

Appendix I

RTE Habitat Assessment

TECHNICAL MEMORANDUM

To: Hudson Valley Regional Airport (POU)
From: Justin Strong
Date: March 30, 2021
File: 128.056.001
Re: Rare, Threatened, and Endangered (RTE) Habitat Assessment for Runway 6-24 Safety Area Improvements Project, Wappingers Falls, New York

A rare, threatened, and endangered (RTE) habitat assessment was performed by an Environmental Scientist from C&S Engineers, Inc., (C&S) on March 9, 2021 at the Hudson Valley Regional Airport in Wappingers Falls, New York. The Area of Investigation (AOI) is comprised of four separate project areas, totaling approximately 8.4 acres within airport property (see **Figure 1**).

Existing Vegetative Communities

In March 2014, the New York State Department of Environmental Conservation (NYSDEC) published a report entitled *Ecological Communities of New York State*,¹ Second Edition (*Ecological Communities*) as part of the New York Natural Heritage Program inventory. The report is a revised and expanded version of the original 1990 version that lists and describes ecological systems, subsystems, and communities within New York State. The classification was developed to help assess and protect biological diversity of the state. An assessment of the vegetative cover types within the proposed project area was conducted consistent with the representative characteristics presented in *Ecological Communities*.

Based on review of aerial photography and information collected during C&S's site visit, the AOI is comprised of riverine, palustrine and terrestrial cultural communities (see **Figure 2**). The riverine community is identified as a rocky headwater stream. The palustrine community consists of shallow emergent marsh and shrub swamp. The terrestrial communities include: mowed lawn, unpaved road/path, paved road/path and urban structure exterior. *Ecological Communities* defines terrestrial cultural communities as "a subsystem that includes communities that are either created and maintained by human activities, or are modified by human influence to such a degree that the physical conformation of the substrate, or the biological composition of the resident community is substantially different from the character of the substrate community as it existed prior to human influence."

- **Rock headwater stream:** the aquatic community of a small- to medium-sized perennial rocky stream typically with a moderate to steep gradient, and cold water that flows over eroded bedrock, boulders, and/or cobbles in the area where a stream system originates. These streams usually have poorly defined meanders (i.e., low sinuosity) and occur in confined landscapes.

¹ Edinger, G.J., D.J. Evans, S. Gebauer, T.G. Howard, D.M. Hunt, and A.M. Olivero (editors). 2014. *Ecological Communities of New York State*. Second Edition. Available at: http://www.dec.ny.gov/docs/wildlife_pdf/ecocomm2014.pdf

These streams are typically shallow, narrow, have a relatively small low flow discharge, and usually represent a network of mostly 1st and 2nd order stream segments (sensu Strahler 1957), although larger rocky headwater streams may be 3rd order.

- **Shallow emergent marsh:** marsh meadow community that occurs on mineral soil or deep muck soils (rather than true peat), that are permanently saturated and seasonally flooded. This marsh is better drained than a deep emergent marsh; water depths may range from 15 cm to 1 m (6 in to 3.3 ft) during flood stages, but the water level usually drops by mid to late summer and the substrate is exposed during an average year. This is a very broadly defined type that includes several distinct variants and many intermediates. Shallow emergent marshes are very common and quite variable. They may be codominated by a mixture of species, or have a single dominant species.
- **Shrub swamp:** a mostly inland wetland dominated by tall shrubs that occurs along the shore of a lake or river, in a wet depression or valley not associated with lakes, or as a transition zone between a marsh, fen, or bog and a swamp or upland community. The substrate is usually mineral soil or muck. A few examples may have a shallow layer of sphagnum peat. This is a very broadly defined type that includes several distinct communities and many intermediates. Shrub swamps are very common and quite variable. They may be codominated by a mixture of species, or have a single dominant shrub species
- **Mowed lawn:** residential, recreational, or commercial land, or unpaved airport runways in which the groundcover is dominated by clipped grasses and there is less than 30% cover of trees. Ornamental and/or native shrubs may be present, usually with less than 50% cover. The groundcover is maintained by mowing and broadleaf herbicide application. Specific vegetation observed on site includes birds foot trefoil (*Lotus corniculatus*), butter and eggs (*Linaria vulgaris*), common cinquefoil (*Potentilla simplex*), common dandelion (*Taraxacum officinale*), crabgrass (*Digitaria sp.*), grease grass (*Tridens flava*), heal all (*Prunella vulgaris*), Kentucky blue grass (*Poa pratensis*), narrow leaf plantain (*Plantago lanceolata*), orchard grass (*Dactylis glomerata*), quackgrass (*Elymus repens*), queen anne's lace (*Daucus carota*), red clover (*Trifolium pretense*), red fescue (*Festuca rubra*), red top (*Agrostis gigantea*), wild madder (*Galium mollugo*), yarrow (*Achillea millefolium*), and yellow foxtail (*Setaria pumila*).
- **Unpaved road/path:** a sparsely vegetated road or pathway of gravel, bare soil, or bedrock outcrop. These roads or pathways are maintained by regular trampling or scraping of the land surface. The substrate consists of the soil or parent material at the site, which may be modified by the addition of local organic material (woodchips, logs, etc.) or sand and gravel. Abandoned railroad beds where tracks have been removed are included here.
- **Paved road/path:** A road or pathway that is paved with asphalt, concrete, brick, stone, etc. There may be sparse vegetation rooted in cracks in the paved surface.
- **Urban structure exterior:** the exterior surfaces of metal, wood, or concrete structures (such as commercial buildings, apartment buildings, houses, bridges) or any structural surface

composed of inorganic materials (glass, plastics, etc.) in an urban or densely populated suburban area. These sites may be sparsely vegetated with lichens, mosses, and terrestrial algae; occasionally vascular plants may grow in cracks. Nooks and crannies may provide nesting habitat.

RTE Habitat Assessment

The resources that were used to document potential threatened or endangered species within the AOI include:

- The USFWS Information, Planning and Conservation (IPaC) system. According to the USFWS Official Species List obtained on March 24, 2021, two federally listed species are known to occur in the vicinity of the AOI: northern long-eared bat (*Myotis septentrionalis*) (threatened) and Indiana bat (*Myotis sodalis*) (endangered) (see **Attachment A**).
- NYSDEC New York Natural Heritage Program (NYNHP) Consultation - a request was sent to NYSDEC Natural Heritage to identify any rare or state listed animals or plants, or significant natural communities within the project site. A response from Natural Heritage dated May 30, 2019 indicated that the Pied-billed Grebe (*Podilymbus podiceps*) (threatened) and Indiana bat (*Myotis sodalis*) (Endangered) have been documented at the project site (see **Attachment A**).

Pied-billed Grebe: are small, chunky swimming birds included on the State's threatened species list. NYSDEC indicates pied-billed grebes inhabit marshes, marshy shorelines of ponds, shallow lakes, or marshy bays and slow moving streams with sedgy banks or adjacent marshes; rarely in brackish marshes with limited tidal fluctuation. Although plant species in breeding marshes may vary, a 50/50 combination ("hemi- marsh") of emergent vegetation interspersed with open water is desirable (Andrle and Carroll 1988). Grebes avoid dense emergent vegetation, and muskrats appear to play an important role in opening up dense cattail stands and providing cut stalks for nest construction. Ideal water depths for nesting range from 25 to 50 cm (Seyler 2003). Grebes set up breeding territories more commonly in wetlands impounded by beavers or humans than in those of glacial origin, and individual pairs appear to favor wetlands of intermediate size (0.6 - 7.0 ha) over very large or small wetlands (Gibbs and Melvin 1992).² Pied-billed grebe's reproduce from early March thru June. Based on C&S's habitat assessment, the AOI contains wetlands (shallow emergent marsh and shrub swamp) that may be used by the Pied-billed Grebe for foraging habitat and nesting. Threats to pied-billed grebes include habitat degradation and destruction resulting from draining, dredging, filling, pollution and siltation of wetlands. Nests can be destroyed by alterations of water levels and destruction of wetlands that are conducive to nesting habitat.

Construction activities are proposed to occur within and adjacent to wetlands and waterways that may be used by pied-billed grebes for nesting and/or foraging habitat. To avoid affecting the species nesting season, construction will take place after the reproduction season which occurs from March thru June. Wetland impacts will be kept to the minimum amount necessary to avoid the destruction

²NYNHP: [Pied-billed Grebe Guide - New York Natural Heritage Program \(nynhp.org\)](http://nynhp.org)

of potential pied-billed grebe habitat and nesting areas. Proper best management practices and erosion and sediment controls will be used throughout construction to avoid erosion and silt laden sediment runoff into wetlands and streams.

Implementation of a seasonal restriction for construction (i.e., March thru June) will reduce the project's potential to impact nesting birds. This avoidance measure precludes the need to implement mitigation for impacts to breeding birds. Therefore, impacts to the pied-billed grebe will be minimized below significant impact thresholds with the incorporation of the recommended avoidance measure. No significant adverse effects impacts to pied-billed grebes will occur as a result of this project.

Indiana Bats: Indiana bats are listed as endangered at both the state and federal level, and many details of the species ecology are contained in the draft recovery plan prepared by the USFWS.³ These bats over-winter in caves and mines and migrate to summer habitat as early as mid-April in New York. Suitable winter habitat (hibernacula) includes underground voids such as caves or abandoned mines where winter temperature remains below 50° Fahrenheit (10°C) and above freezing, and are relatively stable. Suitable summer habitat for the Indiana bat consists of trees greater than 2.5 inches in diameter at breast height (dbh), with cracks, crevices, or exfoliating bark.⁴

During summer, groups of females, their dependent pups, and occasional males form groups called maternity colonies. Maternity colonies may be spread among multiple trees with individual bats changing roosts every few days. Trees used by large portions of a maternity colony for all or part of the summer are termed primary roosts. Trees used by smaller numbers of bats for short periods of time are called alternate roosts. Primary roost trees are typically large dead or dying trees with exfoliating bark that usually receive direct sunlight for more than half the day; habitats most typical for primary roosts include riparian zones, bottomland and floodplain forests, forested wetlands, and upland communities at elevations less than 900 feet above mean sea level (North American Vertical Datum of 1988).⁵ Males tend to roost individually or in small numbers in trees with exfoliating bark, cracks, and crevices. Throughout the summer, Indiana bats forage in semi-open to closed (open understory) forested habitats, forest edges (i.e. fencerow, maintained right-of-way corridor), and riparian areas. Most bats leave their summer areas by October and return to the caves.

The USFWS IPaC (see **Attachment A**) indicates that the project is within the range of Indiana bats. The 2007 draft recovery plan specifies that the nearest hibernacula is located near North Highland, Putnam County approximately 13-miles southeast of the AOI. Based on a Mist Net Survey that was conducted by the NYSDEC in 2014, no Indiana bats were captured. However, there were 544 bat audio recordings collected and of these, 14 were likely Indiana bat calls. Also, a Biological Assessment conducted by Environmental Solutions and Innovations (ESI), Inc. revealed the potential for roost trees and foraging habitat within the airport property.

³ U.S. Fish and Wildlife Service (USFWS). 2007. Indiana Bat (*Myotis sodalis*) Draft Recovery Plan: First Revision. U.S. Fish and Wildlife Service, Fort Snelling, MN. 258 pp.

⁴ U.S. Fish and Wildlife Service (USFWS). May 2017. Indiana Bat Project Review Fact Sheet, New York Field Office. 4 pp.

⁵ U.S. Fish and Wildlife Service (USFWS). 2007. Indiana Bat (*Myotis sodalis*) Draft Recovery Plan: First Revision. U.S. Fish and Wildlife Service, Fort Snelling, MN. 258 pp.

The AOI is void of forested habitat, therefore no roosting potential occurs on site. The AOI may be used by foraging bats during summer months; the Proposed Project will not significantly reduce the foraging potential within and adjacent to the AOI post-construction. No adverse impacts to the species will occur as a direct result of this project.

Northern long-eared bat: The northern long-eared bat is listed as threatened at the state and federal level. The northern long-eared bat winters in caves and mines and migrates seasonally to summer roosts in dead and decadent trees. Northern long-eared bats are typically associated with mature interior forest⁶ and tend to avoid woodlands with significant edge habitat.⁷ They may most often be found in cluttered or densely forested areas including in uplands and at streams or vernal pools.⁸ They may use small openings or canopy gaps as well. Some research suggests that northern long-eared bats forage on forested ridges and hillsides rather than in riparian or floodplain forests. Captures from New York suggest that northern long-eared bats may also be found using younger forest types.⁹ This species selects day roosts in dead or live trees under loose bark, or in cavities and crevices, and may sometimes use caves as night roosts.¹⁰ They may also roost in buildings or behind shutters. A variety of tree species are used for roosting. The structural complexity of surrounding habitat and availability of roost trees may be important factors in roost selection.¹¹ Roosts of female bats tend to be large diameter, tall trees, and in at least some areas, located within a less dense canopy.¹² Northern long-eared bats hibernate in caves and mines where the air temperature is constant, preferring cooler areas with high humidity.¹³

The NYNHP maintains data regarding known occurrences of northern long-eared bat hibernacula and summer roosts. NYNHP correspondence indicates no documented occurrences in the vicinity of the AOI. However, based on a Biological Assessment that was done by Environmental Solutions and Innovations, Inc. (ESI) in February 2018, there are potential roost trees and foraging habitat within the airport property.

Based on the March 9, 2021 site visit, no forested areas occur within the AOI; therefore, no roosting potential occurs in the Proposed Project areas.

⁶ Carroll, S. K., T. C. Carter and G. A. Feldhamer. 2002. Placement of nets for bats: effects on perceived fauna. *Southeastern Naturalist* 1:193-198.

⁷ Yates, M. and R. Muzika. 2006. Effect of forest structure and fragmentation on site occupancy of bat species in Missouri Ozark forests. *Journal of Wildlife Management* 70:1238-1248.

⁸ Brooks, R. T. and W. M. Ford. 2005. Bat Activity in a Forest Landscape of Central Massachusetts. *Northeastern Naturalist* 12:447-462.

⁹ New York Natural Heritage Program. 2016. Online Conservation Guide for *Myotis septentrionalis*. Available from: <http://www.acris.nynhp.org/guide.php?id=7407>. Accessed October 9, 2017.

¹⁰ U.S. Fish and Wildlife Service. 2013. 12-Month finding on a petition to list the eastern small-footed bat and the northern long-eared bat as threatened or endangered; Listing the northern long-eared bat as an endangered species; Proposed rule. Vol. 78 No.

¹¹ Carter, T. C. and G. A. Feldhamer. 2005. Roost tree use by maternity colonies of Indiana bats and northern long-eared bats in southern Illinois. *Forest Ecology and Management* 219:259-268.

¹² Sasse, D. B. and P. J. Pekins. 1996. Summer roosting ecology of northern long-eared bats (*Myotis septentrionalis*) in the White Mountain National Forest. Pp. 91-101 in *Proceedings of the Bats and Forests Symposium of the British Columbia Ministry of Forest*.

¹³ U.S. Fish and Wildlife Service. 2013. 12-Month finding on a petition to list the eastern small-footed bat and the northern long-eared bat as threatened or endangered; Listing the northern long-eared bat as an endangered species; Proposed rule. Vol. 78 No.

State Impact Assessment

In New York, a permit is required for the “take” of protected species under the Uniform Procedures Act which includes direct impact to the species as well as adverse modification to habitat. The NYSDEC considers impacts to “occupied” habitat as well as direct impacts to the species. NYSDEC requirements for northern long-eared bat protection are consistent with USFWS in areas that are not considered “occupied habitat”. NYSDEC defines occupied habitat as those areas within five (5) miles of a known hibernacula, or 1.5 miles from a documented summer occurrence.

USFWS data indicates the nearest northern long-eared bat hibernaculum is about 13 miles southeast near North Highland in Putnam Wyoming County. Based on a Mist Net Survey that was conducted by NYSDEC in 2014, no northern long-eared bats were captured. However, there were 544 bat audio recordings collected and of these, 25 were likely northern long-eared bat calls. In addition, a Biological Assessment conducted by ESI, Inc. revealed the potential for roost trees and foraging habitat within the airport property. Based on this information the AOI is potentially within 1.5 miles of occupied habitat. However, the project will not involve the removal of any trees and therefore will not directly affect the species habitat. Minor impacts to foraging habitat may occur with the construction of MALSR light tower foundations and the loss of 0.09 acres of wetlands. The Proposed Project will not significantly reduce the foraging potential within and adjacent to the AOI post-construction. Approximately 2.1 acres (95%) of the wetland habitat will remain upon completion of the Proposed Project. Therefore, adverse impacts to northern long-eared bats are not expected.

Federal Impact Assessment

The northern long-eared bat was listed as threatened under ESA on April 2, 2015. The USFWS issued a 4(d) rule for this species, which was published in the *Federal Register* on January 14, 2016. The 4(d) rule prohibits “incidental take” within white-nose impacted areas of the northern long-eared bat’s range when a proposed action is within a known hibernaculum, includes tree removal within 0.25 mile of a known hibernaculum, or 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. Incidental take for other activities is covered under the Programmatic Biological Opinion associated with the 4(d) rule. Notably, “incidental take” is defined by the ESA as take that is “incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.” For example, harvesting trees may result in a “take” of bats that are roosting in the trees, but the purpose of the activity is not to harm bats.

No suitable summer habitat exists in the AOI. USFWS data indicates the Project is not within 0.25 mile of a hibernaculum, and there are no occupied maternity roost trees within 150 feet of the AOI. Although the AOI may be used by foraging bats during summer months; the proposed project will not significantly reduce the foraging potential within and adjacent to the AOI post-construction. Since no tree removal would occur as a result of the Proposed Project, no avoidance or minimization measures are required to maintain consistency with ESA and the 4(d) rule established by the USFWS.

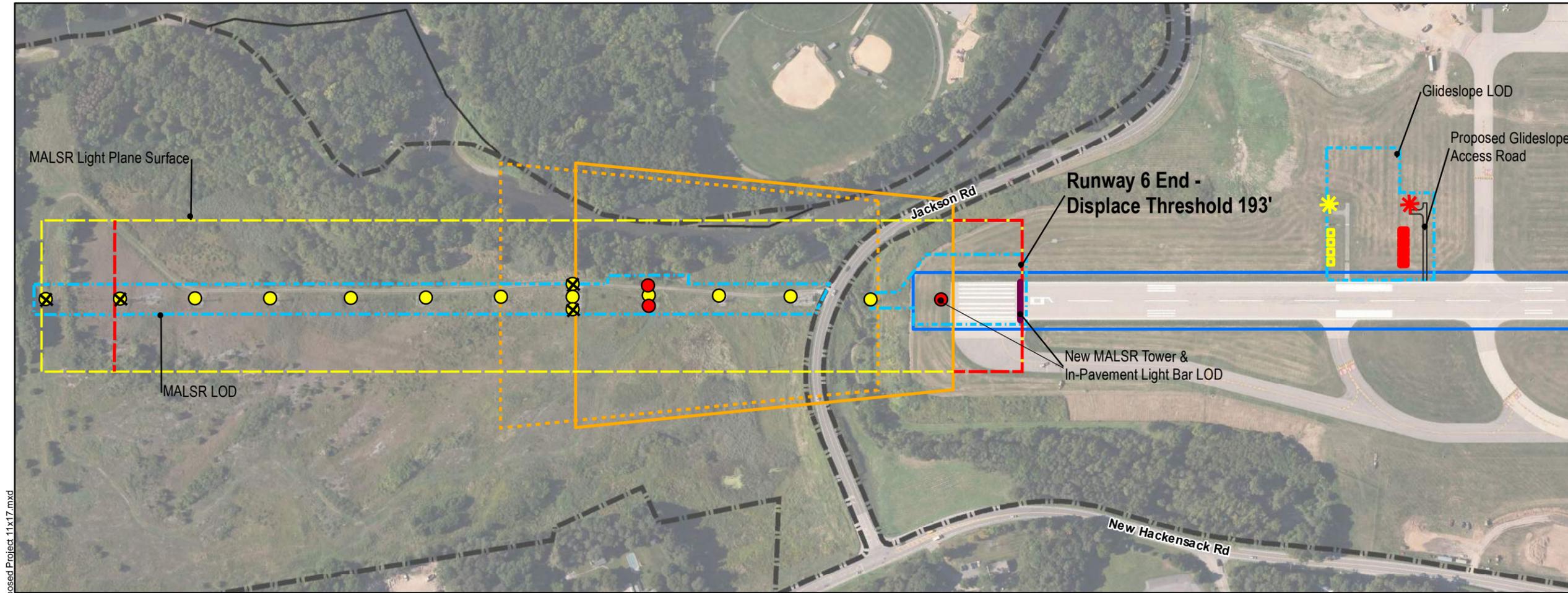
Federal and State Wetlands Review

Based on a review of existing federal and state wetland maps, soil surveys, aerial photographs of the subject parcels, there are USACE regulated wetlands within or adjacent to the AOI. No NYSDEC mapped wetlands occur within or adjacent to the AOI. As a result, a wetland delineation consistent with USACE methodology was conducted by C&S on March 9, 2021.

The delineation was performed consistent with the *1987 Corps of Engineers Wetland Delineation Manual, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region Version 2.0*. The United States Army Corps of Engineers (USACE) uses a three parameter approach for identifying wetlands. In general, an area is considered a wetland if it meets certain requirements indicating appropriate hydrology, prevalence of wetland vegetation, and hydric soils. During field surveys, dominant flora species, hydrologic features, and soil conditions are recorded. The field investigation revealed four federal wetlands within or adjacent to the AOI (**Figure 3**).

A USACE Section 404 Permit will be required since there will be ground disturbance within the federal wetlands. It is anticipated that the Proposed Project will qualify for coverage under the USACE Nationwide Permit.

A NYSDEC Article 24 Freshwater Wetlands Permit will not be required since the project will not impact a NYSDEC wetland or its 100 foot regulated buffer.



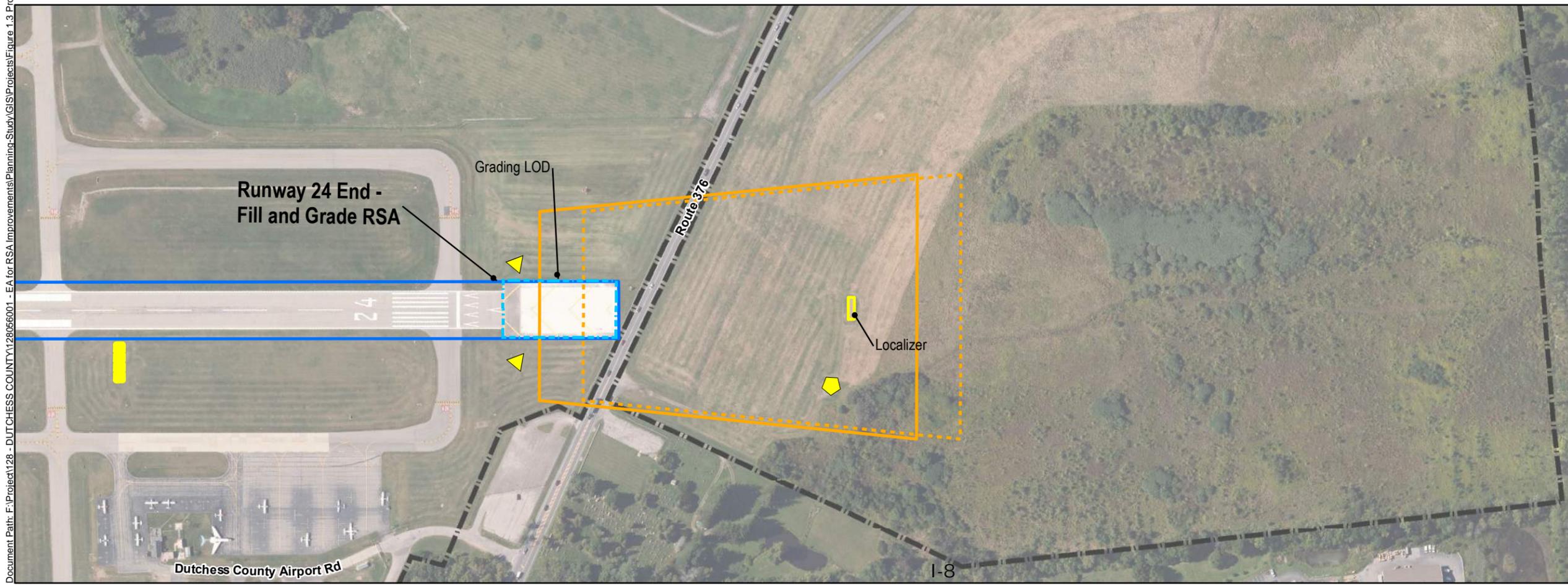
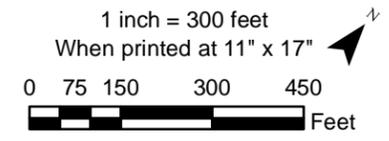
Legend

- Airport Property Line
- Municipal Boundary
- Approach RPZ
- Departure RPZ
- RSA
- Limits of Disturbance (LOD)

NAVAIDs & Critical Areas*

- REIL
- Glideslope Antenna & Building
- MALSR
- MALSR (Removed)
- Localizer Antenna
- 4-Box PAPI
- MALSR Light Surface

*Existing NAVAIDs and Critical Areas shown in **YELLOW**
 *Proposed relocated NAVAIDs and Critical Areas shown in **RED**

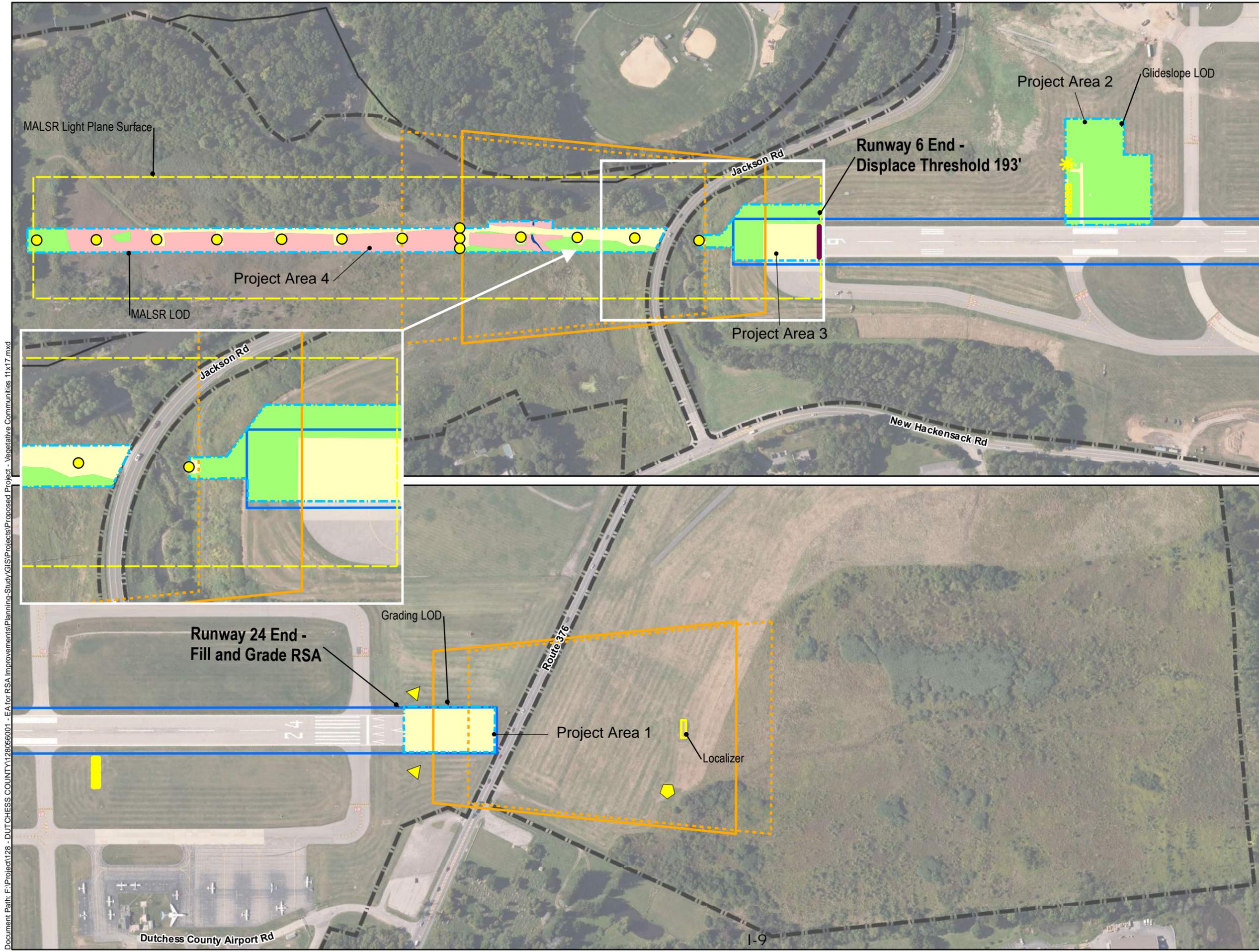


Hudson Valley Regional Airport

Proposed Project

Figure 1

Document Path: F:\Project128 - DUTCHESS COUNTY\128056001 - EA for RSA Improvements\Planning-Study\GIS\Projects\Figure 1.3 Proposed Project 11x17.mxd



Legend

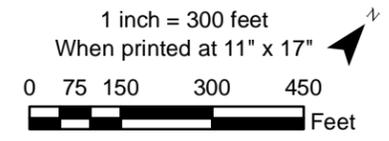
- Airport Property Line
- Municipal Boundary
- Approach RPZ
- Departure RPZ
- RSA
- Limits of Disturbance (LOD)

NAVAIDs & Critical Areas*

- REIL
- Glideslope Antenna & Building
- MALSR
- MALSR (Removed)
- Localizer Antenna
- 4-Box PAPI
- MALSR Light Surface

*Existing NAVAIDs and Critical Areas shown in **YELLOW**

- Terrestrial (paved/unpaved road/path/urban structure exterior)
- Riverine Rock headwater stream
- Terrestrial (maintained grassland/mowed lawn)
- Wetland (Palustrine shallow emergent marsh; shrub swamp)



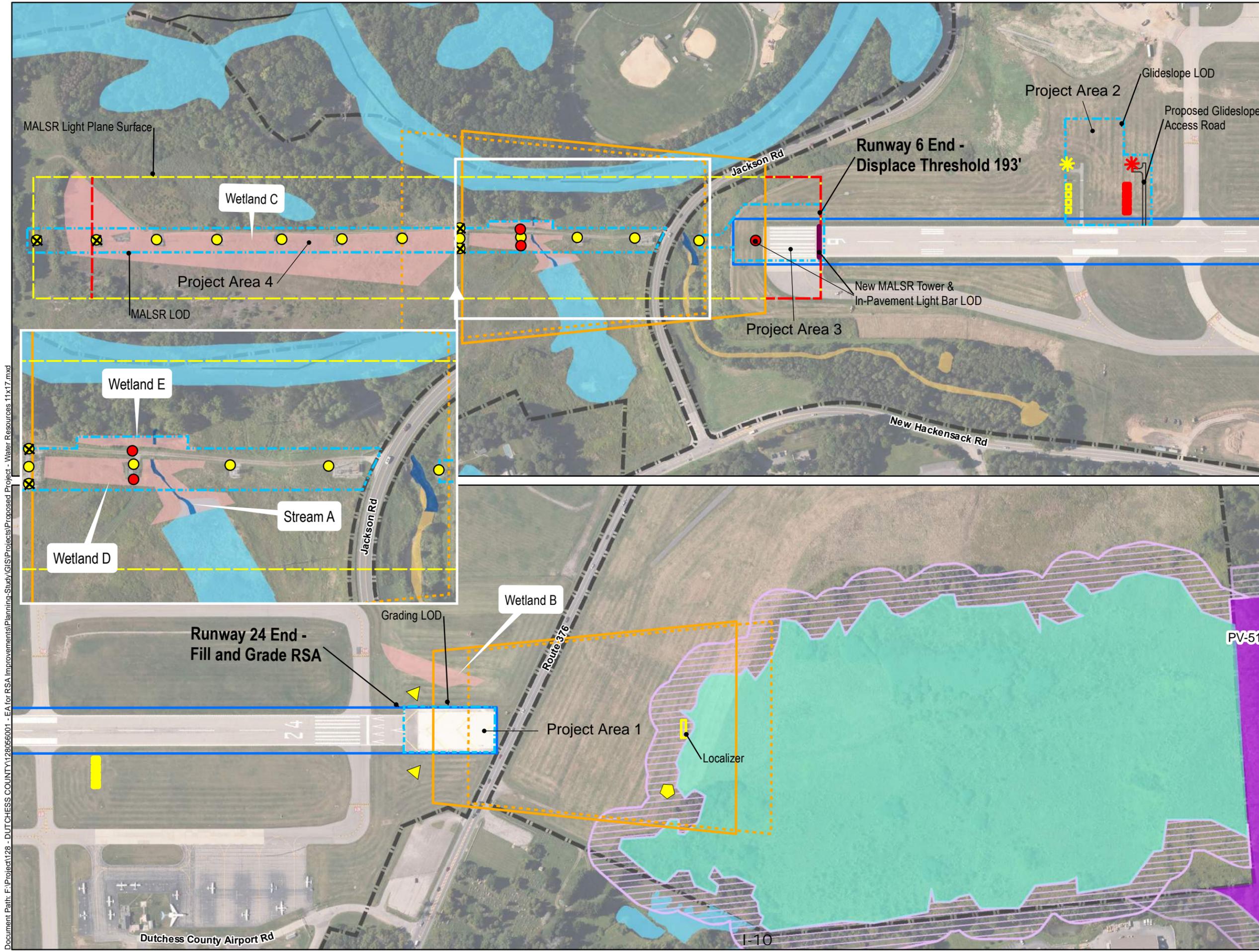
Hudson Valley Regional Airport

Existing Vegetative Communities

Figure 2

Document Path: F:\Project128 - DUTCHESS COUNTY\128056001 - EA for RSA Improvements\Planning-Study\GIS\Projects\Proposed Project - Vegetative Communities_11x17.mxd

SOURCES: APL from Dutchess County; Municipal Boundaries from Census Bureau 2016 TIGER files; Vegetative Communities from C&S Engineers, Inc.; Basemap: 2019 Orthoimagery

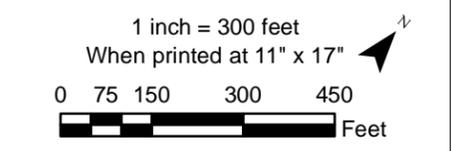


Legend

- Airport Property Line
 - Municipal Boundary
 - Approach RPZ
 - Departure RPZ
 - RSA
 - Limits of Disturbance (LOD)
- NAVAIDs & Critical Areas***
- REIL
 - Glideslope Antenna & Building
 - MALSR
 - MALSR (Removed)
 - Localizer Antenna
 - 4-Box PAPI
 - MALSR Light Surface

*Existing NAVAIDs and Critical Areas shown in **YELLOW**
 *Proposed relocated NAVAIDs and Critical Areas shown in **RED**

- NWI Wetland
 - DEC Wetland
 - DEC 100 ft. Wetland Buffer
- C&S Engineers, Inc. Delineated**
- Federal/USACE Wetland (2021)
 - Federal/USACE Stream (2021)
 - Wetlands & Streams (2015 EA)
 - Wetlands & Streams (2009 EA)



Hudson Valley Regional Airport

Wetlands & Surface Waters

Figure 3

Document Path: F:\Project128 - DUTCHESS COUNTY\128056001 - EA for RSA Improvements\Planning-Study\GIS\Projects\Proposed Project - Water Resources 11x17.mxd

SOURCES: APL from Dutchess County; Municipal Boundaries from Census Bureau 2016 TIGER files; USFWS 2017 NWI data for Hopewell Junction, Pleasant Valley, Poughkeepsie, and Wappingers Falls; 100-ft. buffers around DEC wetlands created by C&S Engineers, Inc.; C&S Delineated wetlands from field visit on 3/9/21; NYSDEC wetlands from 2016 CUGIR files; Basemap: 2019

Attachment A



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:

March 24, 2021

Consultation Code: 05E1NY00-2021-SLI-2023

Event Code: 05E1NY00-2021-E-06359

Project Name: Environmental Assessment for Runway 6-24 Safety Area Improvements at Hudson Valley Airport

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 (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. 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 ESA, 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 site 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. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<http://www.fws.gov/windenergy/>)

[eagle_guidance.html](#)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

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 ESA. Please include the Consultation Tracking Number 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

Consultation Code: 05E1NY00-2021-SLI-2023

Event Code: 05E1NY00-2021-E-06359

Project Name: Environmental Assessment for Runway 6-24 Safety Area Improvements at Hudson Valley Airport

Project Type: COMMUNICATIONS TOWER

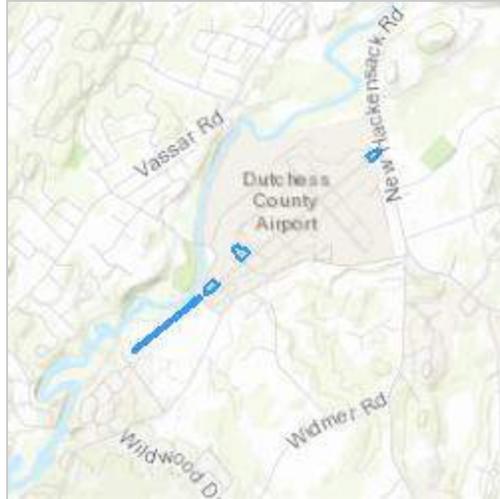
Project Description: The Proposed Project includes the following:

- Displace Runway 6 threshold 193 feet
 - Reconfigure and re-cable medium intensity runway lights with runway end identifier lights (MALSR) and associated grading (includes construction of at least three new light towers, removal of at least three light towers, height modification of six light towers). It is possible that all existing light towers and foundations must be replaced within the MALSR limits of disturbance depending on the structural effects of light tower height adjustments.
 - Relocation of approximately 200 feet of existing gravel access road adjacent to light tower located 1,000 feet from the displaced threshold.
 - Relocate instrument landing system glideslope antenna, equipment shelter, and access road and associated grading
 - Relocate precision approach path indicator (PAPI) lights on Runway 6 end
 - Fill, re-grade, and remove uneven paved areas on the Runway 24 end
 - Re-marking and re-lighting on Runway 6 end
- Figure 1.3 Proposed Project

- Redesign and publication of new approach procedures to the Runway 6 end (1-mile visibility minimum)
- Implement declared distances

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.62431275,-73.88921589129039,14z>



Counties: Dutchess 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.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

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

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

May 30, 2019

Justin Strong
C&S Engineers
499 Col. Eileen Collins Blvd.
Syracuse, NY 13212

Re: Hudson Valley Regional Airport Environmental Assessment for Runway Safety Area
(RSA) Improvements
County: Dutchess Town/City: Wappinger

Dear Mr. Strong:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is 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.

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 or activities (e.g., regulated wetlands), please contact the NYS DEC Region 3 Office, Division of Environmental Permits at dep.r3@dec.ny.gov, (845) 256-3054.

Sincerely,



Heidi Krahlting
Environmental Review Specialist
New York Natural Heritage Program

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The following state-listed animals have been documented at or in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for the project, please contact the NYSDEC Region 3 Office, Department of Environmental Permits, at dep.r3@dec.ny.gov, (845) 256-3054.

The following species has been documented at the project site.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>	
Mammals				
Indiana Bat <i>Maternity colony</i>	<i>Myotis sodalis</i>	Endangered	Endangered	11287

The following species has been documented within 150 yards of the project site.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>	
Birds				
Pied-billed Grebe <i>Breeding</i>	<i>Podilymbus podiceps</i>	Threatened		1866

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage’s Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.