently Confirmed	1990-1999	Game with no open season	S5	G5	
Storeria occipitomaculata							
Ring-necked Snake	Snakes	Recently Confirmed	1990-1999	Game with no open season	S5	G5	
Diadophis punctatus							

Animal: Amphibians

Allegheny Mountain Dusky Salamander Desmognathus ochrophaeus	Salamanders	Recently Confirmed	1990-1999	Game with no open season	S5	G5
American Toad	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season	S5	G5
Anaxyrus americanus						
Bullfrog	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season	S5	G5
Lithobates catesbeianus						
Dusky Salamander	Salamanders	Recently Confirmed	1990-1999	Game with no open season	S5	G5
Desmognathus fuscus						
Eastern Newt	Salamanders	Recently Confirmed	1990-1999	Game with no open season	S5	G5
Notophthalmus viridescens						
Gray Treefrog	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season	S5	G5
Hyla versicolor						
Green Frog	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season	S5	G5
Lithobates clamitans						

New York State Department of Environmental Conservation

Common Name	Subgroup	Distribution	Year Last	Protection	Status	Conservation Rank	
		Status	Documente	State	Federal	State	Global
Mudpuppy	Salamanders	Recently Confirmed	1990-1999	Game with no open season		S3S4	G5
Necturus maculosus							
Northern Leopard Frog	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season		S5	G5
Lithobates pipiens							
Northern Two-lined Salamander	Salamanders	Recently Confirmed	1990-1999	Game with no open season		S5	G5
Eurycea bislineata							
Pickerel Frog	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season		S5	G5
Lithobates palustris							
Redback Salamander	Salamanders	Recently Confirmed	1990-1999	Game with no open season		S5	G5
Plethodon cinereus							
Spotted Salamander	Salamanders	Recently Confirmed	1990-1999	Game with no open season		S5	G5
Ambystoma maculatum							
Spring Peeper	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season		S5	G5
Pseudacris crucifer							
Spring Salamander	Salamanders	Recently Confirmed	1990-1999	Game with no open season		S5	G5
Gyrinophilus porphyriticus							
Wood Frog	Frogs and Toads	Recently Confirmed	1990-1999	Game with open season		S5	G5
Lithobates sylvaticus							

Animal: Dragonflies and Damselflies

Arrowhead Spiketail	Dragonflies	Recently Confirmed	2017	S3	G4
Cordulegaster obliqua					
Brook Snaketail	Dragonflies	Recently Confirmed	2008	S3	G4
Ophiogomphus aspersus					
Spatterdock Darner	Dragonflies	Recently Confirmed	2006	\$2	G4
Rhionaeschna mutata					

Animal: Animal Assemblages

Bat Colony	Animal Assemblages	Recently Confirmed	1985	SNRN	GNR
Bat Colony					
Animal:	Other Animals				

Chrysemys picta	Painted Turtle	Other Animals	Recently Confirmed	1990-1999	Game with no open season	S5	G5
	Chrysemys picta						

Common Name	Subgroup	Distribution	Year Last	Protection	Status	Conser	vation Rank
		Status	Documente	State	Federal	State	Global
Slider	Other Animals	Recently Confirmed	1990-1999			SNA	G5
Trachemys scripta							
Snapping Turtle	Other Animals	Recently Confirmed	1990-1999	Game with open season		S4S5	G5
Chelydra serpentina							

Plant: Flowering Plants

American Ginseng	Other Flowering Plants	Recently Confirmed			S4	G3G4
Panax quinquefolius						
Jacob's Ladder	Other Flowering Plants	Recently Confirmed	1988	Rare	S3	G3G4
Polemonium vanbruntiae						

Natural Community: Uplands

Calcareous Cliff Community Calcareous cliff community	Open Uplands	Recently Confirmed	1994	S3	G4
Calcareous Talus Slope Woodland	Barrens and Woodlands	Recently Confirmed	1994	S3	G3G4
Calcareous talus slope woodland					

This list only includes records from the databases of the NY Natural Heritage Program, the second NYS Breeding Bird Atlas Project, and the NY Amphibian and Reptile Atlas Project. This list is not a definitive statement about the presence or absence of all plants and animals, including rare or state-listed species, or of all significant natural communities.

Full Environmental Assessment Form Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Telephone:	
E-Mail:	
State:	Zip Code:
Telephone:	
F-Mail:	
2	
State:	Zip Code:
T.1	
Telephone:	
E-Mail:	
State:	Zin Code:
State.	Zip Code.
	Telephone: E-Mail: State: Telephone: E-Mail: State: Telephone: E-Mail: State:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship.	("Funding"	' includes grants, loa	ans, tax relief,	and any other	forms o	of financial
assistance.)						

Corronnent Entity		If Vage Identify A gapay and Approval(a)	Applicat	ion Doto
Government Entity		Required	Applicat (Actual or	projected)
a. City Counsel, Town Board, □ or Village Board of Trustees	Yes □ No			
b. City, Town or Village □ Planning Board or Commission	Yes □ No			
c. City, Town or □ Village Zoning Board of Appeal	Yes □ No ls			
d. Other local agencies	Yes □ No			
e. County agencies	Yes □ No			
f. Regional agencies	Yes □ No			
g. State agencies	Yes □ No			
h. Federal agencies	Yes □ No			
i. Coastal Resources.<i>i</i>. Is the project site within a Co	oastal Area, oi	r the waterfront area of a Designated Inland Wa	aterway?	□ Yes □ No
<i>ii</i> . Is the project site located in a <i>iii</i> . Is the project site within a Co	a community v astal Erosion	with an approved Local Waterfront Revitalizati Hazard Area?	on Program?	□ Yes □ No □ Yes □ No

C.	Planning	and	Zoning	[

C.1. Planning and zoning actions.	
 Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	□ Yes □ No
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	□ Yes □ No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	□ Yes □ No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	□ Yes □ No
If Yes, identify the plan(s):	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?If Yes, identify the plan(s):	□ Yes □ No

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	□ Yes □ No
b. Is the use permitted or allowed by a special or conditional use permit?	\Box Yes \Box No
 c. Is a zoning change requested as part of the proposed action? If Yes, <i>i</i>. What is the proposed new zoning for the site?	□ Yes □ No
C.4. Existing community services.	
a. In what school district is the project site located?	
b. What police or other public protection forces serve the project site?	
c. Which fire protection and emergency medical services serve the project site?	
d. What parks serve the project site?	

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, in components)?	dustrial, commercial, recreational; if mixed	, include all
b. a. Total acreage of the site of the proposed action?	acres	
b. Total acreage to be physically disturbed?	acres	
c. Total acreage (project site and any contiguous properties) owned		
or controlled by the applicant or project sponsor?	acres	
		- 37 - 37
c. Is the proposed action an expansion of an existing project or use?		\Box Yes \Box No
<i>i</i> . If Yes, what is the approximate percentage of the proposed expansion	ion and identify the units (e.g., acres, miles,	housing units,
square feet)? % Units:	_	
d. Is the proposed action a subdivision, or does it include a subdivision	?	\Box Yes \Box No
If Yes,		
<i>i</i> . Purpose or type of subdivision? (e.g., residential, industrial, comme	ercial; if mixed, specify types)	
<i>ii.</i> Is a cluster/conservation layout proposed?		\Box Yes \Box No
<i>iii</i> . Number of lots proposed?		
iv. Minimum and maximum proposed lot sizes? Minimum	Maximum	
e. Will the proposed action be constructed in multiple phases?		\Box Yes \Box No
<i>i</i> . If No, anticipated period of construction:	months	
<i>ii.</i> If Yes:		
 Total number of phases anticipated 		
Anticipated commencement date of phase 1 (including demoli	ition) month year	
 Anticipated completion date of final phase 	monthyear	
Generally describe connections or relationships among phases	, including any contingencies where progre	ss of one phase may
determine timing or duration of future phases:		

f. Does the project include new residential uses? If Yes, show numbers of units proposed	□ Yes □ No
One Family Two Family Three Family Multiple Family (four or more)	
Initial Phase At completion of all phases	
 g. Does the proposed action include new non-residential construction (including expansions)? If Yes, <i>i</i>. Total number of structures <i>ii</i>. Dimensions (in feet) of largest proposed structure:height;width; andlength <i>iii</i>. Approximate extent of building space to be heated or cooled: square feet 	□ Yes □ No
 h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? If Yes, <i>i</i>. Purpose of the impoundment: <i>ii</i>. If a water impoundment, the principal source of the water: 	□ Yes □ No s □ Other specify:
<i>iii</i> . If other than water, identify the type of impounded/contained liquids and their source.	
<i>iv.</i> Approximate size of the proposed impoundment. Volume: million gallons; surface area: <i>v.</i> Dimensions of the proposed dam or impounding structure: height; length <i>vi.</i> Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concre	ete):
D.2. Project Operations	
 a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes: <i>i</i> What is the purpose of the excavation or dredging? <i>ii</i>. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? Volume (specify tons or cubic yards): Over what duration of time? <i>iii</i>. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use, manage or dispose of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the excavated or dredged, and plans to use of the	□ Yes □ No of them.
iv. Will there be onsite dewatering or processing of excavated materials? If yes, describe.	□ Yes □ No
v. What is the total area to be dredged or excavated? acres vi. What is the maximum area to be worked at any one time?	□ Yes □ No
 b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? If Yes: 	□ Yes □ No
<i>i.</i> Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number description):	r or geographic

<i>ii.</i> Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, place alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in	ement of structures, or square feet or acres: –
<i>iii.</i> Will the proposed action cause or result in disturbance to bottom sediments?	Yes □ No
If Yes, describe: in Will the proposed action cause or result in the destruction or removal of equatic vegetation?	
If Yes.	
 acres of aquatic vegetation proposed to be removed: 	
expected acreage of aquatic vegetation remaining after project completion:	
• purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):	
proposed method of plant removal:	
• 1f chemical/herbicide treatment will be used, specify product(s):	
v. Describe any proposed recramation/integration ronowing disturbance.	
c Will the proposed action use or create a new demand for water?	
If Yes:	
<i>i</i> . Total anticipated water usage/demand per day: gallons/day	
<i>ii.</i> Will the proposed action obtain water from an existing public water supply?	□ Yes □ No
If Yes:	
Name of district or service area:	
• Does the existing public water supply have capacity to serve the proposal?	\Box Yes \Box No
• Is the project site in the existing district?	\Box Yes \Box No
• Is expansion of the district needed?	\Box Yes \Box No
• Do existing lines serve the project site?	\Box Yes \Box No
<i>iii.</i> Will line extension within an existing district be necessary to supply the project?	\Box Yes \Box No
 Describe extensions or capacity expansions proposed to serve this project: 	
Source(s) of supply for the district:	
<i>iv.</i> Is a new water supply district or service area proposed to be formed to serve the project site? If, Yes:	□ Yes □ No
Applicant/sponsor for new district:	
Date application submitted or anticipated:	
• Proposed source(s) of supply for new district:	
v. If a public water supply will not be used, describe plans to provide water supply for the project:	
<i>vi</i> . If water supply will be from wells (public or private), what is the maximum pumping capacity:	gallons/minute.
d. Will the proposed action generate liquid wastes?	\Box Yes \Box No
 If Yes: <i>i</i>. Total anticipated liquid waste generation per day: gallons/day <i>ii</i>. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe approximate volumes or proportions of each):	e all components and
<i>iii.</i> Will the proposed action use any existing public wastewater treatment facilities?	□ Yes □ No
 11 1 es: Name of westewater treatment plant to be weed: 	
 Name of district: 	
 Does the existing wastewater treatment plant have capacity to serve the project? 	□ Yes □ No
 Is the project site in the existing district? 	\Box Yes \Box No
• Is expansion of the district needed?	\Box Yes \Box No
1	

Do existing sewer lines serve the project site?	\Box Yes \Box No
• Will a line extension within an existing district be necessary to serve the project? If Yes:	\Box Yes \Box No
• Describe extensions or capacity expansions proposed to serve this project:	
<i>iv.</i> Will a new wastewater (sewage) treatment district be formed to serve the project site?	□ Yes □ No
If Yes:	
• Applicant/sponsor for new district:	
Date application submitted or anticipated:	
 what is the receiving water for the wastewater discharge?	ifying proposed
<i>vi</i> . Describe any plans or designs to capture, recycle or reuse liquid waste:	
 e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: 	□ Yes □ No
<i>i</i> . How much impervious surface will the project create in relation to total size of project parcel? Square feet or acres (impervious surface)	
Square feet or acres (parcel size)	
<i>ii.</i> Describe types of new point sources.	
groundwater, on-site surface water or off-site surface waters)?	
If to surface waters, identify receiving water bodies or wetlands:	
• Will stormwater runoff flow to adjacent properties? <i>iv.</i> Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	□ Yes □ No □ Yes □ No
 f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify: 	□ Yes □ No
<i>i</i> . Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
<i>ii.</i> Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
<i>iii</i> . Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes:	□ Yes □ No
 <i>i</i>. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <i>ii</i>. In addition to emissions as calculated in the application, the project will generate: 	□ Yes □ No
•Tons/year (short tons) of Carbon Dioxide (CO ₂)	
 _1 ONS/year (SHORT TONS) OF NITROUS UXIDE (N2U) 	
Tons/year (short tons) of Sulfur Hexafluoride (SE ₂)	
Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)	
•Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants,	\Box Yes \Box No
Indinis, composing facilities)?	
II 105.	
<i>i</i> . Estimate methane generation in tons/year (metric).	
<i>u</i> . Describe any methane capture, control or elimination measures included in project design (e.g., combustion to ge	enerate neat or
electricity, flaring):	
1. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as	\Box Yes \Box No
quarry of fancing operations and nature of emissions (e.g., diasal exhaust reack particulates/duct):	
If Test Describe operations and nature of emissions (e.g., dieser exhaust, fock particulates/dust).	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial	\Box Yes \Box No
new demand for transportation facilities or services?	
If Yes:	
<i>i</i> . When is the peak traffic expected (Check all that apply):	
\Box Randomly between hours of to	
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks	5):
	, <u> </u>
iii Parking spaces: Existing Proposed Not increase/decrease	
in D d the l d t l l l l l l l l l l l l l l l l l	
<i>W</i> . Does the proposed action include any shared use parking?	Yes No
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing	access, describe:
<i>vi.</i> Are public/private transportation service(s) or facilities available within ⁴ / ₂ mile of the proposed site?	\Box Yes \Box No
vii will the proposed action include access to public transportation or accommodations for use of hybrid, electric	\Box Yes \Box No
or other alternative fueled vehicles?	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing	\Box Yes \Box No
pedestrian or bicycle routes?	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand	\Box Yes \Box No
for energy?	
If Yes:	
<i>i</i> . Estimate annual electricity demand during operation of the proposed action:	
<i>ii.</i> Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/le	ocal utility, or
other):	5,
<i>iii.</i> Will the proposed action require a new, or an upgrade, to an existing substation?	\Box Yes \Box No
l. Hours of operation. Answer all items which apply.	
<i>i</i> . During Construction: <i>ii</i> . During Operations:	
Monday - Friday: Monday - Friday:	
Saturday Saturday	
Sunday: Sunday: Sunday:	
Holidays: Lolidays: Lolidays:	
• nonuays. • nonuays.	

 m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? If yes: <i>i</i>. Provide details including sources, time of day and duration: 	□ Yes □ No
<i>ii.</i> Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Describe:	□ Yes □ No
n. Will t e pro osed acti n ha e outdoor lig ting? If yes: <i>i</i> . Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	□ Yes □ No
<i>ii.</i> Will proposed action remove existing natural barriers that could act as a light barrier or screen? Describe:	□ Yes □ No
 Does the proposed action have the potential to produce odors for more than one hour per day? If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: 	□ Yes □ No
 p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? If Yes: <i>i</i>. Product(s) to be stored <i>ii</i>. Volume(s) per unit time (e.g., month, year) <i>iii</i>. Generally, describe the proposed storage facilities: 	□ Yes □ No
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? If Yes: i. Describe proposed treatment(s):	□ Yes □ No
ii. Will the proposed action use Integrated Pest Management Practices?	\Box Yes \Box No
 r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: Construction: tons per (unit of time) Operation : tons per (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: Construction: 	□ Yes □ No
Operation:	
 <i>iii.</i> Proposed disposal methods/facilities for solid waste generated on-site: Construction: 	
• Operation:	

· Describe means and estimate include construction on mod							
s. Does the proposed action include construction or mod	ification of a solid waste ma	anagement facility?	□ Yes □ No				
If Yes:	for the site (a generaling	on transfor station composition	londfill on				
other disposal activities):	for the site (e.g., recyching	or transfer station, composting	g, fandfin, or				
<i>ii.</i> Anticipated rate of disposal/processing:		-					
• _ Tons/month, if transfer or other non-	combustion/thermal treatme	ent, or					
• Tons/hour, if combustion or thermal	treatment						
iii. If landfill, anticipated site life:	years						
t. Will the proposed action at the site involve the comme	rcial generation, treatment,	storage, or disposal of hazardo	ous 🗆 Yes 🗆 No				
waste?							
If Yes:							
<i>i</i> . Name(s) of all hazardous wastes or constituents to be	e generated, handled or man	aged at facility:					
—							
<i>ii.</i> Generally describe processes or activities involving l	hazardous wastes or constitu	ients:					
<i>iii</i> . Specify amount to be handled or generated to	ons/month						
<i>iv.</i> Describe any proposals for on-site minimization, rec	cycling or reuse of hazardou	s constituents:					
	-						
v. Will any hazardous wastes be disposed at an existing	g offsite hazardous waste fa	cility?	\Box Yes \Box No				
If Yes: provide name and location of facility:		_					
If No: describe proposed management of any hazardous	wastes which will not be se	nt to a hazardous waste facility	y:				
		-	-				
E. Site and Setting of Proposed Action							
E.1. Land uses on and surrounding the project site							
a. Existing land uses.							
<i>i</i> . Check all uses that occur on, adjoining and near the	project site.						
\Box Urban \Box Industrial \Box Commercial \Box Resid	tential (suburban) \Box Ru	ral (non-farm)					
\Box Forest \Box Agriculture \Box Aquatic \Box Other ii If mix of uses generally describe:	r (specify):		□ Forest □ Agriculture □ Aquatic □ Other (specify):				
<i>ii</i> . If fink of uses, generally describe.							
_							
-							
b. Land uses and covertypes on the project site.	C. mat						
b. Land uses and covertypes on the project site. Land use or	Current	Acreage After Project Completion	Change				
 Land uses and covertypes on the project site. Land use or Covertype Roads buildings and other payed or impervious 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 - b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural) 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural) Agricultural 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural) Agricultural (includes active orchards, field, greenhouse etc.) 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural) Agricultural (includes active orchards, field, greenhouse etc.) Surface water features 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 – b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural) Agricultural (includes active orchards, field, greenhouse etc.) Surface water features (lakes, ponds, streams, rivers, etc.) 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				
 b. Land uses and covertypes on the project site. Land use or Covertype Roads, buildings, and other paved or impervious surfaces Forested Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural) Agricultural (includes active orchards, field, greenhouse etc.) Surface water features (lakes, ponds, streams, rivers, etc.) Wetlands (freshwater or tidal) 	Current Acreage	Acreage After Project Completion	Change (Acres +/-)				

Other

Describe: ____

_

•
c. Is the project site presently used by members of the community for public recreation? <i>i</i> . If Yes: explain:	□ Yes □ No
 d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i</i>. Identify Facilities: 	□ Yes □ No
 e. Does the project site contain an existing dam? If Yes: <i>i</i>. Dimensions of the dam and impoundment: Dam height: feet feet 	□ Yes □ No
Surface area: acres	
Volume impounded: gallons OR acre-feet	
 <i>ii.</i> Dam's existing hazard classification: <i>iii.</i> Provide date and summarize results of last inspection: 	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facili If Yes:	□ Yes □ No ty?
<i>i</i> . Has the facility been formally closed?	\Box Yes \Box No
• If yes, cite sources/documentation:	
<i>ii</i> . Describe the location of the project site relative to the boundaries of the solid waste management facility:	
<i>iii.</i> Describe any development constraints due to the prior solid waste activities:	
 g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i</i>. Describe waste(s) handled and waste management activities, including approximate time when activities occurred 	□ Yes □ No d:
 h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: 	□ Yes □ No
<i>i</i> . Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	□ Yes □ No
□ Yes – Spills Incidents database Provide DEC ID number(s):	
 □ Yes – Environmental Site Remediation database □ Neither database Provide DEC ID number(s):	·····
<i>ii</i> . If site has been subject of RCRA corrective activities, describe control measures:	
<i>iii.</i> Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s):	□ Yes □ No
<i>iv.</i> If yes to (i), (ii) or (iii) above, describe current status of site(s):	

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 v. Is the project site subject to an institutional control limiting property uses? If yes, DEC site ID number: Describe the type of institutional control (e.g., deed restriction or easement): Describe any use limitations: Describe any engineering controls: Will the project affect the institutional or engineering controls in place? Explain: 	□ Yes □ No
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? feet	
b. Are there bedrock outcroppings on the project site?If Yes, what proportion of the site is comprised of bedrock outcroppings?%	□ Yes □ No
c. Predominant soil type(s) present on project site:	%
	% %
d. What is the average depth to the water table on the project site? Average: feet	
e. Drainage status of project site soils: UWell Drained:% of site Moderately Well Drained:% of site Poorly Drained % of site	
f. Approximate proportion of proposed action site with slopes: □ 0-10%: % of site □ 10-15%: % of site □ 15% or greater: % of site	
g. Are there any unique geologic features on the project site? If Yes, describe:	□ Yes □ No
 h. Surface water features. <i>i</i>. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? 	□ Yes □ No
<i>ii.</i> Do any wetlands or other waterbodies adjoin the project site?	\Box Yes \Box No
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	□ Yes □ No
 <i>iv.</i> For each identified regulated wetland and waterbody on the project site, provide the following information: Streams: Name Classification 	
 Lakes or Ponds: Name Wetlands: Name Classification Approximate Size 	
 Wetland No. (if regulated by DEC)	□ Yes □ No
i. Is the project site in a designated Floodway?	□ Yes □ No
j. Is the project site in the 100-year Floodplain?	□ Yes □ No
k. Is the project site in the 500-year Floodplain?	□ Yes □ No
 l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? If Yes: i. Name of aquifer: 	□ Yes □ No

m. Identify the predominant wildlife species that occupy or use the proj	ject site:	
 n. Does the project site contain a designated significant natural community If Yes: <i>i</i>. Describe the habitat/community (composition, function, and basis for the second seco	nity? or designation):	□ Yes □ No
<i>ii</i> . Source(s) of description or evaluation:		
<i>III.</i> Extent of community/nabilat:	20105	
 Following completion of project as proposed: 	acres	
 Gain or loss (indicate + or -): 	acres	
 endangered or threatened, or does it contain any areas identified as ha If Yes: <i>i</i>. Species and listing (endangered or threatened): 	bitat for an endangered or threatened speci	es?
p. Does the project site contain any species of plant or animal that is lis	ted by NYS as rare, or as a species of	\Box Yes \Box No
special concern?		
If Yes:		
<i>t</i> . Species and listing		
q. Is the project site or adjoining area currently used for hunting, trappir	ng, fishing or shell fishing?	□ Yes □ No
If yes, give a brief description of how the proposed action may affect th	at use:	
E.3. Designated Public Resources On or Near Project Site		
a. Is the project site, or any portion of it, located in a designated agricult Agriculture and Markets Law, Article 25-AA, Section 303 and 304? If Yes, provide county plus district name/number:	tural district certified pursuant to	□ Yes □ No
b. Are agricultural lands consisting of highly productive soils present?		\Box Yes \Box No
<i>i</i> . If Yes: acreage(s) on project site?		
<i>ii</i> . Source(s) of soil rating(s):		
 c. Does the project site contain all or part of, or is it substantially contig Natural Landmark? If Vest 	guous to, a registered National	□ Yes □ No
<i>i</i> . Nature of the natural landmark:	□ Geological Feature	
<i>ii.</i> Provide brief description of landmark, including values behind desi	ignation and approximate size/extent:	
 d. Is the project site located in or does it adjoin a state listed Critical Environment of the state listed Critical Environment of the state of the sta	vironmental Area?	□ Yes □ No
<i>ii.</i> Basis for designation:		

REDACTED	- Maller NO. 23-00
e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commission Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	□ Yes □ No oner of the NYS aces?
If Yes: <i>i</i> . Nature of historic/archaeological resource: □ Archaeological Site □ Historic Building or District <i>ii</i> . Name:	
<i>iii</i> . Brief description of attributes on which listing is based:	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	□ Yes □ No
 g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: <i>i</i>. Describe possible resource(s): <i>ii</i>. Basis for identification: 	□ Yes □ No
h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	□ Yes □ No
If Yes:	
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or etc.): 	scenic byway,
iii. Distance between project and resource: miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	□ Yes □ No
<i>i</i> Identify the name of the river and its designation:	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	□ Yes □ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name

Date_

Signature_____

Title__

Wednesday, March 9, 2022 8:14 AM

EAF Mapper Summary Report



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	876-263, 876-259, 876-258, 876-253, 876-260, 876-257, 876-256, 876-252, 876-255, 876-250, 876-251
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):123.1, NYS Wetland (in acres):82.6, NYS Wetland (in acres):29.4, NYS Wetland (in acres):42.1, NYS Wetland (in acres):98.0, NYS Wetland (in acres):84.9, NYS Wetland (in acres):54.7, NYS Wetland (in acres):181.4, NYS Wetland (in acres):20.0

E.2.h.iv [Surface Water Features - DEC Wetlands Number]	CA-8, CA-6, CA-9, CA-4, CA-10, CA-5, CA-7, CREDACTED - Matter No. 23-0005
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.I. [Aquifers]	Yes
E.2.I. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Calcareous Cliff Community, Calcareous Talus Slope Woodland
E.2.n.i [Natural Communities - Acres]	80.0, 50.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	MONT003, MONT001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:Rappa Road Cemetery, Eligible property:498 Flat Creek Rd, Eligible property:1165 Mapletown Rd, Eligible property:Carr Farm Hay Barn, Eligible property:Carr Farmhouse
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No





Environmental Resource Mapper



Fisher Rd

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Yatesville Creek























REDACTED - Matter No. 23-00054



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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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Need A Permit? Contacts















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