

APPENDIX D
USFWS AND NYNHP
CORRESPONDENCE



United States Department of the Interior



FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, NY 13045

June 9, 2017

Ms. Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes & Community Renewal
25 Beaver Street
New York, NY 10004

Dear Ms. Shirley:

This responds to your letter dated May 3, 2017, regarding the proposed funding of the Sidney Circle Drive Neighborhood Housing and Infrastructure Project. The project is located at the intersection of Circle Drive and West Main Street in the Village of Sidney, Delaware County, New York.

As you are aware, Federal agencies have responsibilities under Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to consult with the U.S. Fish and Wildlife Service (Service) regarding projects that may affect federally listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally proposed species and/or adversely modify proposed critical habitat. We understand that NYS Homes & Community Renewal (NYSHCR) has been designated the Department of Housing and Urban Development's (HUD) non-federal representative for the purposes of completing informal consultation pursuant to Section 7(a)(2) of the ESA.

The NYSHCR and Service previously completed consultation on this project on December 20, 2016. We understand from your letter that the project has been expanded to include not only the original project footprint at the intersection of Circle Drive and Main Street (9.2 acres), but also additional land for development of a right-of-way (0.1 acre), additional land for the water booster pump (total of 1.8 acres), and modification of a water main (0.3 acre). The total project area is currently 11.4 acres including acquisition of three properties and a portion of a fourth property, construction of 22 single-family homes, 10 two-family unit townhomes, and design and construction of infrastructure (roads, utilities, and stormwater facilities).

On behalf of HUD, the NYSHCR determined the proposed expanded project may affect, but is not likely to adversely affect, the federally listed threatened northern long-eared bat (*Myotis*

septentrionalis). Given the project location and the commitment to conduct all tree removal between November 1 and March 31, we concur with your determination.

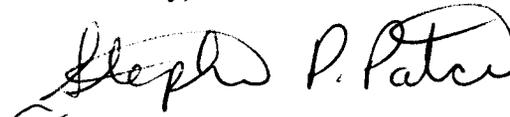
The NYSHCR also determined that the project will result in no effect to the federally listed endangered dwarf wedgemussel (*Alasmidonta heterodon*). We acknowledge this determination.

No further coordination or consultation under the ESA is required with the Service at this time. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you check our website every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.*

Any additional information regarding the proposed projects and their potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for coordinating with us. If you require additional information or assistance please contact Sandra Doran at 607-753-9334. Future correspondence with us on this project should reference project file 17I0282.

Sincerely,


David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
<http://www.fws.gov/northeast/nyfo/es/section7.htm>.

cc: NYSDEC, Stamford, NY (Env. Permits)



Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

LISA BOVA-HIATT
Executive Director

By Electronic Mail

May 3, 2017

Robyn A. Niver
Endangered Species Biologist USFWS
New York Field Office
Cortland, NY 13045

Re: Determination and Request for Concurrence under Section 7 of the Endangered Species Act for the Expanded Project Area of the Sidney Circle Drive Neighborhood Housing and Infrastructure project, Village of Sidney, Delaware County, New York

Dear Ms. Niver:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD's environmental review regulations (24 CFR Part 58) and New York State's Environmental Quality Review Act (SEQRA) for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, located in the Village of Sidney, Delaware County, New York (see **Figure 1**). GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act. Your office previously conducted a Section 7 review of the proposed project and issued a letter on December 20, 2016, concurring with GOSR's determination that the proposed project would have no effect on the dwarf wedgemussel and may affect but is not likely to adversely affect northern long-eared bats (NLEB) or migratory birds (please see attached **USFWS Coordination Package and USFWS Response**). Since the time of our initial coordination, the project area has expanded to include the additional sites shown on **Figure 1**.

Program Overview: Tropical Storm Lee, the Village of Sidney's River Street Neighborhood was catastrophically impacted by 12 feet of floodwater from the Susquehanna River. Over 260 properties in this area flooded, and were rendered uninhabitable for weeks and months after the storm. During the NY Rising community planning process, village residents advocated for construction of new, affordable and flood safe housing within the village.

Area of Potential Effect: In addition to the original project area at the intersection of Circle Drive and West Main Street in the Village of Sidney, New York 13838 (9.2 acres), the project would affect a sliver of the parcel adjacent to northeast corner of the site for the proposed entrance driveway right-of-way (0.1 acre), one of the three locations shown for the water booster pump (Alternate Site 1 with 0.9 acre, Alternate Site 2 with 0.4 acre, Alternate Site 3 with 0.5 acre), and a portion of West Main Street to the north of the Circle Drive Development for modification of the water main (0.3 acre). The total project area would be approximately 10 to 10.5 acres,

depending on the water booster option chosen (see **Figure 1** and attached **Project Infrastructure Plans and Site Layout Plans**).

Proposed Project Description: GOSR proposes to provide funding through the SPARC and Community Reconstruction Programs to facilitate the construction of single and multi-family housing, and related infrastructure (see attached **Project Infrastructure Plans and Site Layout Plans**). The project includes:

- Acquisition of three properties, and a portion of a fourth parcel
- 22 Single family homes
- 10 two-family unit townhomes
- Design and construction of roads, water, sewer and stormwater infrastructure from existing village connections to service the project.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act.

Compliance

According to the Official Species List and USFWS IPaC Trust Resource Report, the listed species of concern would not change from the ones identified in GOSR's original consultation package on November 17, 2017. There is one threatened and one endangered species that are potentially associated with the project sites: the endangered dwarf wedgemussel (*Alasmidonta heterodon*) and the threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*) (see attached Official Species List). In addition, there are several migratory birds of concern that could potentially be affected by the proposed project (see attached Official Species List). The official species list for the proposed project indicated that there is no critical habitat in the project area.

The typical habitat of the dwarf wedgemussel includes running water from small brooks to large rivers. There is no running water on the project sites, therefore, GOSR has determined that the proposed project will have no adverse effect on dwarf wedgemussels.

Delaware County is within the U.S. counties within 150 miles of positive counties/districts experiencing White-Nose Syndrome per Final 4(d) Rule. The project site is not within 0.25 miles of known or assumed hibernacula for the NLEB, nor are there documented maternity roosts within 150 feet of the project site. The project site is not within five miles of NLEB hibernacula (see **Figure 2**, Northern long-eared Bat Hibernacula). The proposed project will involve the tree clearing identified in the original consultation package (at the Circle Drive Development shown in **Figure 1**), on the attached **Site Layout Plans**, and potentially at Water Booster Alternative Location 1 in the on the attached **Project Infrastructure Plans**. To minimize impacts to the NLEB, tree clearing will be conducted between November 1 and March 31 to avoid potential for impacting bats and migratory birds. On this basis, GOSR has determined that the proposed action may affect but is not likely to adversely affect NLEB or migratory birds. We request your concurrence with this determination. Additionally, we request to be alerted if USFWS becomes aware of a Bald or Golden Eagle nest within 660 feet of the project site.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0755) or Lori.Shirley@nyshcr.org. Thank you for your time and consideration.

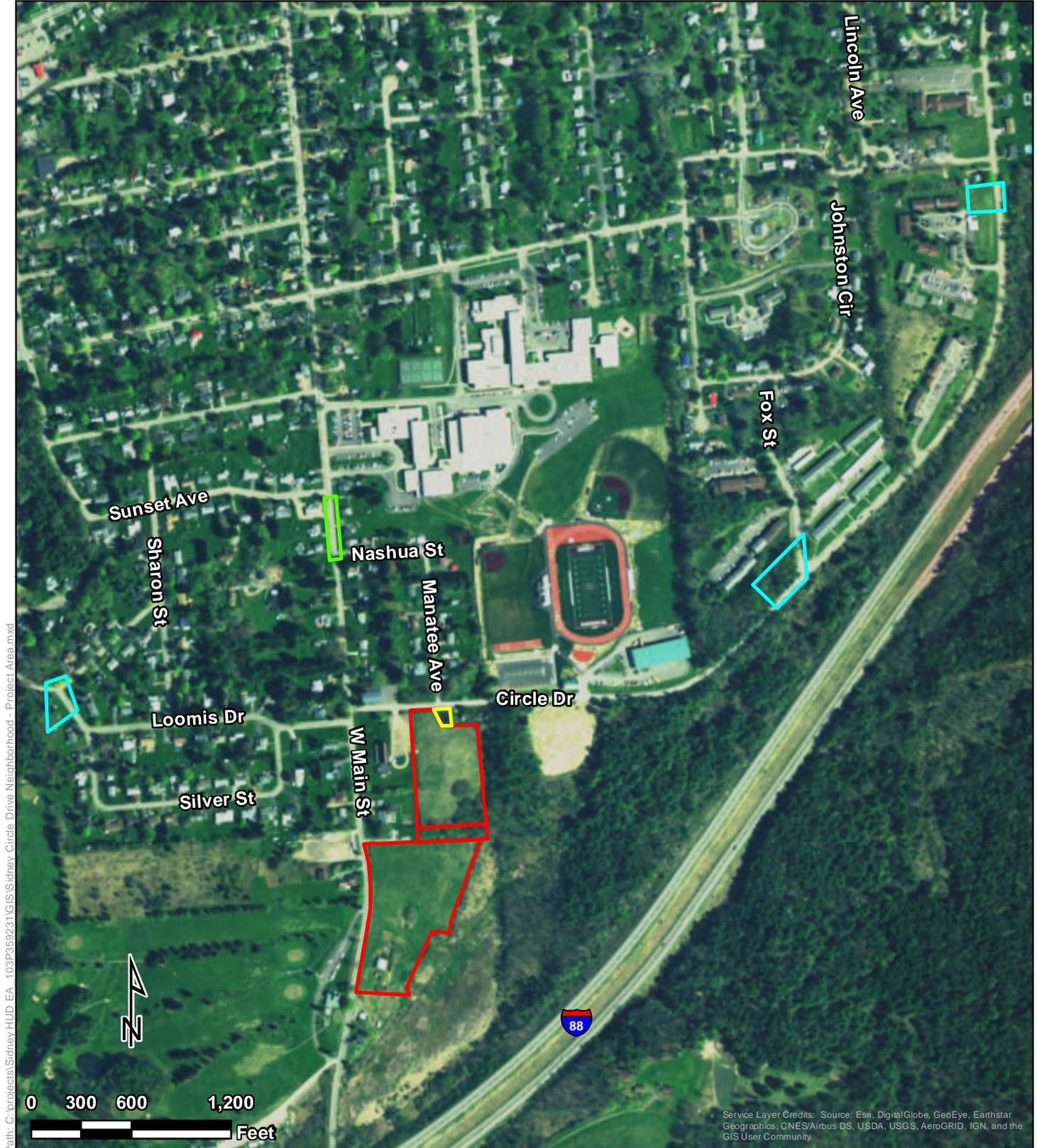
Sincerely,



Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes and Community Renewal

Attachments:

Figure 1 - Sidney Circle Drive Neighborhood - Project Area
Figure 2 - Sidney Circle Drive Neighborhood - Northern Long-eared Bat Hibernacula
Official Species List_ New York Ecological Services Field Office 042517
USFWS Response 12-20-2016
USFWS Coordination Package- Circle Drive Sidney 11-17-2016
Project Infrastructure Plans
Site Layout Plans



Path: C:\projects\Sidney HUD EA - 103P359231\GIS\Sidney Circle Drive Neighborhood - Project Area.mxd

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

- Project Area**
- Circle Drive Neighborhood Development
- Street Alignment Property
- Water Booster Alternative Locations
- Water Main Modification Area

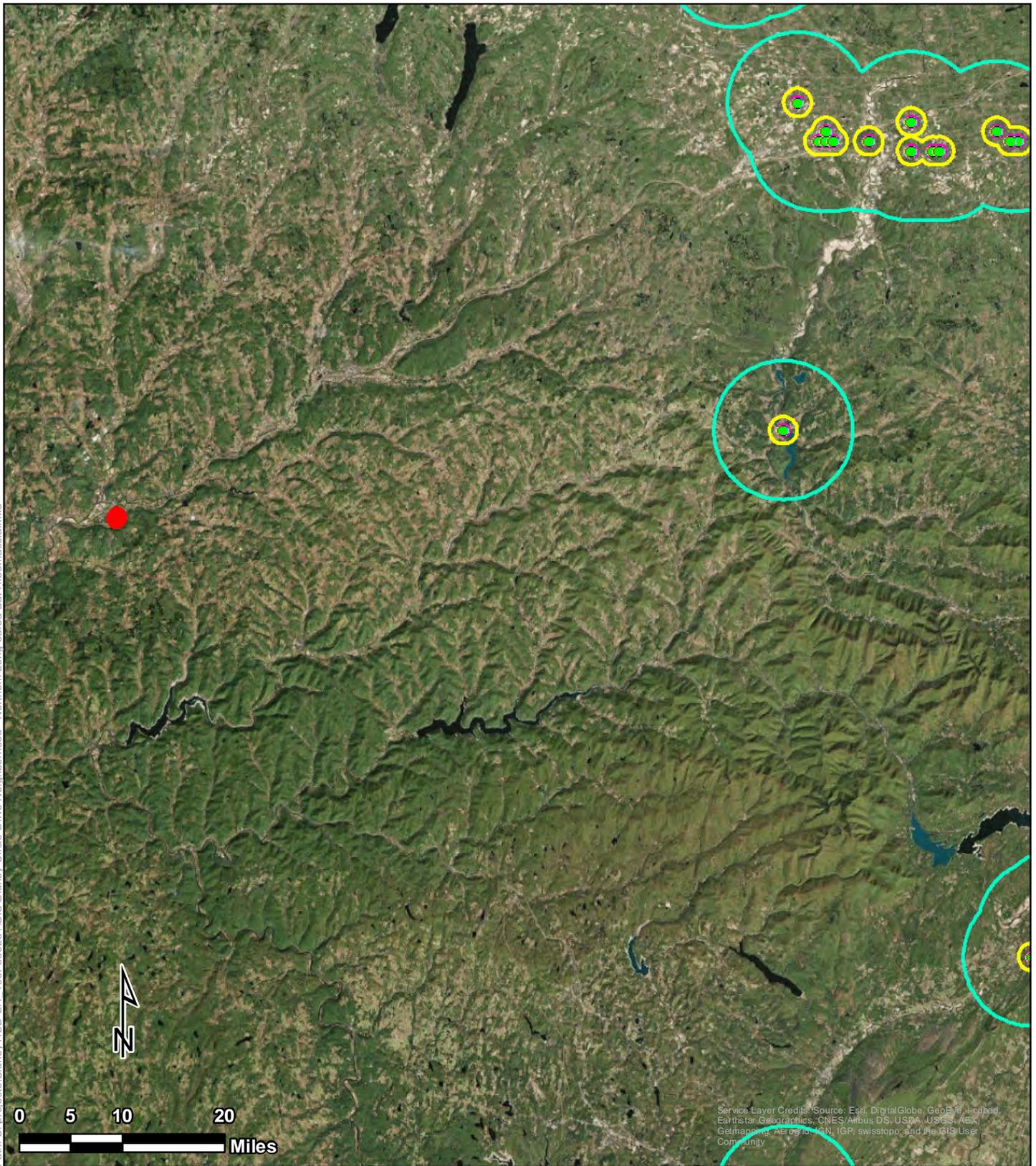


Project Area

Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York

Figure 1

Path: C:\projects\Sidney HUD_EA_103P\359231\GIS\Sidney Circle Drive Neighborhood - Northern Long-eared Bat Hibernacula.mxd



Northern Long-eared Bat Hibernacula

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York

Legend

- NLEB Hibernacula
- Project Area
- NLEB Hibernacula 0.25 Mile Buffer
- NLEB Hibernacula 1 Mile Buffer
- NLEB Hibernacula 5 Mile Buffer



Tetra Tech, Inc

Figure 2

Official Species List
April 25, 2017



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9349

Phone: (607) 753-9334 Fax: (607) 753-9699

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

In Reply Refer To:

April 25, 2017

Consultation Code: 05E1NY00-2017-SLI-1991

Event Code: 05E1NY00-2017-E-05317

Project Name: Sidney Circle Drive Neighborhood

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

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

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9349
(607) 753-9334

Project Summary

Consultation Code: 05E1NY00-2017-SLI-1991

Event Code: 05E1NY00-2017-E-05317

Project Name: Sidney Circle Drive Neighborhood

Project Type: ** OTHER **

Project Description: This project is one part of a multi-faceted program to mitigate the harmful impacts of riverine flooding in the Village of Sidney. The Governor's Office of Storm Recovery will be providing funding through the SPARC and Community Reconstruction Programs to facilitate the construction of the single and multi-family housing. The Community Reconstruction program will spearhead the construction of up to 22 single family homes on the other parcels identified and will provide the funds for the design and construction of road, water, sewer and storm water infrastructure from existing village connections through the properties purchased for multi and single-family housing in the new Circle Drive Neighborhood.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/42.2989401053033N75.38721211038961W>



Counties: Delaware, NY

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on your 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. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened
No critical habitat has been designated for this species.	
Species profile: https://ecos.fws.gov/ecp/species/9045	

Clams

NAME	STATUS
Dwarf Wedgemussel (<i>Alasmidonta heterodon</i>)	Endangered
No critical habitat has been designated for this species.	
Species profile: https://ecos.fws.gov/ecp/species/784	

Critical habitats

There are no critical habitats within your project area.

December 20, 2016

USFWS Response



United States Department of the Interior

FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, NY 13045



December 20, 2016

Ms. Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes & Community Renewal
25 Beaver Street
New York, NY 10004

Dear Ms. Shirley:

This responds to your November 17, 2016, letter regarding the proposed funding of a construction project including the acquisition of three properties, construction of 22 single family homes and 10 two-family unit townhomes, and related infrastructure (roads, water, sewer, and stormwater management facilities). The project is located at the intersection of Circle Drive and West Main Street in the Village of Sidney, Delaware County, New York.

The U.S. Fish and Wildlife Service (Service) understands that the U.S. Department of Housing and Urban Development's (HUD) funding may be involved with the proposed project and that NYS Homes & Community Renewal (NYSHCR) has been designated HUD's non-federal representative for the purposes of completing informal consultation pursuant to Section 7(a)(2) of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*)

Our comments below are submitted pursuant to our authorities under the ESA, the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*), the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d), and the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755).

Endangered Species Act

As you are aware, federal agencies have responsibilities under Section 7 of the ESA to consult with the Service regarding projects that may affect federally-listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally-proposed species and/or adversely modify proposed critical habitat.

On behalf of HUD, the NYSHCR determined the proposed project may affect, but is not likely to adversely affect, the federally-listed threatened northern long-eared bat (*Myotis septentrionalis*).

Given the project location and the commitment to conduct all tree removal between November 1 and March 31, we concur with your determination.

The NYSHCR also determined that the project will result in no effect to the federally-listed endangered dwarf wedgemussel (*Alasmidonta heterodon*). We acknowledge this determination.

No further coordination or consultation under the ESA is required with the Service at this time. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally-listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you check our website every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.*

Any additional information regarding the proposed projects and their potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Fish and Wildlife Coordination Act

The residential subdivision is proposed to be located in an existing mowed field, immediately adjacent to a forested wetland and stream which flows into the upper Susquehanna River, the headwaters of the Chesapeake Bay.

The Service understands that project planning is preliminary and that a wetland delineation will be conducted in the near future. In order to reduce adverse impacts to wetlands and streams that provide habitat for fish and wildlife, and water quality, the Service typically recommends that development projects:

1. Be sited in upland areas with well drained soils, and not in floodplains or wetlands;
2. incorporate a vegetative buffer between the development and the wetland or waterway to reduce erosion and sedimentation, and improve water quality and aquatic habitat;
3. preserve wetlands and wetland buffers in perpetuity (via deed restrictions or conservation easements).

Bald and Golden Eagle Protection Act

As you are aware, bald eagles have been delisted pursuant to the ESA, but remain protected under the MBTA, BGEPA, and by the state of New York. According to our database, the nearest bald eagle nest is approximately 2 miles from the project site. If eagles are observed within the project area, we recommend that the project sponsor follow the Bald Eagle Management Guidelines found on our website and contact us at the number below if you need technical assistance.

Thank you for your time. If you require additional information or assistance please contact Sandra Doran at 607-753-9334. Future correspondence with us on this project should reference project file 1710282.

Sincerely,

for Patricia Cole
David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
<http://www.fws.gov/northeast/nyfo/es/section7.htm>.

cc: NYSDEC, Stamford, NY (Env. Permits)

November 17, 2016
USFWS Consultation
Package



Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

LISA BOVA-HIATT
Executive Director

By Electronic Mail

November 17, 2016

Robyn A. Niver
Endangered Species Biologist USFWS
New York Field Office
Cortland, NY 13045

Re: Determination and Request for Concurrence under Section 7 of the Endangered Species Act for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, Village of Sidney, Delaware County, New York

Dear Ms. Niver:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD's environmental review regulations (24 CFR Part 58) and New York State's Environmental Quality Review Act (SEQRA) for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, located in the Village of Sidney, Delaware County, New York (see **Figure 1, Project Area**). GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.

Program Overview: Tropical Storm Lee, the Village of Sidney's River Street Neighborhood was catastrophically impacted by 12 feet of floodwater from the Susquehanna River. Over 260 properties in this area flooded, and were rendered uninhabitable for weeks and months after the storm. During the NY Rising community planning process, village residents advocated for construction of new, affordable and flood safe housing within the village.

Area of Potential Effect: The project will take place at the intersection of Circle Drive and West Main Street in the Village of Sidney, New York 13838. The total project area is approximately 9.2 acres, and will occur across portions of three parcels (see **Figure 2, Project Parcels**).

Proposed Project Description: GOSR proposes to provide funding through the SPARC and Community Reconstruction Programs to facilitate the construction of single and multi-family housing, and related infrastructure (see attached **Figure 4, Preliminary Site Plan**). The project includes:

- Acquisition of three properties
- 22 Single family homes
- 10 two-family unit townhomes
- Design and construction of roads, water, sewer and stormwater infrastructure from existing village connections to service the project.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act.

Compliance

According to the USFWS IPaC Trust Resource Report and Official Species List, there is one threatened and one endangered species that are potentially associated with the project site: the endangered dwarf wedgemussel (*Alasmidonta heterodon*) and the threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*) (see attached Official Species List). In addition, there are several migratory birds of concern that could potentially be affected by the proposed project (see attached **Official Species List** and **IPaC Trust Report**). The official species list for the proposed project indicated that there is no critical habitat in the project area.

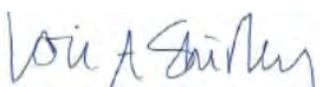
The typical habitat of the Dwarf Wedgemussel includes running water from small brooks to large rivers. There is no running water on the project site, therefore, GOSR has determined that the proposed project will have no adverse effect on Dwarf Wedgemussels.

Delaware County is within the U.S. counties within 150 miles of positive counties/districts experiencing White-Nose Syndrome per Final 4(d) Rule. The project site is not within 0.25 miles of known or assumed hibernacula for the NLEB, nor are there documented maternity roosts within 150 feet of the project site. The project site is not within five miles of NLEB hibernacula (see **Figure 3, Northern long-eared Bat Hibernacula**). The proposed project will involve tree clearing. Tree clearing would be conducted between November 1 and March 31 to avoid potential for impacting bats and migratory birds.

On this basis, GOSR has determined that the proposed action may affect but is not likely to adversely affect NLEB or migratory birds. We request your concurrence with this determination. Additionally, we request to be alerted if USFWS becomes aware of a Bald or Golden Eagle nest within 660 feet of the project site.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0755) or Lori.Shirley@nyshcr.org. Thank you for your time and consideration.

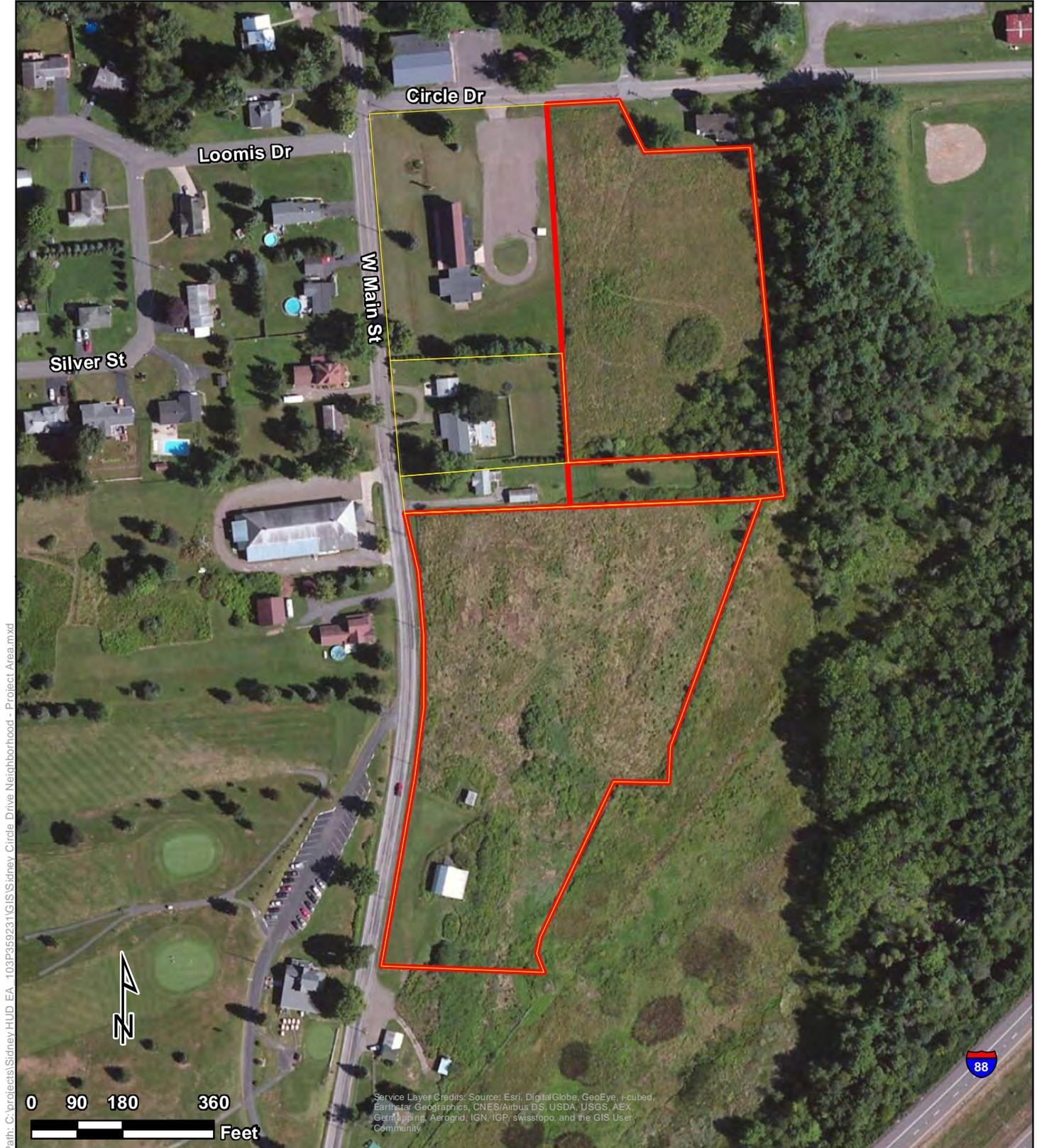
Sincerely,



Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes and Community Renewal

Attachments:

Figure 1- Project Area
Figure 2- Project Parcels
Figure 3- Northern Long-eared Bat Hibernacula
Figure 4- Preliminary Site Plan with draft infrastructure pathway
USFWS Official Species List
IPaC Trust Resources Report



Project Area

Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York
 Figure 1

- Legend**
- Project Area
 - Project Area Parcels



Project Area Parcels

Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York

Figure 2

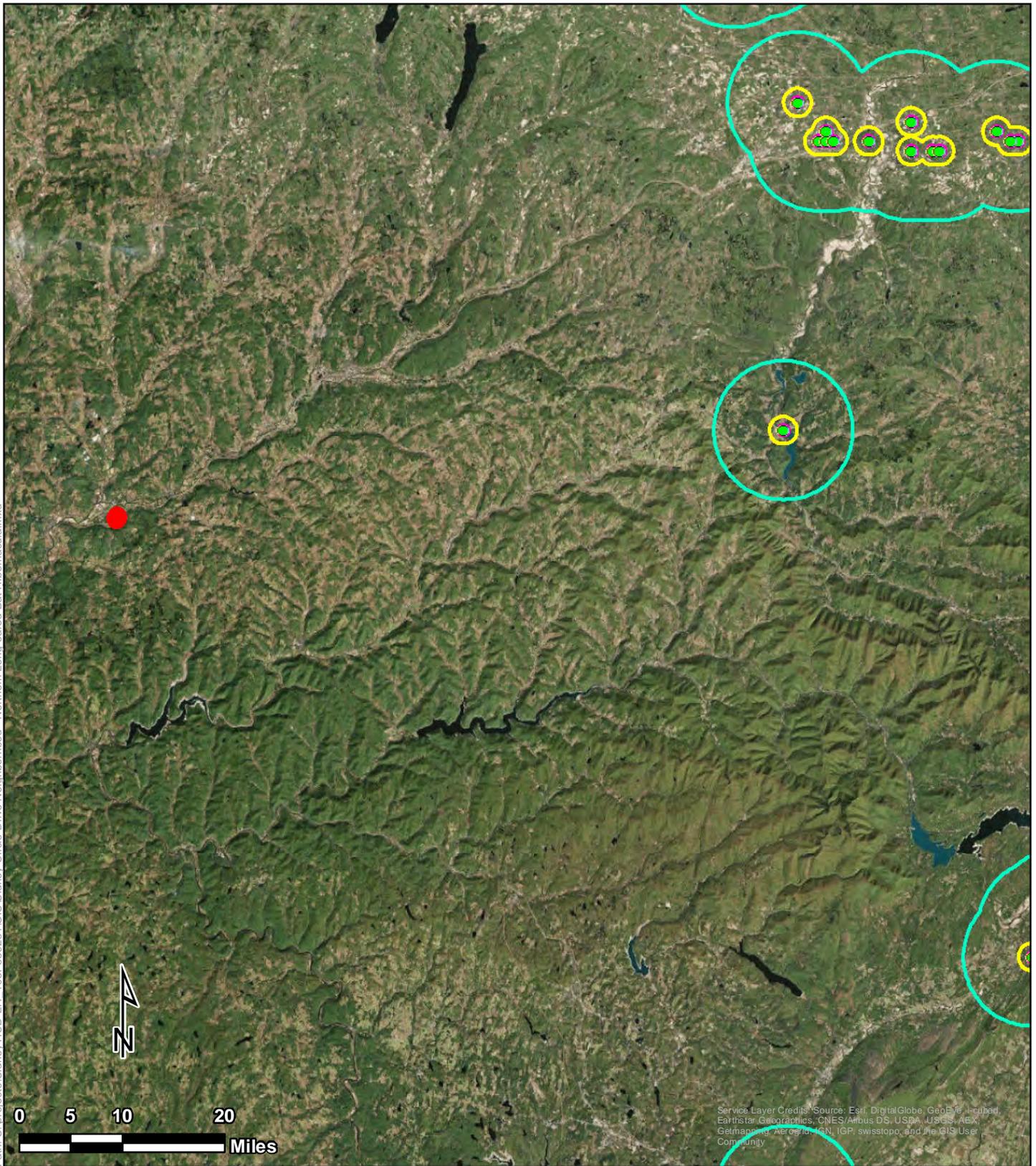
Legend

 Project Area Parcels



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Path: C:\projects\Sidney HUD_EA_103P\359231\GIS\Sidney Circle Drive Neighborhood - Northern Long-eared Bat Hibernacula.mxd



Northern Long-eared Bat Hibernacula

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York

Legend

- NLEB Hibernacula
- Project Area
- NLEB Hibernacula 0.25 Mile Buffer
- NLEB Hibernacula 1 Mile Buffer
- NLEB Hibernacula 5 Mile Buffer



Tetra Tech, Inc

Figure 3



CONCEPTUAL HOUSING PLAN

West Main Street
Sidney, New York

CONCEPTUAL HOUSING PLAN

Figure 4, Preliminary Site Plan

MARCH 30, 2016





United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2017-SLI-0282

November 15, 2016

Event Code: 05E1NY00-2017-E-00710

Project Name: Sidney Circle Drive Neighborhood

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

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

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

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

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

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Sidney Circle Drive Neighborhood

Official Species List

Provided by:

New York Ecological Services Field Office

3817 LUKER ROAD

CORTLAND, NY 13045

(607) 753-9334

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

Consultation Code: 05E1NY00-2017-SLI-0282

Event Code: 05E1NY00-2017-E-00710

Project Type: ** OTHER **

Project Name: Sidney Circle Drive Neighborhood

Project Description: This project is one part of a multi-faceted program to mitigate the harmful impacts of riverine flooding in the Village of Sidney. The Governor's Office of Storm Recovery will be providing funding through the SPARC and Community Reconstruction Programs to facilitate the construction of the single and multi-family housing. The Community Reconstruction program will spearhead the construction of up to 22 single family homes on the other parcels identified and will provide the funds for the design and construction of road, water, sewer and storm water infrastructure from existing village connections through the properties purchased for multi and single-family housing in the new Circle Drive Neighborhood.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Sidney Circle Drive Neighborhood

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-75.38699600777706 42.30067197215644, -75.3868575907669 42.30046721895924, -75.38628763837224 42.30048528544466, -75.38610851047676 42.29909415090388, -75.38623170012252 42.299086227755254, -75.38671693234755 42.29809854109871, -75.3867290648355 42.29795495955359, -75.38702463361989 42.29795839774425, -75.38741641804525 42.297338525589716, -75.38743630906124 42.29727538686129, -75.38740025413213 42.29719804433575, -75.38827310544052 42.297224945025704, -75.38804681065687 42.29825314055987, -75.3880757710012 42.298795505197596, -75.38814783511383 42.29902726507266, -75.38726006176394 42.29905458335221, -75.38738203105845 42.30065711111787, -75.38699600777706 42.30067197215644)))

Project Counties: Delaware, NY



United States Department of Interior
Fish and Wildlife Service

Project name: Sidney Circle Drive Neighborhood

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your 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. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Clams	Status	Has Critical Habitat	Condition(s)
Dwarf wedgemussel (<i>Alasmidonta heterodon</i>) Population: Wherever found	Endangered		
Mammals			
Northern long-eared Bat (<i>Myotis septentrionalis</i>) Population: Wherever found	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Sidney Circle Drive Neighborhood

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Sidney Circle Drive Neighborhood

IPaC Trust Resources Report

Generated November 15, 2016 10:33 AM MST, IPaC v3.0.9

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.



Table of Contents

IPaC Trust Resources Report	1
Project Description	1
Endangered Species	2
Migratory Birds	3
Refuges & Hatcheries	5
Wetlands	6

IPaC Trust Resources Report



NAME

Sidney Circle Drive Neighborhood

LOCATION

Delaware County, New York

DESCRIPTION

This project is one part of a multi-faceted program to mitigate the harmful impacts of riverine flooding in the Village of Sidney. The Governor's Office of Storm Recovery will be providing funding through the SPARC and Community Reconstruction Programs to facilitate the construction of the single and multi-family housing.



The Community Reconstruction program will spearhead the construction of up to 22 single family homes on the other parcels identified and will provide the funds for the design and construction of road, water, sewer and storm water infrastructure from existing village connections through the properties purchased for multi and single-family housing in the new Circle Drive Neighborhood.

IPAC LINK

<https://ecos.fws.gov/ipac/project/YSOFR-WFFDF-ENDBA-AEART-7XVP3E>

U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9349

(607) 753-9334

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the [Endangered Species Program](#) of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

[Section 7](#) of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Documents section in IPaC or from the local field office directly.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Clams

Dwarf Wedgemussel *Alasmidonta heterodon* Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=F029

Mammals

Northern Long-eared Bat *Myotis septentrionalis* Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A0JE

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- Birds of Conservation Concern
<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The following species of migratory birds could potentially be affected by activities in this location:

American Bittern <i>Botaurus lentiginosus</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0F3	
Bald Eagle <i>Haliaeetus leucocephalus</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B008	
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0H1	
Blue-winged Warbler <i>Vermivora pinus</i>	Bird of conservation concern
Season: Breeding	
Canada Warbler <i>Wilsonia canadensis</i>	Bird of conservation concern
Season: Breeding	

Golden-winged Warbler <i>Vermivora chrysoptera</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0G4	
Least Bittern <i>Ixobrychus exilis</i>	
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B092	
Louisiana Waterthrush <i>Parkesia motacilla</i>	Bird of conservation concern
Season: Breeding	
Olive-sided Flycatcher <i>Contopus cooperi</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0AN	
Peregrine Falcon <i>Falco peregrinus</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0FU	
Pied-billed Grebe <i>Podilymbus podiceps</i>	Bird of conservation concern
Season: Breeding	
Prairie Warbler <i>Dendroica discolor</i>	Bird of conservation concern
Season: Breeding	
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i>	Bird of conservation concern
Season: Breeding	
Short-eared Owl <i>Asio flammeus</i>	Bird of conservation concern
Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0HD	
Willow Flycatcher <i>Empidonax traillii</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0F6	
Wood Thrush <i>Hylocichla mustelina</i>	Bird of conservation concern
Season: Breeding	

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

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](#).

DATA LIMITATIONS

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

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

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

DATA EXCLUSIONS

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

DATA PRECAUTIONS

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

There are no wetlands in this location

Project Infrastructure Plans

See Appendix B of the
Environmental Assessment

Site Layout Plans

04-27-2017

See Appendix B of the
Environmental Assessment

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

June 1, 2017

Lori Shirley
Governor's Office of Storm Recovery
30-40 State St., Hampton Plaza
Albany, NY 12207

Re: Sidney Circle Drive Neighborhood Housing and Infrastructure Project
County: Delaware Town/City: Sidney

Dear Ms. Shirley:

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 at the project site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. 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.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; 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 4 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,



Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program



**Governor's Office of
Storm Recovery**

ANDREW M. CUOMO
Governor

LISA BOVA-HIATT
Executive Director

Via Electronic Mail

May 3, 2017

Nicholas Conrad
New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program – Information Services
625 Broadway, 5th Floor
Albany, New York 12233-4757

Re: Natural Heritage Compliance Process for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, Village of Sidney, Delaware County, New York

Dear Mr. Conrad:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD's environmental review regulations (24 CFR Part 58) and New York State's Environmental Quality Review Act (SEQRA) for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, located in the Village of Sidney, Delaware County, New York (see **Figures 1 and 2**). Your office previously conducted a review of the proposed project and issued a letter on November 23, 2016, stating that no records of rare or state-listed animals or plants, or significant natural communities at the project site (please see **attached NYNHP Consultation Package and NHP Response**). Since the time of our initial coordination, the project area has expanded to include the additional sites shown on **Figure 1**.

Area of Potential Effect: In addition to the original project area at the intersection of Circle Drive and West Main Street in the Village of Sidney, New York 13838 (9.2 acres), the project would affect a sliver of the parcel adjacent to northeast corner of the site for the proposed entrance driveway right-of-way (0.1 acre), one of the three locations shown for the water booster pump (Alternate Site 1 with 0.9 acre, Alternate Site 2 with 0.4 acre, Alternate Site 3 with 0.5 acre), and a portion of West Main Street to the north of the Circle Drive Development for modification of the water main (0.3 acre). The total project area would be approximately 10 to 10.5 acres, depending on the water booster option chosen (see **Figure 1** and **attached Site Plans and Site Layout Plan**).

Program Overview: During Tropical Storm Lee, the Village of Sidney's River Street Neighborhood was catastrophically impacted by 12 feet of floodwater from the Susquehanna River. Over 260 properties in this area flooded, and were rendered uninhabitable for weeks and months after the storm. During the NY Rising

community planning process, village residents advocated for construction of new, affordable and flood safe housing within the village.

Proposed Project Description: Proposed Project Description: GOSR proposes to provide funding through the SPARC and Community Reconstruction Programs to facilitate the construction of single and multi-family housing, and related infrastructure (see attached Site Plans). The project includes:

- Acquisition of three properties, and a portion of a fourth parcel
- 22 Single family homes
- 10 two-family unit townhomes
- Design and construction of roads, water, sewer and stormwater infrastructure from existing village connections to service the project.

According to information reviewed from the New York State Environmental Resource Mapper (ERM), the project area contains both wetland and wetland adjacent areas, and rare plants or animals could exist at the site of the easternmost water booster alternative site (see attached **Figure 3**). The ERM results for the project area in GOSR's initial consultation package of November 15, 2017 (please see **attached NYNHP Consultation Package**), did not include areas with rare plants and rare animals. The proposed project would involve ground disturbance and the removal of trees. As such, GOSR respectfully requests that the New York Natural Heritage Program review its records of concern for any rare or state-listed animals or plants, or significant natural communities, at this site or in its immediate vicinity.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0755) or Lori.Shirley@nyshcr.org. Thank you for your time and consideration.

Sincerely,



Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes and Community Renewal

Attachments:

Figure 1 - Sidney Circle Drive Neighborhood - Project Area

Figure 2 - Sidney Circle Drive Neighborhood - Topographic Map

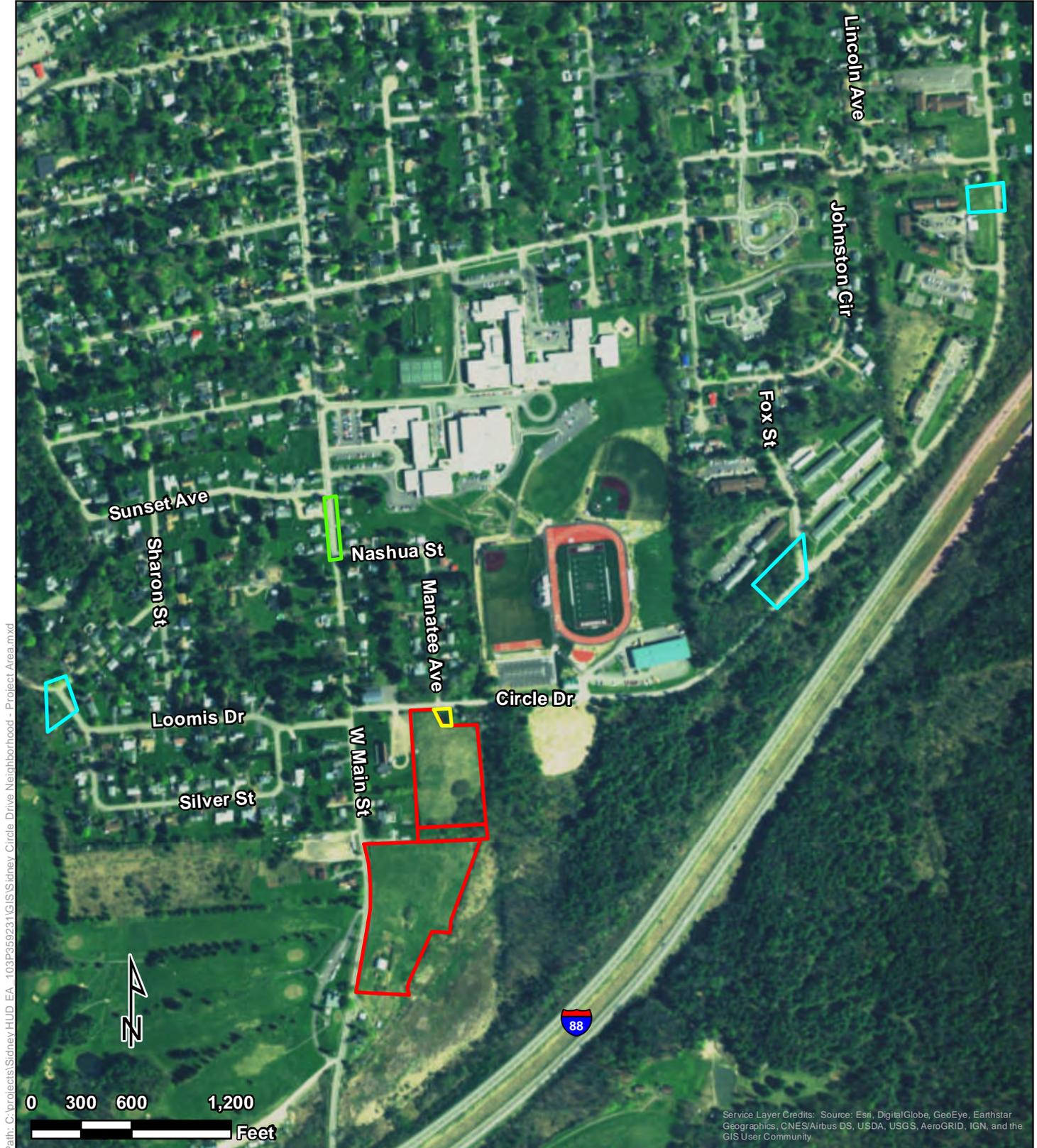
Figure 3 - Sidney Circle Drive Development Environmental Resource Mapper Findings

Project Infrastructure Plans

Site Layout Plans 04-27-2017

NYNHP Consultation Package_20161115

NHP Response- 11-23-2016



Path: C:\projects\Sidney HUD_EA - 103P359231\GIS\Sidney Circle Drive Neighborhood - Project Area.mxd

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

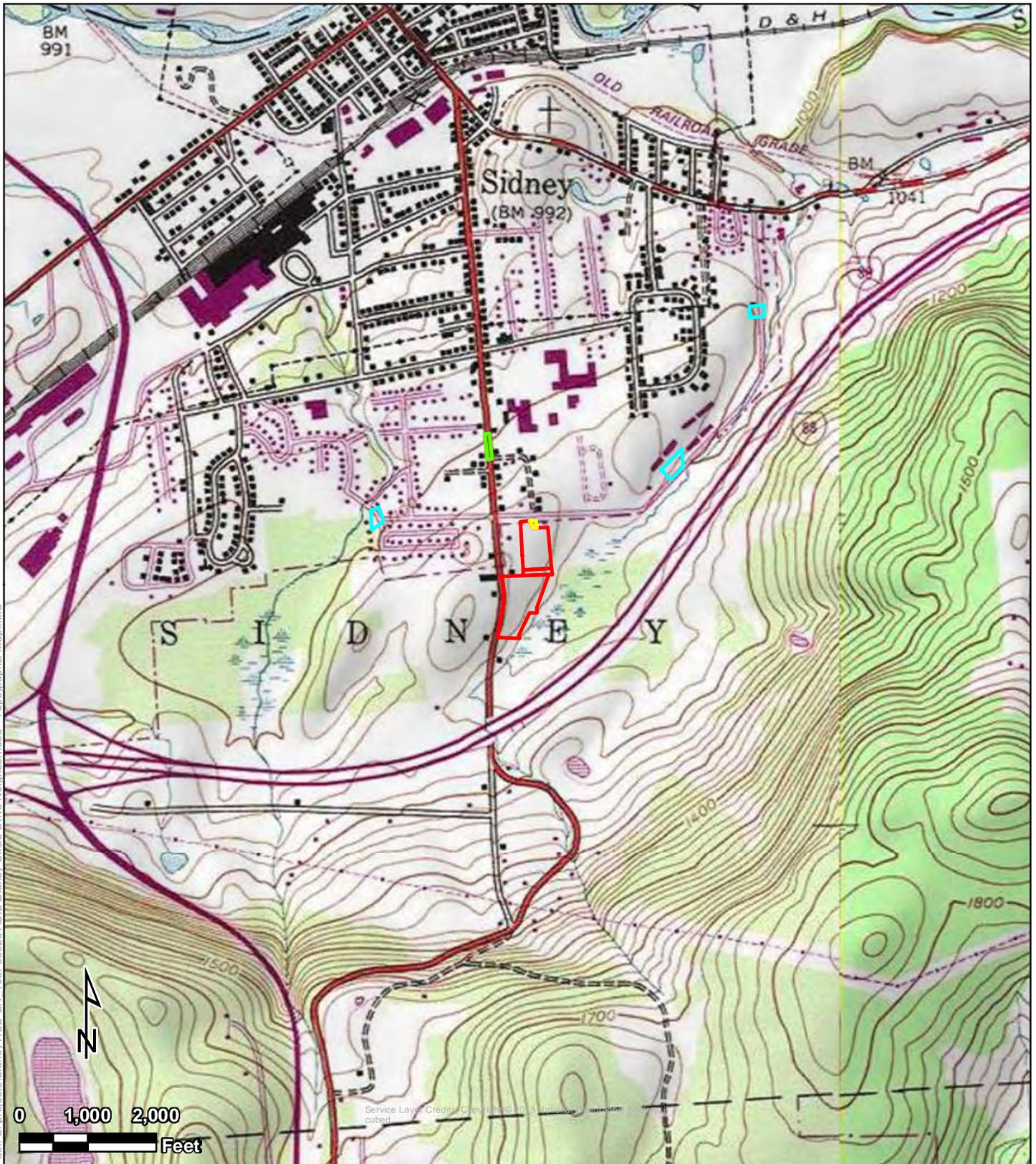
- Project Area**
- Circle Drive Neighborhood Development
- Street Alignment Property
- Water Booster Alternative Locations
- Water Main Modification Area



Project Area

Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York

Figure 1



Path: C:\projects\Sidney.HUD.EA_103P359231\GIS\Sidney Circle Drive Neighborhood - Topographic Map.mxd

Service Layer Credits: OpenStreetMap contributors, Mapbox

Legend

Project Area

- Circle Drive Neighborhood Development
- Street Alignment Property
- Water Booster Alternative Locations
- Water Main Modification Area

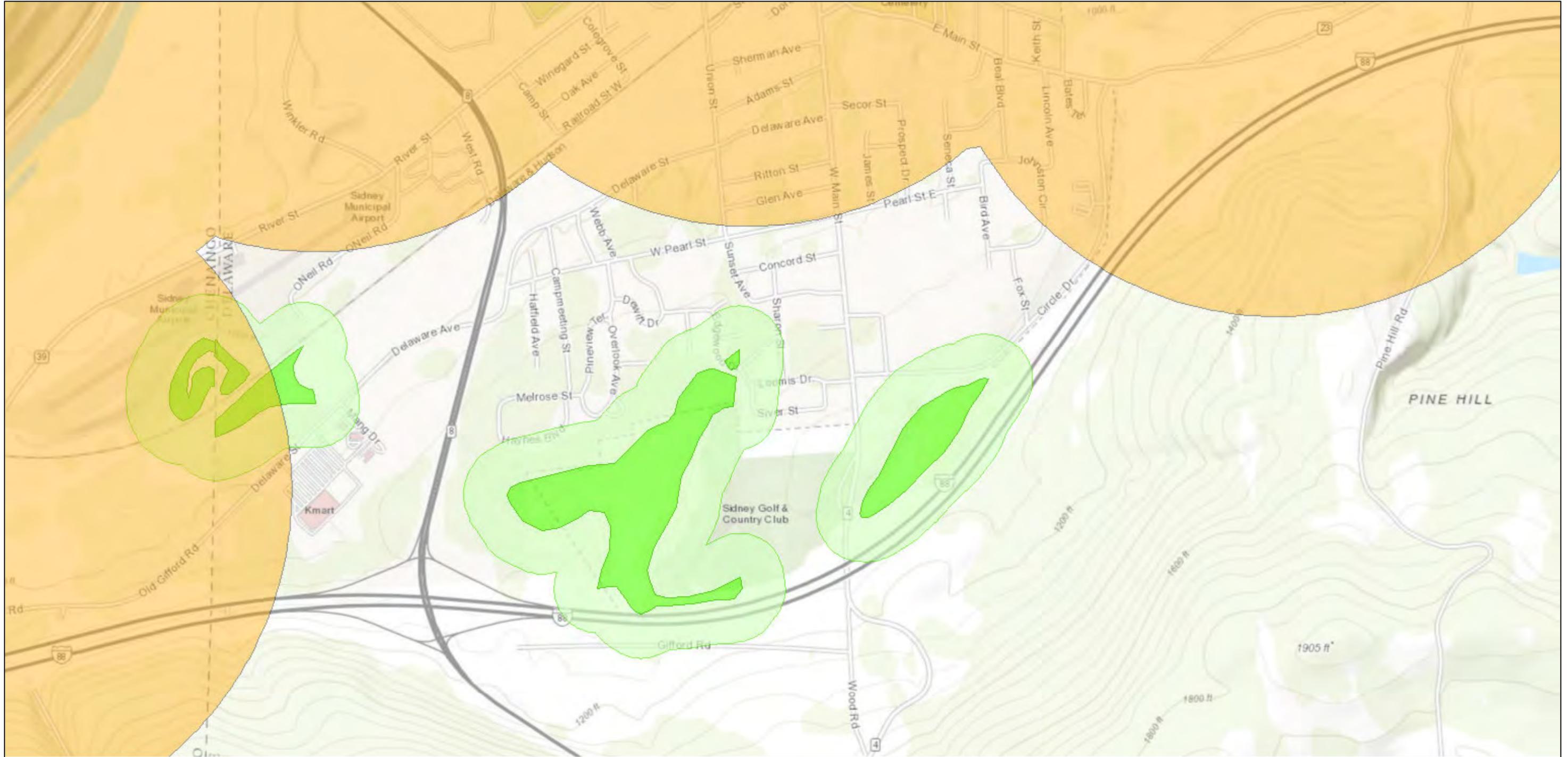
Topographic Map

Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York



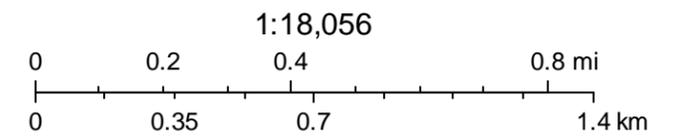
Tetra Tech, Inc

Sidney Circle Drive Development ERM Results



April 28, 2017

- Significant Natural Communities
- Natural Communities Near This Location
- Rare Plants and Rare Animals
- State Regulated Freshwater Wetlands
- State Regulated Wetland Checkzone



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Project Infrastructure Plans

See Appendix B of the Environmental
Assessment

Site Layout Plans

04-27-2017

See Appendix B of the Environmental
Assessment.

November 15, 2016

NHP Consultation

Package



Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

LISA BOVA-HIATT
Executive Director

Via Electronic Mail

November 15, 2016

Nicholas Conrad
New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program – Information Services
625 Broadway, 5th Floor
Albany, New York 12233-4757

Re: Natural Heritage Compliance Process for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, Village of Sidney, Delaware County, New York

Dear Mr. Conrad:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD's environmental review regulations (24 CFR Part 58) and New York State's Environmental Quality Review Act (SEQRA) for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, located in the Village of Sidney, Delaware County, New York (see attached figure, **Topographic Map**).

The purpose of this letter is to request a search of the files of the New York Natural Heritage Program for records of the occurrence of any rare animals, plants, and natural communities and/or significant wildlife habitats in the vicinity of this project. The information we receive will be used in NEPA and SEQRA documentation and/or any permit applications. We will retain the confidentiality, as needed, of any information received.

Program Overview:

During Tropical Storm Lee, the Village of Sidney's River Street Neighborhood was catastrophically impacted by 12 feet of floodwater from the Susquehanna River. Over 260 properties in this area flooded, and were rendered uninhabitable for weeks and months after the storm. During the NY Rising community planning process, village residents advocated for construction of new, affordable and flood safe housing within the village.

Area of Potential Effect: The project will take place at the intersection of Circle Drive and West Main Street in the Village of Sidney, New York 13838. The total project area is approximately 9.2 acres, and will occur across portions of three parcels (see attached figures, **Project Parcels**, **Project Area** and **Preliminary Site Plan**).

Proposed Project Description:

GOSR proposes to provide funding through the SPARC and Community Reconstruction Programs to facilitate the construction of single and multi-family housing, and related infrastructure. The project includes:

- Acquisition of three properties (see attached **Project Parcels** figure)
- 22 Single family homes
- 10 two-family unit townhomes
- Design and construction of roads, water, sewer and stormwater infrastructure from existing village connections to service the project.

Compliance:

According to information reviewed from the New York State Environmental Resource Mapper (ERM), the project area contains both wetland and wetland adjacent areas, although no rare plants or animals exist within the project area (see attached figure **NYSDEC Environmental Resource Map**). The proposed project would involve ground disturbance and the removal of trees. As such, GOSR respectfully requests that the New York Natural Heritage Program review its records of concern for any rare or state-listed animals or plants, or significant natural communities, at this site or in its immediate vicinity.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0755) or Lori.Shirley@nyshcr.org. Thank you for your time and consideration.

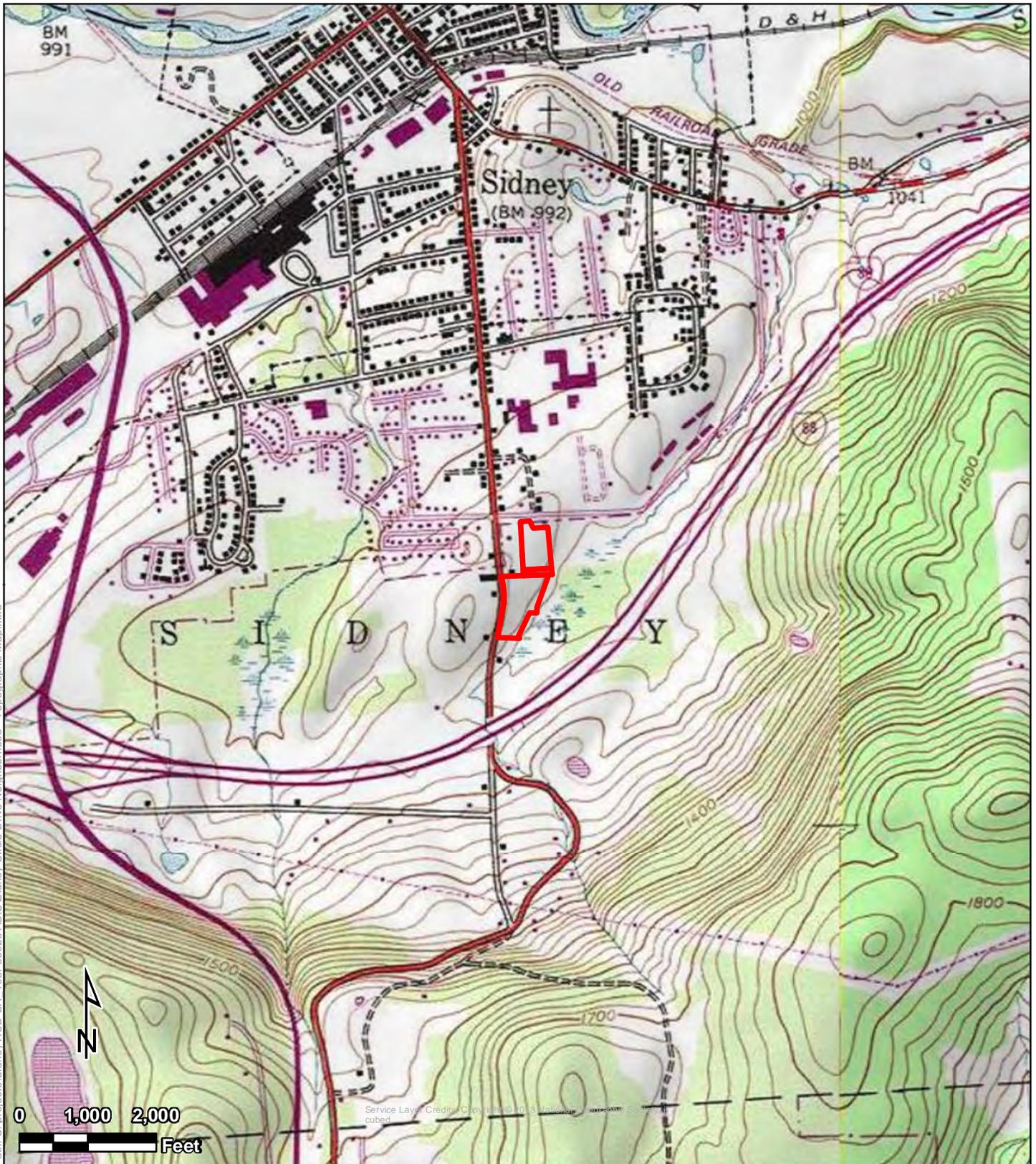
Sincerely,



Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes and Community Renewal

Attachments:

- Topographic Map
- Project Area Parcels
- Project Area
- Preliminary Site Plan
- NYSDEC Environmental Resources Map



Path: C:\projects\Sidney.HUD.EA_103P359231\GIS\Sidney Circle Drive Neighborhood - Topographic Map.mxd

Topographic Map

Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York

Legend

Project Area



Tetra Tech, Inc



Project Area Parcels

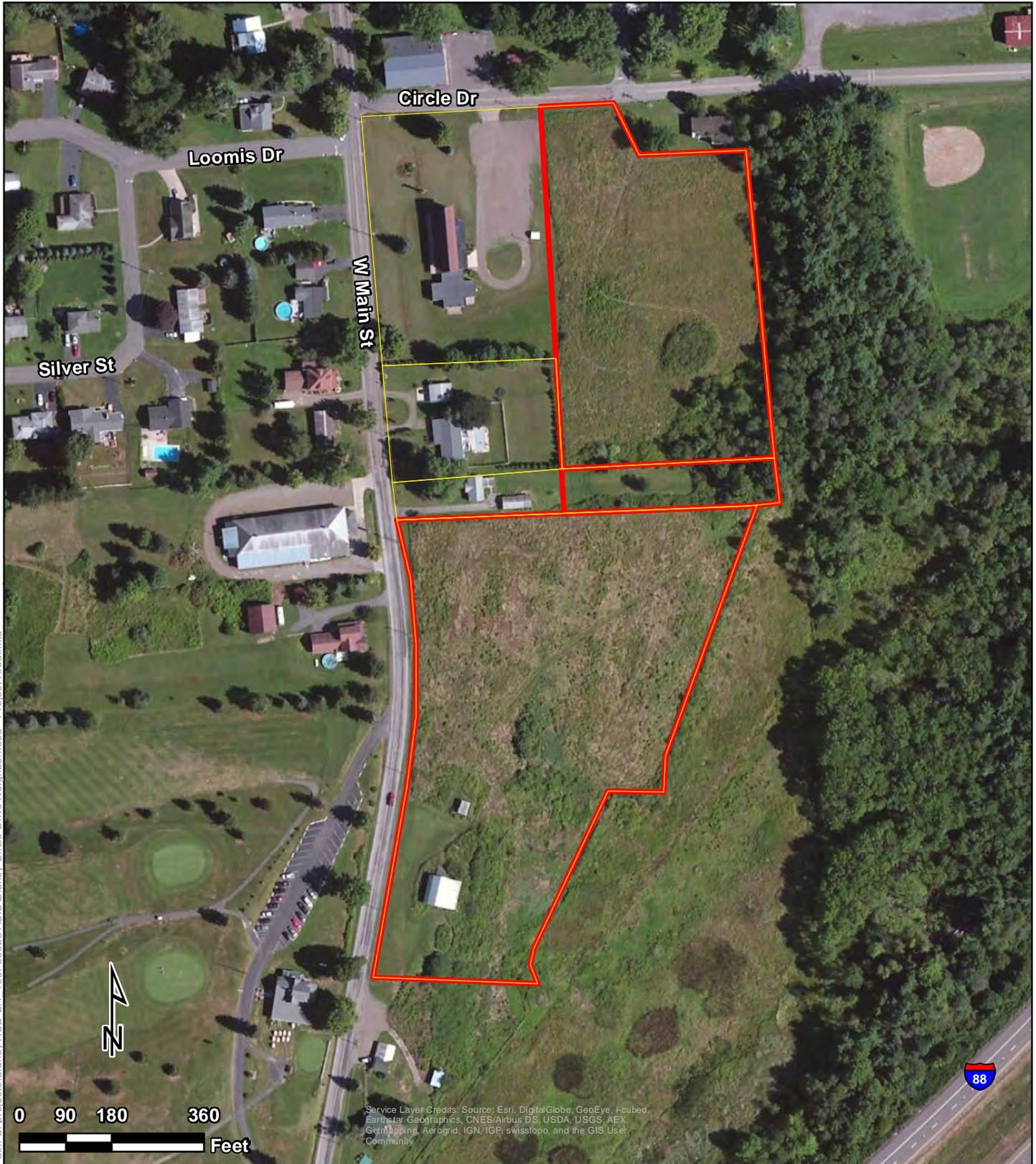
Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York

Legend

 Project Area Parcels



Tetra Tech, Inc



Project Area

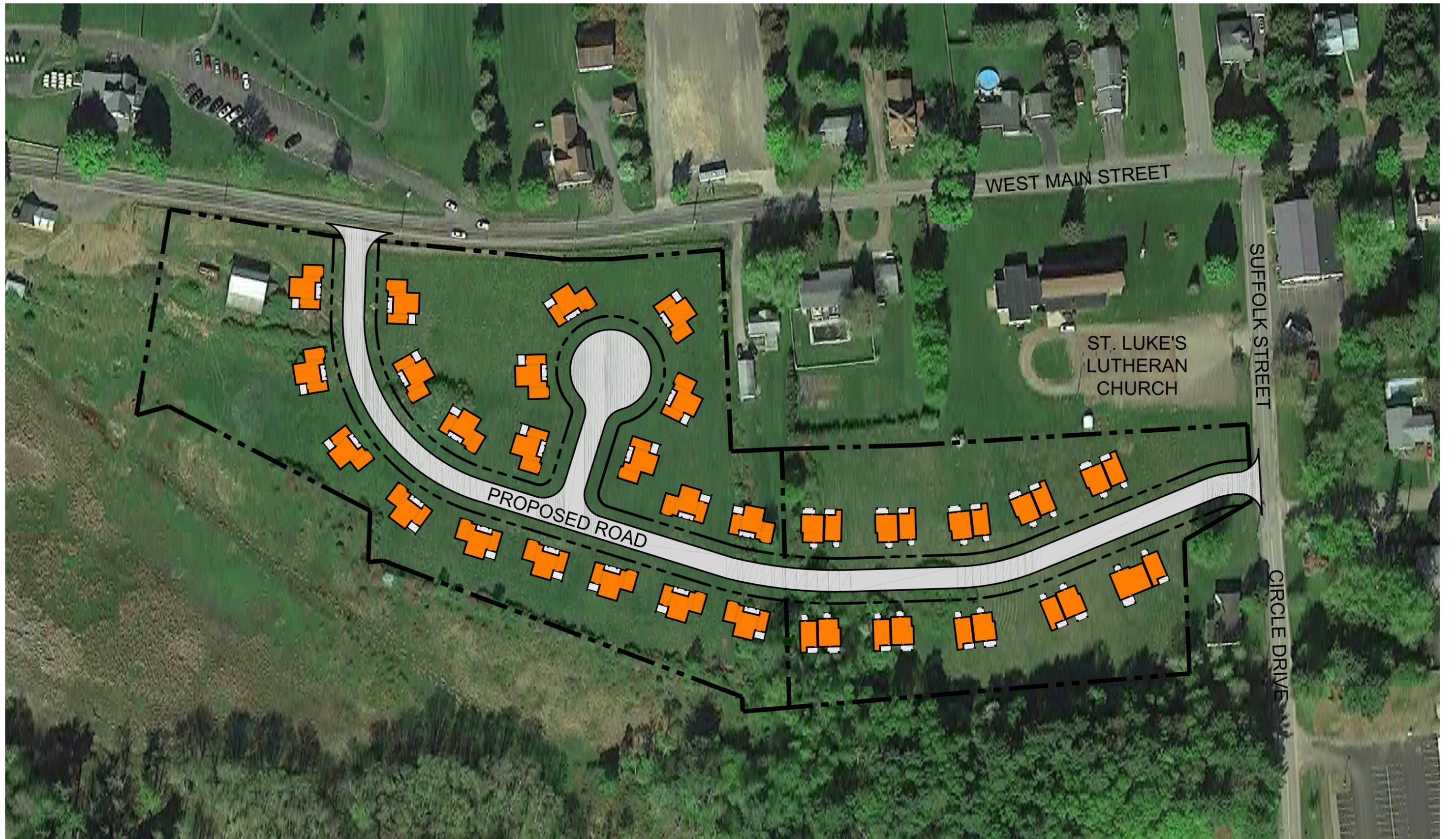
Sidney Circle Drive Neighborhood
 Housing and Infrastructure
 West Main Street
 Village of Sidney
 Delaware County, New York

Legend

- Project Area
- Project Area Parcels



Tetra Tech, Inc



CONCEPTUAL HOUSING PLAN

West Main Street
Sidney, New York

CONCEPTUAL HOUSING PLAN

MARCH 30, 2016





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Environmental Resource Mapper

Base Map: Streets

Search

Tools

Measurement Tool

Degrees

Measurement Result

Latitude	Longitude
42.298735	-75.395560
42.300671	-75.384681

Clear Result



- Layers and Legend
- Other Wetland Layers
- Reference Layers
- Tell Me More...
- Need A Permit?
- Contacts



November 23, 2016

NHP Response

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



November 23, 2016

Lori Shirley
Governor's Office of Storm Recovery
30-40 State St., Hampton Plaza
Albany, NY 12207

Re: Sidney Circle Drive Neighborhood Housing and Infrastructure Project
Town/City: Sidney. County: Delaware.

Dear Ms. Shirley:

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 at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. 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.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage Database. Your project may require additional review or permits; 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 4 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

A handwritten signature in black ink that reads "Nick Conrad".

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program