

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Peter M. Iwanowicz
Acting Commissioner

December 17, 2010

Amelia Leonard
Ingalls Associates
2603 Guilderland Avenue
Schenectady, NY 12306

Dear Ms. Leonard:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment proposed Mixed-Use Development – 21.36 Acres; and Fill Discharge into Federal Wetlands, site as indicated on the map you provided, located along Western Avenue, Town of Guilderland, Albany County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definite statement as to the presence or absence of all rare or state-listed species or natural communities. This information should not be substituted for on-site surveys that may be required.

The enclosed report may be included in documents that will be available to the public. However, any enclosed maps displaying locations of rare species are considered sensitive information, and are intended only for the internal use of the recipient; they should not be included in any document that will be made available to the public, without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas of activities, (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

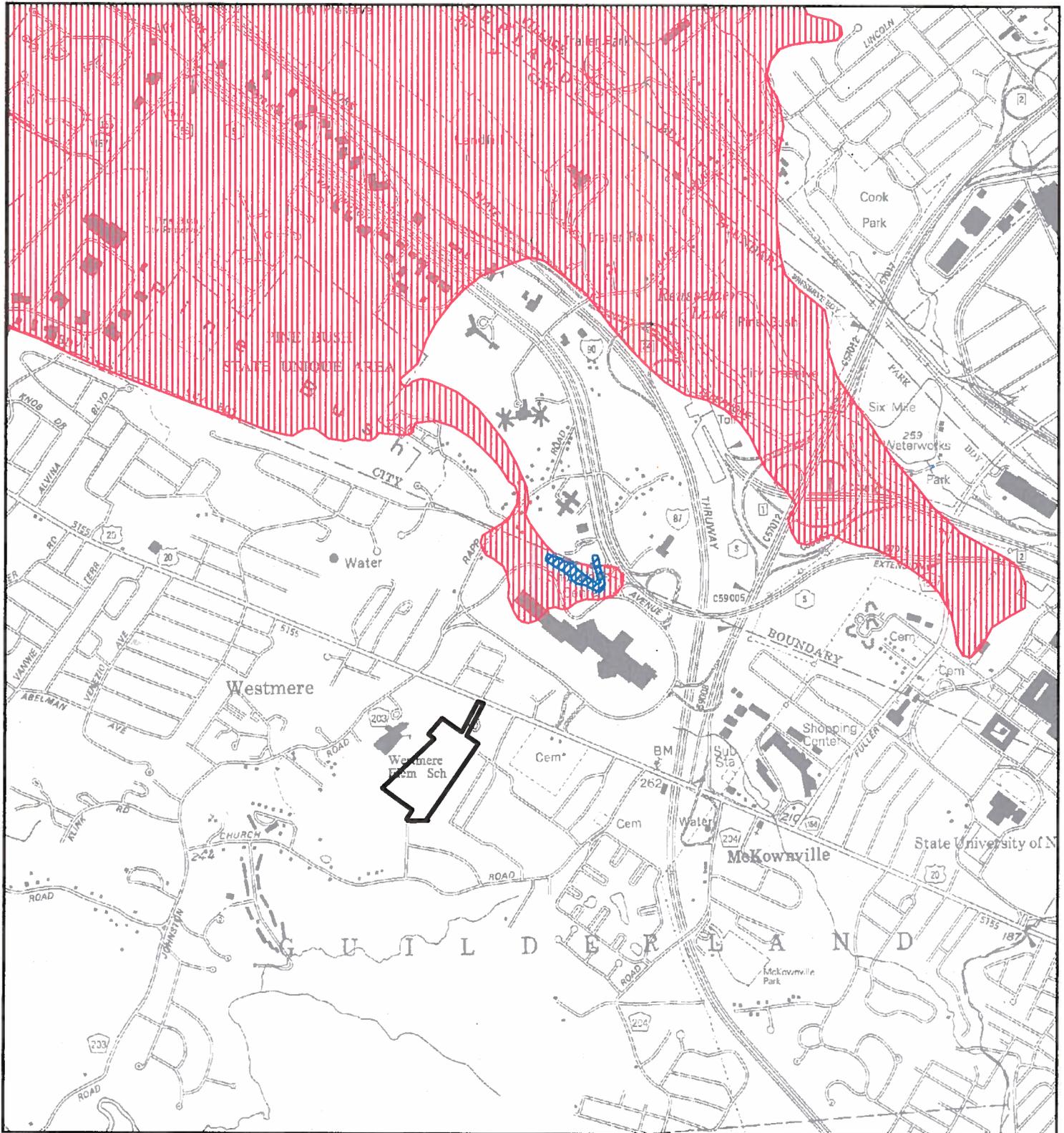
Tara Salerno
New York Natural Heritage Program

Enc.
cc: Reg. 4
John Ozard, Nongame Unit, Albany

#1296

Natural Heritage Map of Rare Species and Ecological Communities

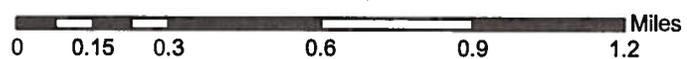
Prepared December 6, 2010 by the NY Natural Heritage Program, NYS DEC Albany, NY



Legend

-  Project Site
-  NY Natural Heritage Program Database Records
-  Eastern Wormsnake
-  A Noctuid Moth, Bird Dropping Moth, Edwards' Hairstreak, Inland Barrens Buckmoth, Pine Barrens Zanclognatha, Two-striped Cord Grass Moth

1:24,000



This map, and the locations that are displayed, are considered sensitive information, and are intended for the internal use of the recipient; they should not be included in any document that will be made available to the public, without permission from NY Natural Heritage. Some records listed in the accompanying report may not be shown on this map. Please see the report for details.

Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

HISTORICAL RECORDS

The following plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, or there is uncertainty regarding their continued presence.

There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown and therefore location maps are generally not provided.

If appropriate habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there.

Natural Heritage Report on Rare Species and Ecological Communities



VASCULAR PLANTS

Scleria triglomerata

Whip Nutrush

NY Legal Status: Threatened

Federal Listing:

Last Report: 1937-08-24

County: Albany

Town: Albany - City, Guelderland

Location: Blueberry Hill

Directions: The plants were collected from the sand plains south of Karner.

General Quality and Habitat: Sand plains.

NYS Rank: S1 - Critically imperiled

Global Rank: G5 - Secure

EO Rank: Historical, no recent information

Office Use
5086

1 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor, Albany, NY
12233-4757
(518) 402-8935

-The information in this report includes only records entered into the NY Natural Heritage databases as of the date of the report. This report is not a definitive statement on the presence or absence of all rare species or significant natural communities at or in the vicinity of this site.

-Refer to the User's Guide for explanations of codes, ranks and fields.

-Location maps for certain species and communities may not be provided 1) if the species is vulnerable to disturbance, 2) if the location and/or extent is not precisely known, 3) if the location and/or extent is too large to display, and/or 4) if the animal is listed as Endangered or Threatened by New York State.

Natural Heritage Report on Rare Species and Ecological Communities



BUTTERFLIES and SKIPPERS

Callophrys irus

Frosted Elfin	NY Legal Status: Threatened Federal Listing: Last Report: ** County: Albany Town: Albany - City , Guilderland Location: There are two documented locations at, or in the vicinity of, the project site. General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.	NYS Rank: S1S2 - Critically imperiled Global Rank: G3 - Vulnerable EO Rank: **	Office Use 12497 ESU
----------------------	--	---	----------------------------

Plebejus melissa samuelis (formerly *Lycaeides melissa samuelis*)

Karner Blue	NY Legal Status: Endangered Federal Listing: Endangered Last Report: ** County: Albany Town: Albany - City , Guilderland Location: There are three documented locations at, or in the vicinity of, the project site. General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.	NYS Rank: S1 - Critically imperiled Global Rank: G5T2 - Imperiled EO Rank: **	Office Use 12420 ESU USFWS
--------------------	---	--	-------------------------------------

Satyrium edwardsii

Edwards' Hairstreak	NY Legal Status: Unlisted Federal Listing: Last Report: 1987-07 County: Albany Town: Albany - City , Colonie, Guilderland Location: Albany Pine Bush General Quality and Habitat: The hairstreaks were found in pitch pine-scrub oak barrens.	NYS Rank: S3S4 - Vulnerable Global Rank: G4 - Apparently secure EO Rank: Extant	Office Use 10331
----------------------------	--	--	---------------------

MOTHS



Cerma cora

<p>Bird Dropping Moth</p> <p>NY Legal Status: Unlisted</p> <p>Federal Listing:</p> <p>Last Report: 1990</p> <p>County: Albany</p> <p>Town: Albany - City , Colonie, Guilderland</p> <p>Location: Albany Pine Bush</p> <p>General Quality and Habitat: The moth was found in pitch pine-scrub oak barrens.</p>	<p>NYS Rank: S1S2 - Critically imperiled</p> <p>Global Rank: G3G4 - Vulnerable</p> <p>EO Rank: Extant</p>	<p>Office Use 5875</p>
---	--	----------------------------

Chytonix sensilis

<p>A Noctuid Moth</p> <p>NY Legal Status: Unlisted</p> <p>Federal Listing:</p> <p>Last Report: 1990</p> <p>County: Albany</p> <p>Town: Albany - City , Colonie, Guilderland</p> <p>Location: Albany Pine Bush</p> <p>General Quality and Habitat: The moths were found in pitch pine-scrub oak barrens.</p>	<p>NYS Rank: S1S3 - Critically imperiled</p> <p>Global Rank: G4 - Apparently secure</p> <p>EO Rank: Extant</p>	<p>Office Use 8841</p>
---	---	----------------------------

Hemileuca maia maia

<p>Inland Barrens Buckmoth</p> <p>NY Legal Status: Special Concern</p> <p>Federal Listing:</p> <p>Last Report: 2002-fa</p> <p>County: Albany</p> <p>Town: Albany - City , Colonie, Guilderland</p> <p>Location: Albany Pine Bush</p> <p>General Quality and Habitat: The rank is based on Global Element Occurrence Ranking Specifications of August 10, 1992. There is likely over 1000 acres of suitable habitat ranging from high to marginal quality. Management is needed at the site to maintain the suitable habitat for this species. The moths are found in pitch pine scrub oak barrens. Sample sites are at the top of dunes for survey purposes.</p>	<p>NYS Rank: S1S2 - Critically imperiled</p> <p>Global Rank: G5T5 - Secure</p> <p>EO Rank: Good or Fair</p>	<p>Office Use 4909</p>
--	--	----------------------------

Macrochilo bivittata

<p>Two-striped Cord Grass Moth</p> <p>NY Legal Status: Unlisted</p> <p>Federal Listing:</p> <p>Last Report: 1990</p> <p>County: Albany</p> <p>Town: Albany - City , Colonie, Guilderland</p> <p>Location: Albany Pine Bush</p> <p>General Quality and Habitat: The moths were taken from sites in pitch pine-scrub oak barrens.</p>	<p>NYS Rank: S1S3 - Critically imperiled</p> <p>Global Rank: G3G4 - Vulnerable</p> <p>EO Rank: Extant</p>	<p>Office Use 7051</p>
---	--	----------------------------



Zanclognatha martha

Pine Barrens
Zanclognatha

NY Legal Status: Unlisted

NYS Rank: S1S2 - Critically imperiled

Office Use
9628

Federal Listing:

Global Rank: G4 - Apparently secure

Last Report: 1990

EO Rank: Excellent or Good

County: Albany

Town: Albany - City , Colonie, Guilderland

Location: Albany Pine Bush

General Quality and Habitat: The population is persistent and in good habitat. The moths were found in pitch pine-scrub oak barrens.

REPTILES

Carphophis amoenus

Eastern Wormsnake

NY Legal Status: Special Concern

NYS Rank: S2 - Imperiled

Office Use
12998

Federal Listing:

Global Rank: G5 - Secure

Last Report: 2008-09-05

EO Rank: Good, Fair or Poor

County: Albany

Town: Albany - City , Guilderland

Location: Crossgates North

General Quality and Habitat: Snakes were found in 1986 and 2008, indicating persistence of the population. The known area of occupancy is small, although the species may not need a large area to persist. Some occupied habitat was destroyed (an extension to a mall exists where a snake was found prior to construction), and an additional area utilized by worm snakes will be destroyed by a development north of the mall complex, which was approved in 2008. The snakes were found in a power line right-of-way and early successional, weedy, sandy parking lot. In the power line right of way, a snake was found under a rotten stump. In the parking lot, a snake was found in moist sand under a wooden pallet, and in an area with more compact substrate under a piece of cardboard. A patch of woods with wet areas and depressions is between the power line right of way and parking lot. In 2008, a proposal to develop an area including the parking lot was approved. A snake was also found under a board in a nearby area where a mall extension now exists.

9 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

More detailed information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.