

(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: 2022-0072225

Project Name: CHPE Package 5B - Segment 9

Project Type: Transmission Line - New Constr - Below Ground

Project Description: CHPE Package 5B - Segment 9

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.558239799999996,-73.84623632064284,14z>



Counties: Albany 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 Fisheries<sup>1</sup>, 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. [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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Critical habitats

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

---

## **IPaC User Contact Information**

Agency: Environmental Design and Research, D.P.C

Name: Laurie Stubenrauch

Address: 217 Montgomery St.

City: Syracuse

State: NY

Zip: 13202

Email: lstubenrauch@edrdpc.com

Phone: 3154710688

## **Lead Agency Contact Information**

Lead Agency: Department of Energy

---



## 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  
Email Address: [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)

In Reply Refer To:  
Project Code: 2022-0019436  
Project Name: CHPE Package 6 - Segment 10

December 14, 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: 2022-0019436

Project Name: CHPE Package 6 - Segment 10

Project Type: Transmission Line - New Constr - Below Ground

Project Description: This submission represents the Package 6 - Segment 10 of the proposed Champlain Hudson Power Express (CHPE) Project.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.3917694,-73.81933065636107,14z>



Counties: Albany and Greene counties, New York

---

## Endangered Species Act Species

There is a total of 3 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 Fisheries<sup>1</sup>, 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. [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 <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Critical habitats

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

## **IPaC User Contact Information**

Agency: Environmental Design and Research, D.P.C

Name: Laurie Stubenrauch

Address: 217 Montgomery St.

City: Syracuse

State: NY

Zip: 13202

Email: [lstubenrauch@edrdpc.com](mailto:lstubenrauch@edrdpc.com)

Phone: 3154710688

---



## 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  
Email Address: [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)

In Reply Refer To:  
Project Code: 2022-0072205  
Project Name: CHPE Package 7A - Segment 11

December 14, 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: 2022-0072205

Project Name: CHPE Package 7A - Segment 11

Project Type: Transmission Line - New Constr - Below Ground

Project Description: CHPE Package 7A - Segment 11

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.195681449999995,-73.90007447443676,14z>



Counties: Greene County, New York

## Endangered Species Act Species

There is a total of 3 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 Fisheries<sup>1</sup>, 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. [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 <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Critical habitats

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

## **IPaC User Contact Information**

Agency: Environmental Design and Research, D.P.C

Name: Laurie Stubenrauch

Address: 217 Montgomery St.

City: Syracuse

State: NY

Zip: 13202

Email: lstubenrauch@edrdpc.com

Phone: 3154710688

## **Lead Agency Contact Information**

Lead Agency: Department of Energy

---



## 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  
Email Address: [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)

In Reply Refer To:  
Project Code: 2022-0072199  
Project Name: CHPE Package 7B - Segment 12

December 14, 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.**

---

**Note:** IPaC has provided all available attachments because this project is in multiple field office jurisdictions.

Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Migratory Birds
  - Wetlands
-

## 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

This project's location is within the jurisdiction of multiple offices. However, only one species list document will be provided for all offices. The species and critical habitats in this document reflect the aggregation of those that fall in each of the affiliated office's jurisdiction. Other offices affiliated with the project:

### **Long Island Ecological Services Field Office**

340 Smith Road  
Shirley, NY 11967-2258  
(631) 286-0485

---

## Project Summary

Project Code: 2022-0072199  
Project Name: CHPE Package 7B - Segment 12  
Project Type: Transmission Line - New Constr - Below Ground  
Project Description: CHPE Package 7B - Segment 12  
Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.200006599999995,-73.98292055221586,14z>



Counties: Rockland 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 Fisheries<sup>1</sup>, 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. [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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Critical habitats

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

---

# USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) 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 OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

---

# Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

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 described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

**The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) 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 [below](#). This is not a list of every bird you may find 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 [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off 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 [below](#).

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
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> 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 Sep 1 to Aug 31
<b>Black Skimmer <i>Rynchops niger</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/5234">https://ecos.fws.gov/ecp/species/5234</a>	Breeds May 20 to Sep 15

---

NAME	BREEDING SEASON
<b>Black-billed Cuckoo</b> <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
<b>Black-capped Chickadee</b> <i>Poecile atricapillus praticus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Apr 10 to Jul 31
<b>Blue-winged Warbler</b> <i>Vermivora pinus</i> 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
<b>Bobolink</b> <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
<b>Canada Warbler</b> <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Aug 10
<b>Cerulean Warbler</b> <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/2974">https://ecos.fws.gov/ecp/species/2974</a>	Breeds Apr 27 to Jul 20
<b>Chimney Swift</b> <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
<b>Golden Eagle</b> <i>Aquila chrysaetos</i> 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. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds elsewhere
<b>Golden-winged Warbler</b> <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8745">https://ecos.fws.gov/ecp/species/8745</a>	Breeds May 1 to Jul 20
<b>Kentucky Warbler</b> <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
<b>Lesser Yellowlegs</b> <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere

NAME	BREEDING SEASON
<b>Long-eared Owl</b> <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3631">https://ecos.fws.gov/ecp/species/3631</a>	Breeds Mar 1 to Jul 15
<b>Northern Saw-whet Owl</b> <i>Aegolius acadicus acadicus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 1 to Jul 31
<b>Prairie Warbler</b> <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
<b>Prothonotary Warbler</b> <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
<b>Red-headed Woodpecker</b> <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
<b>Ruddy Turnstone</b> <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
<b>Rusty Blackbird</b> <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
<b>Wood Thrush</b> <i>Hylocichla mustelina</i> 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 are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please 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 presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding 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 events in 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 of presence is calculated. This is the probability of presence divided by the maximum 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 the 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.

### 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 (|)

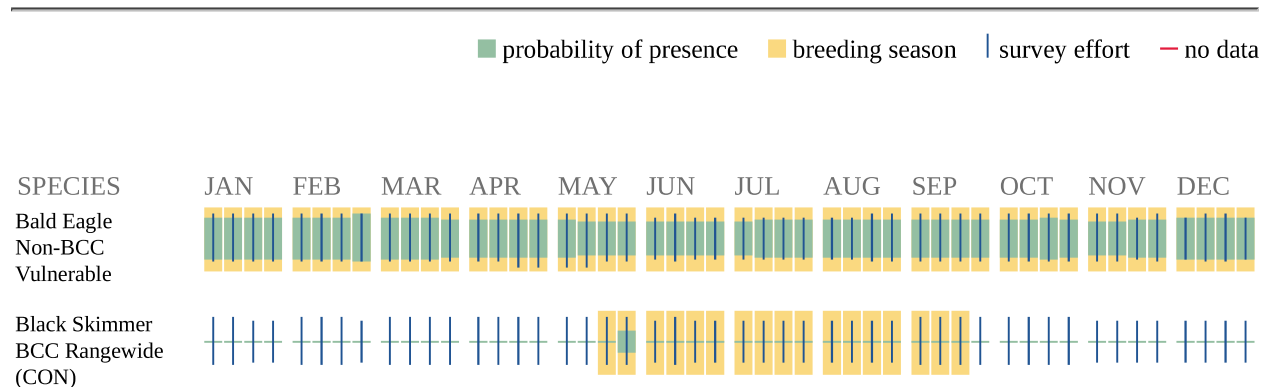
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

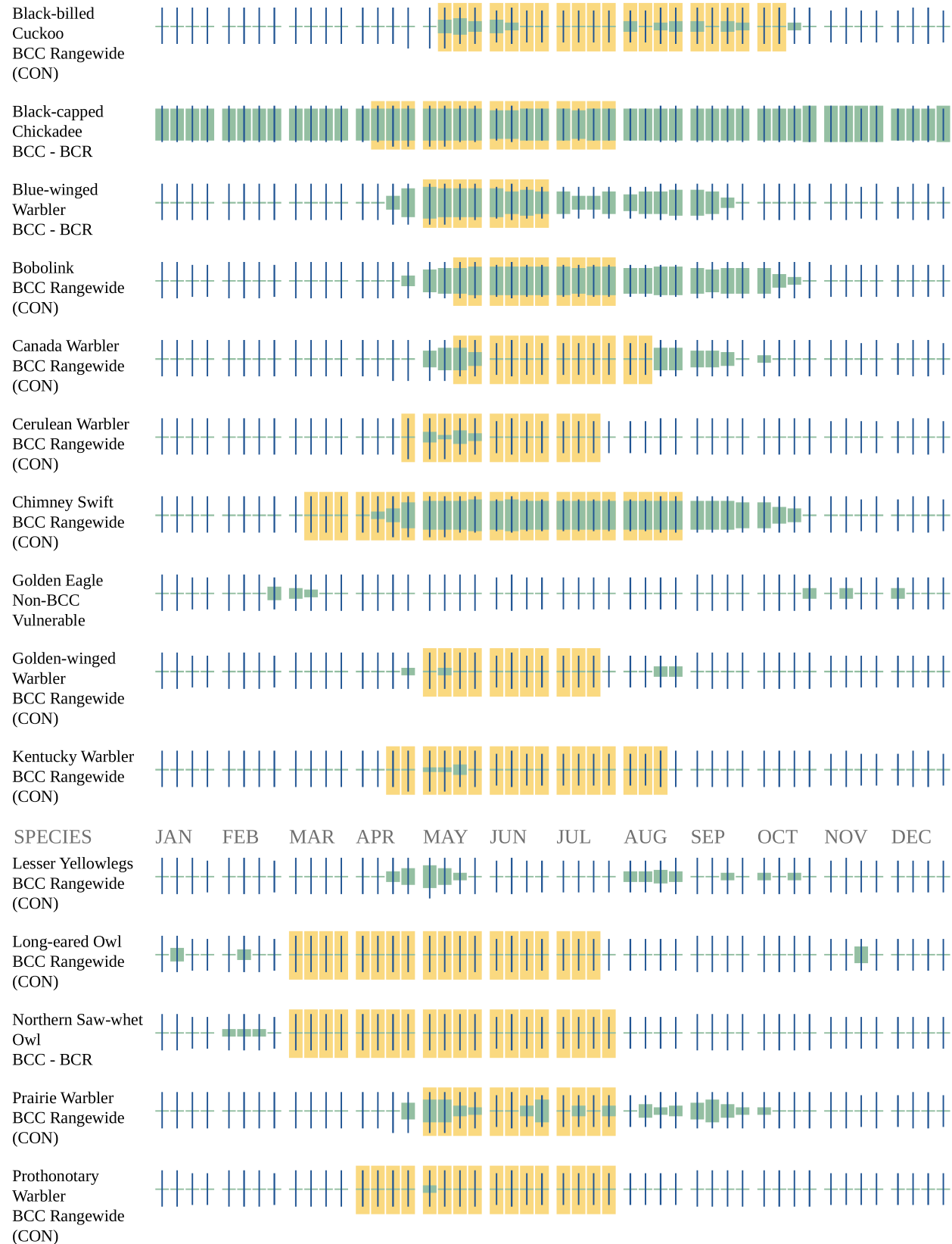
### No Data (—)

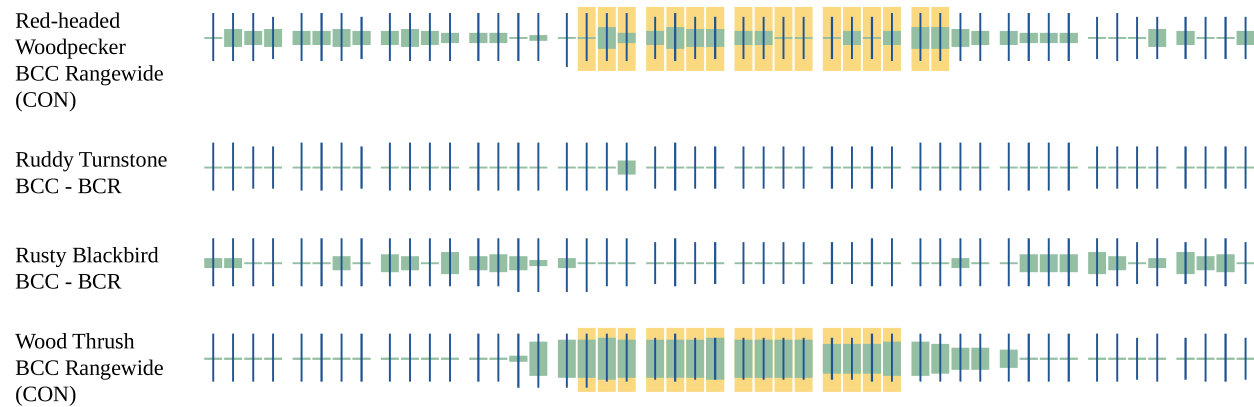
A week is marked as having no data if there were no survey events for that week.

### 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 off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.







Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

## Migratory Birds FAQ

**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 of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending 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 list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) 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 [Rapid Avian Information Locator \(RAIL\) Tool](#).

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

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

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 to 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 or migrating in my 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 query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. 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 [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific 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 [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts 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 affected 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 off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). 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 results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project 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 [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) 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 specified location". Please be aware this report provides the "probability of presence" of birds within 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 effort 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 effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. 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.

---

## Wetlands

Impacts to [NWI wetlands](#) 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 local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

---

## **IPaC User Contact Information**

Agency: Environmental Design and Research, D.P.C

Name: Laurie Stubenrauch

Address: 217 Montgomery St.

City: Syracuse

State: NY

Zip: 13202

Email: lstubenrauch@edrdpc.com

Phone: 3154710688

## **Lead Agency Contact Information**

Lead Agency: Department of Energy

---



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Long Island Ecological Services Field Office  
340 Smith Road  
Shirley, NY 11967-2258  
Phone: (631) 286-0485 Fax: (631) 286-4003



In Reply Refer To:

December 14, 2022

Project Code: 2022-0072194

Project Name: CHPE Package 8 - Segments 13, 14, and 15

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:

**Long Island Ecological Services Field Office**

340 Smith Road

Shirley, NY 11967-2258

(631) 286-0485

---



## Endangered Species Act Species

There is a total of 6 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 Fisheries<sup>1</sup>, 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. [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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

### Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened
Roseate Tern <i>Sterna dougallii dougallii</i> Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2083">https://ecos.fws.gov/ecp/species/2083</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Flowering Plants

NAME	STATUS
Seabeach Amaranth <i>Amaranthus pumilus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8549">https://ecos.fws.gov/ecp/species/8549</a>	Threatened

## Critical habitats

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

---

## **IPaC User Contact Information**

Agency: Environmental Design and Research, D.P.C

Name: Laurie Stubenrauch

Address: 217 Montgomery St.

City: Syracuse

State: NY

Zip: 13202

Email: lstubenrauch@edrdpc.com

Phone: 3154710688

## **Lead Agency Contact Information**

Lead Agency: Department of Energy

---

## 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](http://www.dec.ny.gov)

March 25, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

**Re: Champlain Hudson Power Express - Phase 1 - Packages 1A, 1B, 1C**

County: Washington    Town/City: Dresden, Putnam, Whitehall

Dear Nicole Frazer:

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.

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 5 Office, Division of Environmental Permits, at [dep.r5@dec.ny.gov](mailto:dep.r5@dec.ny.gov).

Sincerely,



Heidi Krahling  
Environmental Review Specialist  
New York Natural Heritage Program



**The following state-listed animals have been documented  
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.

**For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 5 Office at [dep.r5@dec.ny.gov](mailto:dep.r5@dec.ny.gov), (518) 623-1286.**

**The following species has been documented within 1/2 mile of the project site near Putnam Station.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Birds</b>			
<b>Bald Eagle</b> <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	12657

**The following species has been documented within 1/3 mile of the project site in the Town of Putnam. Individual animals may travel 1.5 miles from documented locations.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Reptiles</b>			
<b>Timber Rattlesnake</b>	<i>Crotalus horridus</i>	Threatened	8859

**The following species has been documented in the Town of Dresden within 2.5 miles of the project site and in the Town of Hague within 4 miles of the project site. Individual animals may travel 5 miles from documented locations. The main impact of concern is the cutting or removal of potential roost trees.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Mammals</b>			
<b>Northern Long-eared Bat</b> <i>Hibernacula</i>	<i>Myotis septentrionalis</i>	Threatened	Threatened 14206

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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plants, rare animals, and significant natural communities  
have been documented at the project site, or in its vicinity.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine whether a species currently occurs at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. Each community is either an example of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
--------------------	------------------------	-------------------------	-------------------------------------

#### **Upland/Terrestrial Communities**

##### **Red Cedar Rocky Summit**

High Quality Occurrence of  
Uncommon Community Type

Documented within 100 yards of the project site in the Town of Dresden. Patches occur on either side of Route 22 in the northern portion of the Town of Dresden. This is a relatively small red cedar rocky summit, near its northern limit for this type, in very good condition within a very large, good quality forested landscape.

12930

#### **Wetland/Aquatic Communities**

##### **Deep Emergent Marsh**

High Quality Occurrence of  
Uncommon Community Type

Enormous marsh complex occupying 50% of the upper portion of Lake Champlain with excellent native species diversity and one or more large cores with minimal disturbances, but with several cores with high concentration of invasive exotics.

3049

##### **Silver Maple-Ash Swamp**

High Quality Occurrence of  
Uncommon Community Type

A narrow strip along the west shore of Lake Champlain near Chubbs Dock in the Town of Dresden. Exotics present, but not abundant.

10514

The following plants are listed as Endangered or Threatened by New York State, and/or are rare in New York State, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS	
<b>Hill's Pondweed</b>	<i>Potamogeton hillii</i>	Threatened	Imperiled in NYS and Globally Uncommon	2263
Documented at the project site near Route 22 and B Lane near the border between the Towns of Dresden and Putnam. 1999-08-12: A beaver pond and small streamlets with sluggish water and muddy full exposures.				
<b>Lake Water Cress</b>	<i>Rorippa aquatica</i>	Threatened	Imperiled in NYS	9495
Documented within 1/4 mile east of the project site near Dresden. 1987-07-16: Rock piles along lakeward side of the railroad with loads of Trapa. Rocks and the railroad embankment near emergent marsh covered with Trapa.				

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

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 rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

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.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/29384.html](http://www.dec.ny.gov/animals/29384.html) for Ecological Communities of New York State.

## 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](http://www.dec.ny.gov)

April 1, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 2  
County: Washington    Town/City: Fort Ann, Hartford, Kingsbury

Dear Nicole Frazer:

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.

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 NYSDEC Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program



## The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 2 alignment.

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

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**The following species has been documented at two locations near the project alignment in the Lake Champlain Canal in the Town of Kingsbury.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Fish</b>			
<b>Eastern Sand Darter</b>	<i>Ammocrypta pellucida</i>	Threatened	12842
In the Lake Champlain Canal at Smiths Basin and at Lock 9, both within 160 yards of the alignment.			

**The following species has been documented nesting within 1/3 mile of the project alignment.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Bald Eagle</b>	<i>Haliaeetus leucocephalus</i>	Threatened	17280
East of the project alignment and south of Smiths Basin and Big Creek, Town of Kingsbury.			

**The following species has been documented breeding along Dike Road about 150 yards from the project alignment, northeast of Dunham Basin in the Town of Kingsbury.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Northern Harrier</b> <i>Breeding</i>	<i>Circus hudsonius</i>	Threatened	6447

**The following species have been documented at the Fort Edward Grasslands, a state significant Raptor Winter Concentration Area. The mapped area extends to within 1/3 mile of the project alignment northeast of Dunham Basin in the Town of Kingsbury.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Short-eared Owl</b> <i>Wintering</i>	<i>Asio flammeus</i>	Endangered	2444
<b>Northern Harrier</b> <i>Wintering</i>	<i>Circus hudsonius</i>	Threatened	7292

This report only includes records from the NY Natural Heritage 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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



## The following rare animals and significant natural communities have been documented along the Champlain-Hudson Power Express Phase 2 Package 2 alignment.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are rare in New York and are of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Fish</b>			
<b>Bridle Shiner</b>	<i>Notropis bifrenatus</i>	Unlisted	Imperiled in NYS and Globally Uncommon
Comstock, Town of Fort Ann, 2008-08-08: Found adjacent to the project alignment where the alignment abuts the railroad, in an unnamed body of water approximately .6 mile south of Comstock, between US Route 4 and the railroad tracks.			

15215

### Dragonflies and Damselflies

<b>Umber Shadowdragon</b>	<i>Neurocordulia obsoleta</i>	Unlisted	Critically Imperiled in NYS
---------------------------	-------------------------------	----------	-----------------------------

Champlain Canal, Town of Fort Ann, 2009-06-24: Found in the project alignment in the Champlain Canal at Lock 11.

14510

The following natural community is considered significant from a statewide perspective by the NY Natural Heritage Program. As a high-quality example of an uncommon community type, this community occurrence has high ecological and conservation value.

COMMUNITY NAME	HERITAGE CONSERVATION STATUS
<b>Pitch Pine-Oak-Heath Rocky Summit</b>	High Quality Occurrence of Uncommon Community Type

Summit of Curtis Hill, 1/2 mile northeast of the village of Fort Ann, overlooking the project alignment. Moderate-sized undisturbed occurrence surrounded by natural forest, but in a moderately fragmented landscape.

3527

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

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

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.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/97703.html](http://www.dec.ny.gov/animals/97703.html) for Ecological Communities of New York State.

## 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](http://www.dec.ny.gov)

April 11, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 3, Fort Edward to Milton  
County: Saratoga, Washington

Dear Nicole Frazer:

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 along the project alignment or in its vicinity.

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.

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 Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program





**The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 3 alignment.**

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

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

The following species have been documented within .5 mile of the project alignment in many locations in the Town of Wilton and the City of Saratoga Springs.

The first two species have been documented directly along the railroad serving as the route of the alignment between Geyser Road and Geyser Creek in the City of Saratoga Springs.

All three species have been documented directly along the railroad serving as the route of the alignment as it runs through the Saratoga Sand Plains State Wildlife Management Area (Wilton Wildlife Preserve) and its vicinity in Wilton.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
<b>Butterflies</b>			
<b>Karner Blue</b>	<i>Plebejus melissa samuelis</i>	Endangered	Endangered
<b>Frosted Elfin</b>	<i>Callophrys irus</i>	Threatened	
<b>Persius Duskywing</b>	<i>Erynnis persius persius</i>	Endangered	

This report only includes records from the NY Natural Heritage 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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plants, rare animals, and significant natural communities have been documented along the Champlain-Hudson Power Express Phase 2 Package 3 alignment.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

From Ballard Road to southwest of Edie Road in the Town of Wilton, the project alignment railroad runs through the Saratoga Sand Plains State Wildlife Management Area (Wilton Wildlife Preserve). The following animals and natural communities are documented within .5 mile of the project alignment, either in the Wildlife Management Area or in its vicinity.

The animals in this report, while not listed by New York State as Endangered or Threatened, are rare in New York and are of conservation concern.

The natural communities in this report are considered significant from a statewide perspective by the NY Natural Heritage Program. Each community is either an example of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

A GIS layer of Natural Heritage significant natural communities is available from the NYS GIS Clearinghouse at <http://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1241>.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Amphibians</b>			
<b>Eastern Spadefoot</b>	<i>Scaphiopus holbrookii</i>	Special Concern	Imperiled in NYS
2019: The metamorphs were observed in a drying Pine Barrens Vernal Pool with tussock sedge, spirea, and gray birch and adjacent small wooded patches of mixed hardwoods with white oak, red oak, black oak, alder, white pine, and small grassy openings nearby. The soil is sandy and a few smaller vernal pools are present.			12397
<b>Dragonflies and Damselflies</b>			
<b>Lyre-tipped Spreadwing</b>	<i>Lestes unguiculatus</i>	Unlisted	Imperiled in NYS
2008-07-26: Vernal pool complex at Wilton Wildlife Preserve.			14695
<b>Spatterdock Darner</b>	<i>Rhionaeschna mutata</i>	Unlisted	Imperiled in NYS
2010-07-05: Four vernal ponds.			13569

*COMMON NAME**HERITAGE CONSERVATION STATUS***Wetland/Aquatic Communities****Pine Barrens Vernal Pond**

High Quality Occurrence of Rare Community Type

A moderate-sized pond system in very good condition within a good to fair landscape that is undergoing positive restoration efforts.

11609

**Vernal Pool**

High Quality Occurrence of Uncommon Community Type

This vernal pool complex is of moderate size and within a well protected, good quality landscape.

13560

**Red Maple-Hardwood Swamp**

High Quality Occurrence of Uncommon Community Type

Adjacent to west side of railroad from Edie Road south for 1/4 mile. This a moderately sized red maple-hardwood swamp in very good condition within a good landscape.

13557

**Red Maple-Hardwood Swamp**

High Quality Occurrence of Uncommon Community Type

This is a relatively small occurrence within a well protected landscape that is undergoing restoration efforts.

13563

**Hemlock-Hardwood Swamp**

High Quality Occurrence of Uncommon Community Type

Miller Swamp: This is a relatively large hemlock-hardwood swamp in good condition within a good quality landscape.

13553

**Upland/Terrestrial Communities****Pitch Pine-Scrub Oak Barrens**High Quality Occurrence of Rare Community Type  
and Globally Rare

The community is relatively small but in good condition within a good to fair landscape that is undergoing positive restoration efforts.

13550

**Successional Northern Sandplain Grassland**

High Quality Occurrence of Uncommon Community Type

Adjacent to railroad on State Wildlife Management Area north and south of Scout Road. This is a relatively small grassland of mostly artificial origin via restoration efforts, but may include remnant patches of natural origin, in a protected, good quality landscape that is under active management. These grasslands may succeed to pitch pine-scrub oak barrens in the future.

13554

**Appalachian Oak-Pine Forest**

High Quality Occurrence

Adjacent to railroad on State Wildlife Management Area north and south of Scout Road, and on private land north of West Lane. This Appalachian oak-pine matrix forest is in good condition and occurs in large patches in the Saratoga Sandplains landscape.

13565

The following plants are listed as Endangered or Threatened by New York State, and are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Plants</b>			
<b>Goldenseal</b>	<i>Hydrastis canadensis</i>	Threatened	Imperiled in NYS

Documented .2 mile from project alignment between Wilton-Greenfield Town Line and Clinton Street, in a beech-maple mesic forest on a fairly steep, rocky, terraced slope. 2715

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org).

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.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/97703.html](http://www.dec.ny.gov/animals/97703.html) for Ecological Communities of New York State.

## 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](http://www.dec.ny.gov)

April 15, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 4  
County: Saratoga, Schenectady    Town/City: Ballston, Clifton Park, Glenville, Rotterdam

Dear Nicole Frazer:

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 along the project alignment or in its vicinity.

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.

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 Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program



**The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 4 alignment.**

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

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**The following species has been documented nesting within .2 mile of the project alignment in the Town of Ballston, Saratoga County; and within .5 mile of the project alignment in the Town of Glenville, Schenectady County.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Birds</b>			
<b>Bald Eagle</b> <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	

This report only includes records from the NY Natural Heritage 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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plants have been documented directly on the Champlain-Hudson Power Express Phase 2 Package 4 alignment.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQ. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

**The following plant is listed as Endangered or Threatened by New York State, and so is a vulnerable natural resource of conservation concern.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Side Oats Grama</b>	<i>Bouteloua curtipendula</i> var. <i>curtipendula</i>	Endangered	Imperiled in NYS

Wyatts Riverside Bluffs, including directly on the project alignment where it turns 90 degrees to cross the Mohawk River in the Town of Glenville, Schenectady County, between the railroad tracks and the river, 2005-08-09: This is an area of dry glacial till and calcareous Mohawk conglomerate forming bluffs along the Mohawk River. The banks along the river are very steep with exposed soil and weedy vegetation. The slopes are south-facing and very hot and dry in the sun. On top of the bluffs the land is level with an assortment of roads, railroads, buildings and quarries. The vegetation includes dry roadsides and fields and a few patches of woods.

10558

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org).

## 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](http://www.dec.ny.gov)

April 15, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 5  
County: Albany, Schenectady    Town/City: Bethlehem, Guilderland, New Scotland, Rotterdam

Dear Nicole Frazer:

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 along the project alignment or in its vicinity.

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.

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 Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program



**The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 5 alignment.**

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

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**The following species have been documented breeding within .5 mile of the project alignment.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Bald Eagle</b> Town of Guliderland, Albany County	<i>Haliaeetus leucocephalus</i>	Threatened	
<b>Least Bittern</b> Towns of Guliderland and New Scotland, Albany County	<i>Ixobrychus exilis</i>	Threatened	

**Throughout most of its route through Albany County, the project alignment is within 5 miles of one or more documented locations of the following species. Individual bats may travel 5 miles from documented locations.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Northern Long-eared Bat</b> <i>Hibernaculum</i>	<i>Myotis septentrionalis</i>	Threatened	Threatened

**Part of the project alignment in the Towns of Bethlehem and Coeymans in Albany County is within 2.5 miles of a documented location of the following species. Individual bats may travel 2.5 miles from documented locations.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Indiana Bat</b> <i>Hibernaculum</i>	<i>Myotis sodalis</i>	Endangered	Endangered

This report only includes records from the NY Natural Heritage 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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plant has been documented along the  
Champlain-Hudson Power Express Phase 2 Package 5 alignment.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

**The following plant is listed as Endangered or Threatened by New York State, and so is a vulnerable natural resource of conservation concern.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Side Oats Grama</b>	<i>Bouteloua curtipendula</i> var. <i>curtipendula</i>	Endangered	Imperiled in NYS

Rotterdam Sand Springs, east of North Thompson Street, .5 mile east of the project alignment, 2005-08-09: The plants are in an old sand pit with bluffs on the south side curving around on the west side. Limey springs emanate from the base of these bluffs and run through the area forming wetlands that totals just over 12.4 acres. The wetland areas are principally *Phragmites*, but there are openings with large stands of *Equisetum variegatum*. In the sandy areas there is *Equisetum hyemale*, *Populus deltoides*, *Salix* sp., Russian olive, *Schizachyrium scoparium*, *Monarda fistulosa*, *Agalinis tenuiflora*.

2718

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org).

## 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](http://www.dec.ny.gov)

April 15, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 6  
County: Albany, Greene    Town/City: Athens, Coeymans, Cossack, New Baltimore

Dear Nicole Frazer:

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 along the project alignment or in its vicinity.

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.

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 Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program





**The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 6 alignment.**

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

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**For most of its route in the Town of Coxsackie, Greene County, the project alignment runs through the Coxsackie Flats, a state-significant Raptor Winter Concentration Area. The following birds have been documented wintering at Coxsackie Flats.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING	
<b>Short-eared Owl</b> <i>Wintering</i>	<i>Asio flammeus</i>	Endangered		11089
<b>Northern Harrier</b> <i>Wintering</i>	<i>Circus hudsonius</i>	Threatened		11128

**The following species have been documented breeding near the project alignment.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING	
<b>King Rail</b> Town of Coxsackie, Greene County, within 1/3 mile of alignment.	<i>Rallus elegans</i>	Threatened		15434
<b>Bald Eagle</b> Town of Catskill, Greene County, within 3/4 mile of alignment.	<i>Haliaeetus leucocephalus</i>	Threatened		7092

**Part of the project alignment in the Towns of Athens and Catskill in Greene County is within 5 miles of a documented location of the following species. Individual bats may travel 5 miles from documented locations.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING	
<b>Northern Long-eared Bat</b> <i>Hibernaculum</i>	<i>Myotis septentrionalis</i>	Threatened	Threatened	14216

**Part of the project alignment in the Towns of Bethlehem and Coeymans in Albany County is within 2.5 miles of a documented location of the following species. Individual bats may travel 2.5 miles from documented locations.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING	
<b>Indiana Bat</b> <i>Hibernaculum</i>	<i>Myotis sodalis</i>	Endangered	Endangered	13608



**The following rare plant has been documented near the  
Champlain-Hudson Power Express Phase 2 Package 6 alignment.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

**The following plant is listed as Endangered or Threatened by New York State, and so is a vulnerable natural resource of conservation concern.**

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Stiff Flat-topped Goldenrod</b>	<i>Solidago rigida</i> var. <i>rigida</i>	Threatened	Imperiled in NYS

West Athens, large area from .2 to .5 mile west of project alignment, north and east of junction of County Route 28 (Schoharie Turnpike) and NY Route 9W, and east of a powerline, Town of Athens, Greene County, 2005-09-14: An old field, dominated by shrubs and herbs. Mostly flat, with wet and dry sections. Some purple loosestrife is invading in the wet areas. The area is dominated by *Aster dumosus* in October.

818

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org).

## 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](http://www.dec.ny.gov)

April 15, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 7  
County: Greene    Town/City: Catskill

Dear Nicole Frazer:

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 along the project alignment or in its vicinity.

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.

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 Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program



**The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 7 alignment.**

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

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**The following species has been documented nesting at several locations in the Town of Catskill from .25 mile to one mile from the project alignment.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Bald Eagle</b> <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	

**Part of the project alignment in the Towns of Athens and Catskill in Greene County is within 5 miles of a documented location of the following species. Individual bats may travel 5 miles from documented locations.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Northern Long-eared Bat</b> <i>Hibernaculum</i>	<i>Myotis septentrionalis</i>	Threatened	Threatened

**The following species are found in the Hudson River, including at the southern terminus of this package of the project alignment.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Shortnose Sturgeon</b>	<i>Acipenser brevirostrum</i>	Endangered	Endangered
<b>Atlantic Sturgeon</b>	<i>Acipenser oxyrinchus</i>	No Open Season	Endangered

This report only includes records from the NY Natural Heritage 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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).

## 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](http://www.dec.ny.gov)

April 22, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 7a  
County: Rockland Town/City: Clarkstown, Haverstraw, Stony Point

Dear Nicole Frazer:

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 along the project alignment or in its vicinity.

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.

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 Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program



**The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 7a alignment.**

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

**For more information, including any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**The following species has been documented nesting within one mile of the project alignment, or closer, in several locations in the Towns of Stony Point, Haverstraw, and Clarkstown.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Bald Eagle</b>	<i>Haliaeetus leucocephalus</i>	Threatened	

Nesting within 125 yards of the project alignment in the Town of Stony Point.

Nesting within one mile of the project alignment in the Town of Haverstraw.

Nesting within 1/4 mile of the project alignment in the Town of Clarkstown, and within 200 yards of the southern entry of the alignment into the Hudson River.

Stony Point and the adjacent Hudson River are documented regular locations for wintering bald eagles.

**The following species have been documented in the Hudson River, at both ends of the project alignment.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Shortnose Sturgeon</b>	<i>Acipenser brevirostrum</i>	Endangered	Endangered
<b>Atlantic Sturgeon</b>	<i>Acipenser oxyrinchus</i>	No Open Season	Endangered

This stretch of the Hudson River has also been documented as supporting overwintering juvenile shortnose sturgeon.

This report only includes records from the NY Natural Heritage 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](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



## The following rare plants and significant natural communities have been documented along the Champlain-Hudson Power Express Phase 2 Package 7a alignment.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following plants are listed as Endangered or Threatened by New York State, and are a vulnerable natural resource of conservation concern.

The following natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. Each community is either an example of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
<b>Oak-Tulip Tree Forest</b>			Rare Community Type
<p>Adjacent to the project alignment south from the intersection of NYS Routes 9W and 303 in the Town of Clarkstown; then when the project alignment turns sharply from the road, it crosses through parts of the forest at it heads to the Hudson River, and the forest occupies the river shore at the alignment's entry to the river. This is a mature forest of moderate size with several nice, large tree patches within a roughly 1600 acre natural area (not including the adjacent river) along the west bank of the lower Hudson River.</p>			
			3150
<p>The following natural community and rare plants occur at High Tor State Park on the ridge overlooking the project alignment.</p>			
<b>Rocky Summit Grassland</b>			High Quality Occurrence of Rare Community Type
<p>High Tor: Very diverse, good native species composition and moderate impact from trails. This occurrence is comprised of many small patches, regularly spaced along a diabase (traprock) ridgeline. There are few exotics. The landscape is relatively mature and in good condition.</p>			
			9782
<b>Basil Mountain Mint</b>	<i>Pycnanthemum clinopodioides</i>	Endangered	Critically Imperiled in NYS and Globally Rare
<p>High Tor, 2011-08-18: The plants are found on a south-facing slope in a rocky summit grassland and Appalachian oak-hickory forest (growing mainly in the woodland) on trapp rock in the Palisades.</p>			
			5186
<b>Torrey's Mountain Mint</b>	<i>Pycnanthemum torreyi</i>	Endangered	Critically Imperiled in NYS and Globally Rare
<p>High Tor, 2011-08-18: The plants are found on a south-facing slope in a rocky summit grassland and Appalachian oak-hickory forest (growing mainly in the woodland) on trapp rock in the Palisades.</p>			
			5134

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. 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.

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

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.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/97703.html](http://www.dec.ny.gov/animals/97703.html) for Ecological Communities of New York State.

## 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](http://www.dec.ny.gov)

April 22, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 8  
County: Bronx, Queens    Town/City: City Of New York

Dear Nicole Frazer:

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

We have no records of rare or state-listed animals or plants, or significant natural communities directly on the project alignment.

Within .5 mile of the project alignment in Bronx County is a documented nesting location of **Peregrine Falcon** (*Falco peregrinus*, NYS-listed as Endangered). For information about any permit considerations for your project, please contact the NYSDEC Division of Environmental Permits.

For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on 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 resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYSDEC Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program

## **Attachment 3**

### Summary of RTE Species and Significant Natural Communities Along Project Corridor

**REDACTED**

RTE Wildlife Species Documented along Project Corridor																				
Species	NYSDEC Mapped ESA #	Status	Overland Segments of Project Corridor																Suitable Habitat Present within LOW	AMM Measures
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Source		
<b>Monarch Butterfly</b>		Fed-Candidate	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	USFWS Official Species Lists	All Segments	None required under Section 7 ESA.
<b>Bald Eagle</b>	<b>ESA 1</b>	NYS-T, Fed-MBT	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	NYSDEC Mapping; NYNHP Letters; USFWS Official Species List	Segments 1, 2, 7, 8, 9, 10, 11, and 12	See Section 9.3 of the relevant EM&CPs.
<b>Northern Long-eared Bat</b>	<b>ESA 9</b>	NYS-T Fed-T	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NYNHP Letter; USFWS Official Species List; NYNHP Mapping	Segments 1, 2, 3, 8, 9, 10, and 11	See Section 9.3 of the relevant EM&CPs.
<b>Timber Rattlesnake</b>	<b>ESA 14</b>	NYS-T	Yes	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	Segments 1 and 3	See Section 9.3 of the relevant EM&CPs.
<b>Eastern Sand Darter</b>	<b>ESA 2</b>	NYS-T	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	None	100% Avoidance
<b>Bridle Shiner</b>		NYS-Unlisted, Imperiled in NYS	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
<b>Umber Shadowdragon</b>		NYS-Unlisted, Imperiled in NYS	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
<b>Short-eared Owl</b>	<b>ESA 12</b>	NYS-E	No	No	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	Segment 10	See Section 9.3 of the

**REDACTED**

RTE Wildlife Species Documented along Project Corridor																				
Species	NYSDEC Mapped ESA #	Status	Overland Segments of Project Corridor																Suitable Habitat Present within LOW	AMM Measures
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Source		
																				relevant EM&CPs.
<b>Northern Harrier</b>	<b>ESA 8</b>	NYS-T	No	No	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	Segment 10	See Section 9.3 of the relevant EM&CPs.
<b>Karner Blue Butterfly</b>	<b>ESA 5</b>	NYS-E Fed-E	No	No	No	Yes	Yes	No	Yes	Yes	No	No	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters; USFWS Official Species List	Segments 4 and 5	See Section 9.3 of the relevant EM&CPs.
<b>Frosted Elfin</b>	<b>ESA 3</b>	NYS-T	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters; USFWS Official Species List	Segments 4 and 5	See Section 9.3 of the relevant EM&CPs.
<b>Persius Duskywing</b>	<b>ESA 11</b>	NYS-E	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	Segment 4	See Section 9.3 of the relevant EM&CPs.
<b>Eastern Spadefoot</b>		NYS-SC	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
<b>Lyre-tipped Spreadwing</b>		NYS-Unlisted, Imperiled in NYS	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
<b>Spatterdock Darner</b>		NYS-Unlisted, Imperiled in NYS	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance

**REDACTED**

RTE Wildlife Species Documented along Project Corridor																				
Species	NYSDEC Mapped ESA #	Status	Overland Segments of Project Corridor																Suitable Habitat Present within LOW	AMM Measures
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Source		
<b>Indiana Bat</b>	<b>ESA 4</b>	NYS-EFed-E	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	No	No	No	No	NYSDEC Mapping; NYNHP Letters; USFWS Official Species List	Segments 9 and 10	See Section 9.3 of the relevant EM&CPs.
<b>Least Bittern</b>	<b>ESA 7</b>	NYS-T	No	No	No	No	No	No	No	Yes	No	No	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	None	100% Avoidance
<b>King Rail</b>	<b>ESA 6</b>	NYS-T	No	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No	NYSDEC Mapping; NYNHP Letters	None	100% Avoidance
<b>Shortnose Sturgeon</b>	<b>ESA 13</b>	NYS-E Fed-E	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	NYSDEC Mapping; NYNHP Letters	None	100% Avoidance
<b>Atlantic Sturgeon</b>		NYS-Protected Fed-E	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	NYNHP letter	None	100% Avoidance
<b>Peregrine Falcon</b>	<b>ESA 10</b>	NYS-E	No	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	NYSDEC Mapping; NYNHP Letters	None	100% Avoidance
<b>Piping Plover</b>		Fed-T, NYS -T	No	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	USFWS Official Species List	None	100% Avoidance
<b>Red Knot</b>		Fed-T, NYS -T	No	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	USFWS Official Species List	None	100% Avoidance
<b>Roseate Tern</b>		Fed-E, NYS-E	No	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	USFWS Official Species List	None	100% Avoidance
<b>Loggerhead Sea Turtle</b>		Fed-T, NYS-T	No	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	NMFS Section 7 ESA Mapper	None	HDD and ESC
<b>Kemp's Ridley Sea Turtle</b>		Fed-E, NYS-E	No	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	NMFS Section 7 ESA Mapper	None	HDD and ESC
<b>Green Sea Turtle</b>		Fed-T, NYS-T	No	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	NMFS Section 7 ESA Mapper	None	HDD and ESC
<b>Leatherback Sea Turtle</b>		Fed-E, NYS-E	No	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	NMFS Section 7 ESA Mapper	None	HDD and ESC

RTE Plant Species Documented Along Project Corridor																			
Species	Status	Overland Segments of Project Corridor																Suitable Habitat Present within LOW	AMM Measures
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Source		
<b>Hill's Pondweed</b>	NYS-T	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	Segment 1	See Section 9.3 of the relevant EM&CP.
<b>Lake Water Cress</b>	NYS-T	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	No	100% Avoidance
<b>Goldenseal</b>	NYS-T	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	No	100% Avoidance
<b>Side Oats Grama</b>	NYS-E	No	No	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	NYNHP letter	Segments 6 and 7	Avoidance via HDD. See Section 9.3 of the relevant EM&CP.
<b>Stiff Flat-topped Goldenrod</b>	NYS-T	No	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No	NYNHP letter	None	100% Avoidance
<b>Basil Mountain Mint</b>	NYS-E	No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	No	NYNHP letter	None	100% Avoidance
<b>Torrey's Mountain Mint</b>	NYS-E	No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	No	NYNHP letter	None	100% Avoidance
<b>Seabeach Amaranth</b>	Fed-T NYS-T	No	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	USFWS IpaC Official Species List	None	100% Avoidance

**REDACTED**

Significant Natural Communities Documented Along Project Corridor																		
Community	Overland Segments of the Project Corridor																Suitable Habitat Present Within LOW	AMM Measures
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Source		
Red Cedar Rocky Summit	Yes	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
Deep emergent Marsh	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	Segment 1	See Section 9.3 of the relevant EM&CP.
Silver Maple-Ash Swamp	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	Segment 1	See Section 9.3 of the relevant EM&CP.
Pitch Pine- Oak-Heath Rocky Summit	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
Pine Barrens Vernal Pond	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
Vernal Pool	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
Red Maple-Hardwood Swamp	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	Segments 4 and 5	See Section 9.3 of the relevant EM&CP.
Hemlock-Hardwood Swamp	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
Pitch Pine-Scrub Oak Barrens	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	None	100% Avoidance
Successional Northern Sandplain Grassland	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	Segments 4 and 5	See Section 9.3 of the relevant EM&CP.
Appalachian Oak-Pine Forest	No	No	No	Yes	Yes	No	No	No	No	No	No	No	No	No	No	NYNHP letter	Segments 4 and 5	See Section 9.3 of the relevant EM&CP.
Oak-Tulip Tree Forest	No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	No	NYNHP letter	None	100% Avoidance
Rocky Summit Grassland	No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	No	NYNHP letter	None	100% Avoidance