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VEGETATION

Dominant wetland vegetation found on the site includes but is not limited to: sensitive fern (*Onoclea sensibilis*, FACW), reed canary grass (*Phalaris arundinacea*, FACW), soft rush (*Juncus effusus*, FACW), silky dogwood (*Cornus amomum*, FACW), sedge spp. (*Carex spp.*, FACW) and witch hazel (*Hamamelis virginiana*, FAC-).

Dominant upland vegetation found on the site includes but is not limited to: white pine (*Pinus strobes*, FACU), grey birch (*Betula populifolia*, FAC), yellow birch (*Betula lutea*, FAC), northern red oak (*Quercus rubra*, FACU-), American beech (*Fagus grandifolia*, FACU), blackberry (*Rubus allegheniensis*, FACU-), Canada goldenrod (*Solidago canadensis*, FACU), and intermediate woodfern (*Dryopteris intermedia*, FACU).

POTENTIAL HABITAT

The NYSDEC and the USFWS ECOS websites were reviewed to determine the likelihood of state or federally listed endangered and threatened species or critical habitat areas existing within the project parcel. The NYSDEC website was reviewed for the potential of State-Regulated Freshwater Wetlands, Rare Plants, Rare Animals, and/or Significant Natural Communities on-site. According to the NYSDEC website, the proposed project area is within an orange-shaded area, indicating that the site's geographic location makes it potential habitat for rare plants, rare animals, and/or significant natural communities. The USFWS website provides a list of threatened or endangered species and/or species habitat that may exist in Albany County. The following species are those listed by USFWS as having the potential to exist within the county, and a description of the likelihood that those species or their required habitat may exist on the subject site, based on a field review by a qualified biologist:

Bald Eagle (Delisted) – Bald eagles utilize estuaries, large lakes, reservoirs, rivers, and some seacoasts for habitat and foraging. There is limited or no potential for Bald Eagles to exist on the proposed project site because there are no trees on site suitable for their nesting habitat, nor is the site in close enough proximity to foraging habitat.

Bog Turtle (Threatened - Historic) –Because bog turtle habitat generally includes wetlands interspersed with dry and wet pockets, often with subsurface flow and shallow rivulets, as well as being spring-fed with shallow surface water or saturated soils present year-round, the wetlands on this site do not contain suitable hydrology for bog turtle habitat. In addition, typical bog turtle habitat contains a bottom substrate of permanently saturated organic or mineral soils, often soft, mucky-like or peat soils. As the on-site wetlands do not meet these criteria, they do not contain suitable soils for bog turtle habitat. Suitable bog turtle habitat vegetation often includes low grasses and sedges in emergent wetlands with tussocks and hummocks, often with a scrub-shrub wetland component. On-site wetlands do not exhibit tussocks or hummocks, nor do they meet the other criteria for bog turtle habitat. The site is therefore not suitable bog turtle habitat. (Bog Turtle Habitat Survey, USFWS)

Indiana Bat (W/S - Endangered) – The potential for Indiana Bats to exist on-site is limited to nil due to the devastating effect of white-nosed syndrome on the population as a whole. According to the USFWS as of May 13, 2010, “While Indiana Bats were known to winter in Albany County, we now believe they are likely extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects in Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties. This determination may change as we receive new information.” That being said, the likelihood of remaining individuals of the species utilizing the subject site for foraging, roosting, or maternity colonies is slim, as the conditions on-site

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are not conducive to Indiana bat habitat. While the site is partially forested, the habitat is mostly comprised of young trees and saplings with intact bark, with the exception of scattered mature white pines. Tree species encountered on-site include white pine (*Pinus strobes*, FACU), grey birch (*Betula populifolia*, FAC), yellow birch (*Betula lutea*, FAC), northern red oak (*Quercus rubra*, FACU-), American beech (*Fagus grandifolia*, FACU).

Karner Blue Butterfly (Endangered) – The Karner Blue Butterfly has a limited and very specific habitat which requires presence of Blue Lupine as a food base. According to the NYSDEC Website, “Within its range, this species is restricted to dry sandy areas with open woods and clearings supporting wild blue lupine. This type of habitat is usually associated with pitch pine/scrub oak or oak savannah communities that are maintained by fire at an early stage of plant succession.” As the subject site does not meet these criteria, there is no potential for the Karner Blue Butterfly to exist on-site.

Shortnose Sturgeon (Endangered) – There is no potential for Shortnose Sturgeon to exist on the proposed project site because the site is quite far from the Hudson River and does not contain any flowing tributaries sizable enough to support the fish.

Response at your earliest convenience would be appreciated. Should you have any questions, or require further information, please contact me at (518) 393-7725, ext. 109.

Sincerely,
Ingalls & Associates LLP

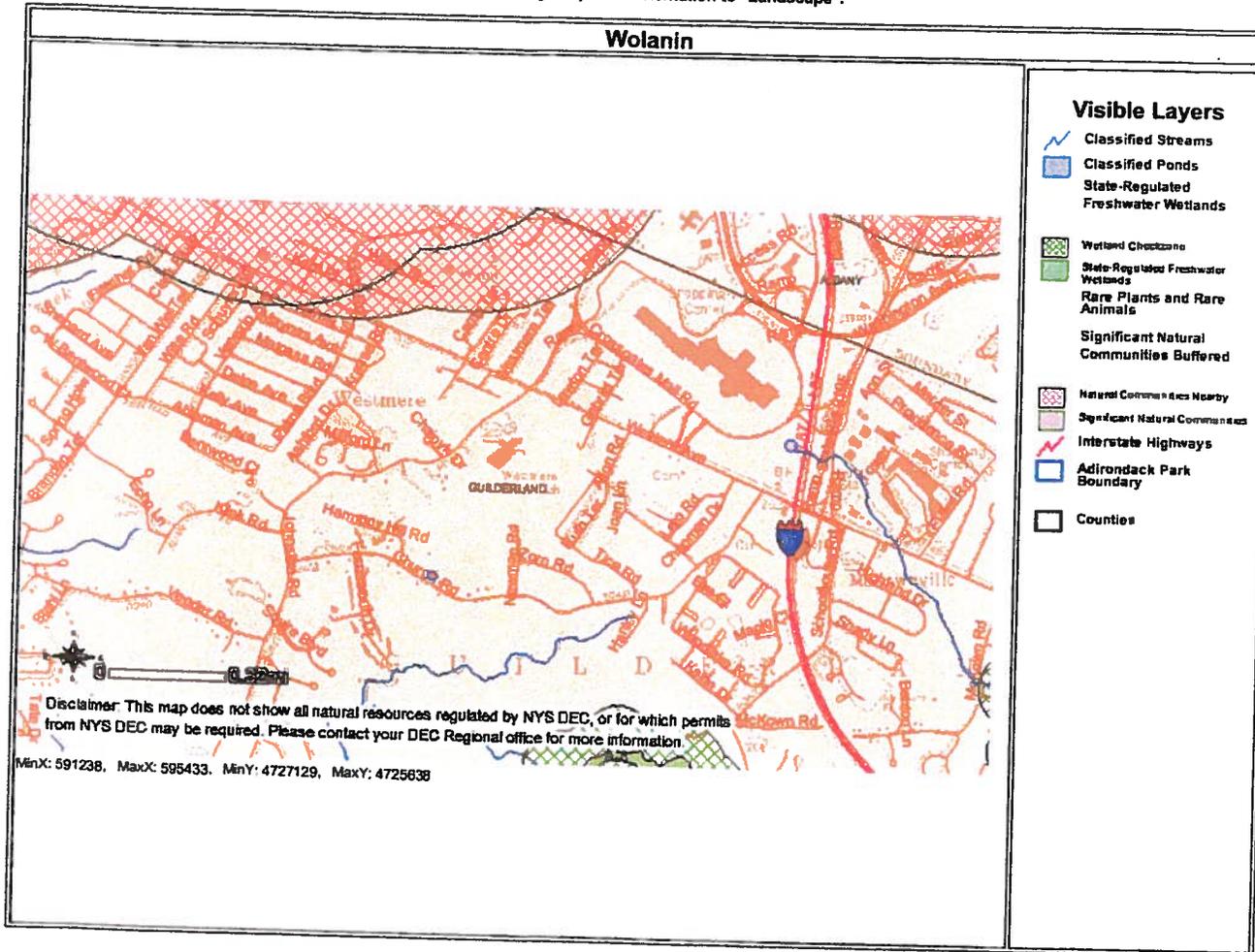


Amelia Leonard
Environmental Specialist

Attachments: Site Location Map
NYSDEC Website Map
USFWS List of Species in Albany County
Current Site Photos
Proposed Site Plan

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Please set your printer orientation to "Landscape".



Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.



Albany County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

Common Name	Scientific Name	Status
Bald eagle ¹	<i>Haliaeetus leucocephalus</i>	D
Bog turtle (<i>historic</i>)	<i>Clemmys [=Glyptemys] muhlenbergii</i>	T
Indiana bat (W/S) ²	<i>Myotis sodalis</i>	E
Karner blue butterfly	<i>Lycaeides melissa samuelis</i>	E
Shortnose sturgeon ³	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

W=Winter S=Summer

¹ The bald eagle was delisted on August 8, 2007. While there are no ESA requirements for bald eagles after this date, the eagles continue to receive protection under the [Bald and Golden Eagle Protection Act \(BGEPA\)](#). Please follow the [Service's May 2007 Bald Eagle Management Guidelines](#) to determine whether you can avoid impacts under the BGEPA for your projects. If you have any questions, please contact the endangered species branch in our office.

² "While Indiana bats were known to winter in Albany County, we now believe they are likely extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects in Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties. This determination may change as we receive new information."

³ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.



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Map Date: Apr 30, 2007

42° 47' 13" N, 76° 5' 25" W

Eye alt: 2025 ft