Wildlife Site Characterization

Rolling Upland Wind Project

Towns of Brookfield, Hamilton, and Madison, Madison County and Town of Sangerfield, Oneida County, New York

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1.0 INTRODUCTION

EDP Renewables North America, LLC (EDPR or the Applicant) is proposing to construct a wind energy generation facility (the Facility) on approximately 5,820 acres (the Facility Study Area) in the Towns of Brookfield, Hamilton, and Madison in Madison County, and the Town of Sangerfield in Oneida County, New York (Figure 1). The Facility Study Area encompasses all potential parcels on which Facility components may be sited and consists primarily of deciduous forests, with a large portion of the remaining land in active agricultural use, including pasture/hay and cultivated crops. The Facility Study Area is roughly bounded by **BEGIN CONFIDENTIAL INFORMATION**<[redacted]>**END CONFIDENTIAL INFORMATION** (Figure 2). The Facility will consist of utility scale wind turbines with a total generating capacity of up to 76.5 megawatts (MW) and associated infrastructure including access roads, collection lines, permanent meteorological towers, a temporary construction staging/laydown area, and a collection substation.

The Office of Renewable Energy Siting (ORES) issues permits for major renewable energy facilities (i.e., projects larger than 25 MW) under Section 94-c of the New York State Executive Law. Chapter XVIII Title 19 of NYCRR Part 900 establishes the procedural and substantive requirements for the permit applications under Section 94-c, including submittal of a Wildlife Site Characterization. The purpose of the Wildlife Site Characterization is to summarize existing public information on bird, bat, and other animal species that may potentially occur in the vicinity of a proposed Facility, and to provide additional analysis with respect to those species formally listed by New York State as threatened, endangered, or species of special concern.

Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) was retained by the Applicant to prepare a Wildlife Site Characterization Report for the Facility. This report is organized to follow the structure of the regulations set forth in §900-1.3(g)(1), with the relevant requirements provided at the start of each section.

2.0 PUBLICLY AVAILABLE DATA SOURCES

This section provides information in response to the following requirement of §900-1.3(g)(1):

At the earliest point possible in the applicant's preliminary project planning, the applicant shall conduct a wildlife site characterization summarizing existing public information on bird, bat, and other species, including, but not limited to, New York's Environmental Assessment Form (EAF) Mapper, New York Natural Heritage Program (NYNHP), USFWS iPaC and ECOs databases, New York's Environmental Resource Mapper, Nature Explorer, and Biodiversity and Wind Siting Mapping Tool, eBird, Audubon Christmas Bird Counts, United States Geological Survey (USGS) breeding bird surveys, the current New York Breeding Bird Atlas III program, New York State Ornithological Association, local birding organizations, Bat Conservation International's database on bat species ranges, NYSDEC bat information.

In querying publicly available data sources, the Applicant used the Facility Study Area as the default search area. However, due to variable data collection regimes for each data source, additional data from beyond the Facility Study Area were included in some cases. The Applicant searched all records within 1 mile of the Facility Study Area for the following data sources: eBird, New York Breeding Bird Atlas III, Audubon Christmas Bird Count data, and the U.S. Geological Survey (USGS) breeding bird surveys. In addition, the New York State Ornithological Association's data are only available at the county level and the New York

State Department of Environmental Conservation's (NYSDEC's) bat information is only available at the town level.

2.1 New York's EAF Mapper

The Environmental Assessment Form (EAF) Mapper is a tool developed by the NYSDEC that takes a user-defined project site and searches multiple Geographic Information System (GIS) data sets. The results generated by the EAF Mapper appear in Part 1 of an electronically fillable form with certain location-based questions automatically filled out and is accompanied by a report that includes answers to specific questions on the EAF and a map showing the project site. The EAF Mapper was queried for the Facility, using an approximate boundary of the Facility Study Area. The response to EAF question E.2.p indicates that there are no records of rare plants or animals listed as species of special concern within the Facility Study Area (Appendix A). However, responses to questions E.2.n and E.2.o indicate that there are records of significant natural communities and endangered or threatened species within the Facility Study Area. Significant natural communities identified by the EAF Mapper are identified and discussed in Section 3.3. State listed wildlife species identified by the EAF Mapper are listed in Table 1 and discussed in Section 3.2.

2.2 New York Natural Heritage Program

The New York Natural Heritage Program (NYNHP) maintains data on state listed rare, threatened, and endangered plant and animal species, as well as significant ecological communities. The NYNHP recommends that the NYSDEC Environmental Resource Mapper (ERM) be reviewed prior to submitting a request for information for a given project. If the project boundary does not fall within an area displayed in the Rare Plants and Rare Animals layer or in the Significant Natural Communities layer of the ERM, then NYNHP has no records to report in the vicinity of the project and submitting a project screening request is not necessary. If the Facility Study Area does fall within an area of state listed animals or state listed bats, question E.2.o. on the EAF Mapper will provide a list of the species in question. The NYSDEC recommends a formal project screening to the NYNHP only if the project overlaps the location of unlisted animals, rare plants, or significant natural communities, and more information on these resources is required.

The ERM indicates that the Facility Study Area is in the vicinity of animals listed as endangered or threatened. See Section 2.4 for additional information about the ERM and the query performed for the Facility. In addition, as previously discussed in Section 2.1, the response to EAF question E.2.p indicates that there are no records of rare plants or animals listed as species of special concern within the Facility Study Area. However, responses to questions E.2.n and E.2.o indicate that there are records of significant natural communities and endangered or threatened species within the Facility Study Area. Therefore, in accordance with the NYSDEC guidance, further consultation with the NYNHP was initiated.

A site-specific request for documented occurrences within 2 miles of the Facility Study Area was submitted to the NYNHP on June 2, 2022, and a response received on July 20, 2022 (Appendix B). **BEGIN CONFIDENTIAL INFORMATION<** [redacted]

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In addition, the response letter indicates the presence of rich shrub fen, floodplain forest, and northern white cedar swamp significant natural communities in the vicinity of the Facility Study Area. State listed wildlife species identified by the NYNHP are listed in Table 1 and discussed in Section 3.2[1]. Significant natural communities, wildlife concentration areas, or other habitat types identified by the NYNHP are identified and discussed in Section 3.3. As indicated in Section 1.0, this Wildlife Site Characterization is organized to follow the structure of the regulations set forth in §900-1.3(g)(1), which focuses on bird, bat, and other animal species that may potentially occur in the vicinity of a proposed facility. As such, plants are not further discussed herein. Assessment of potential habitat for listed plant species within the Facility Study Area and/or the results of any necessary rare plant surveys will be included in the Section 94-c permit application.

2.3 IPaC and ECOs Databases

The Environmental Conservation Online System (ECOs) is a gateway website that provides access to U.S. Fish and Wildlife Service (USFWS) and other federal government databases, including the Information for Planning and Consultation (IPaC) tool, which streamlines the USFWS environmental review process. Users define a proposed Facility Study Area and provide basic information about the project. IPaC then generates an official species list containing information to assist in evaluating the potential impacts of the project. The official species list is a formal letter from the local USFWS office that includes a list of species and critical habitat that should be considered under Section 7 of the Endangered Species Act, as well as other pertinent information from the local field office.

A shapefile of the Facility Study Area was uploaded to IPaC on December 27, 2023. **BEGIN CONFIDENTIAL INFORMATION<** [redacted] **>END CONFIDENTIAL INFORMATION** According to the official species list, there are no records of critical habitats that could be affected by the proposed Facility (Appendix B). Federally listed wildlife species identified by the USFWS are listed in Table 1 and discussed in Section 3.2.

2.4 New York's Environmental Resource Mapper

The Environmental Resource Mapper (ERM) is an interactive mapping application developed by the NYSDEC that can be used to identify some of New York State's natural resources and environmental features that are state or federally protected, or of conservation concern. Specifically, the maps display the general areas where rare animals, rare plants, and significant natural communities have been documented by the NYNHP. The ERM also displays locations of New York State regulated freshwater wetlands and protected streams, rivers, and lakes. These maps are provided as a source of information for landowners, land managers,

[1] All species without specific locational information were included in Table 1.

citizens, local officials, and project sponsors engaged in land use decision making, conservation planning, or environmental assessment of proposed projects or actions (NYSDEC, 2023a).

The ERM does not support user-defined search areas or shapefile-based areas of interest. The Facility Study Area was traced on the ERM using the "Measure Area" tool. The "Identify Tool" was then used to generate informational outputs on overlapping areas of rare plants and animals. Results are included in Appendix A. State listed wildlife species identified by the ERM are listed in Table 1 and discussed in Section 3.2. Significant natural communities, wildlife concentration areas, or other habitat types identified by the ERM are identified and discussed in Section 3.3.

2.5 New York Nature Explorer

New York Nature Explorer is an online tool developed by the NYSDEC to help inform land use decisions, natural resource management, biodiversity conservation, and environmental assessment. Users can define a specific search area (or query by county, town, or watershed) and obtain a list of the rare and listed animals, plants, and significant natural communities that have been found there, as documented in databases maintained by NYSDEC. However, because not all species are included in the list (i.e., location information for some sensitive species is excluded due to vulnerability to collection), the results of a New York Nature Explorer query should be considered only an initial indication of the potential presence of rare and/or listed animals and plants in the vicinity of the search area (NYSDEC, 2023b). Direct correspondence with the NYNHP, as described in Section 2.2, affords access to site-specific data for all rare and listed species, including those sensitive species not reported in New York Nature Explorer results.

The New York Nature Explorer tool was queried for the Facility, using an approximate boundary of the Facility Study Area. Results are included in Appendix A. The New York Nature Explorer Database indicates that there are no public records of significant natural communities or listed threatened or endangered animal species within the Facility Study Area. **BEGIN CONFIDENTIAL INFORMATION<** [redacted] **>END CONFIDENTIAL INFORMATION** However, as mentioned previously, plants are not further discussed in this Wildlife Site Characterization.

2.6 New York's Biodiversity and Wind Siting Mapping Tool

The Biodiversity and Wind Siting Online Mapping Tool is intended to help New York meet its renewable energy goals while avoiding and minimizing impacts on sensitive biodiversity resources. This tool, developed by scientists from The Nature Conservancy, the NYNHP, and the Cornell Lab of Ornithology in collaboration with the New York State Energy Research and Development Authority, uses GIS technology to map important ecological resources, such as sensitive habitats, large forest blocks, and migration routes. As of December 27, 2023, and after repeated attempts in multiple browsers, this online tool is not functioning. However, many other sources of information were reviewed to develop an understanding of the types of ecological resources included in the Biodiversity and Wind Siting Online Mapping Tool. See Sections 3.3 and 3.5 for discussion of ecological resources in the vicinity of the Facility Study Area.

2.7 Cornell Lab of Ornithology's eBird

The eBird database, managed by the Cornell Lab of Ornithology, is an online database of bird observations collected by citizen scientists around the world and vetted by regional experts. Data are used to document bird distribution, abundance, habitat use, and trends within a simple, scientific framework to help inform bird research worldwide. The nearest eBird hotspot[2], Ninemile Swamp (Sangerfield River), is approximately 1.3 miles south of the Facility Study Area (Figure 3). One other eBird hotspot, Lake Moraine, is approximately 2.0 miles west of the Facility Study Area (Figure 3). There are no other eBird hotspots in close proximity to the Facility Study Area (eBird, 2023a). Because these hotspots are located within or directly adjacent to aquatic areas that are more than 1 mile away from the Facility Study Area, they are not considered to be an accurate indicator of species presence within the Facility Study Area. In addition to hotspots, the eBird database also contains data reported from the public under "personal locations," which are not associated with the hotspots listed previously. Personal location data were queried for all state listed bird species between 2019 and 2023.

State listed bird species observed at personal locations within the Facility Study Area since 2019 (i.e., the last 5 years) are listed in Table 1 and Appendix C, and discussed in Section 3.2.

2.8 Audubon Christmas Bird Count

The Christmas Bird Count (CBC), which was created by the National Audubon Society in 1900, is the longest-running citizen science project in the country. The primary objective of the CBC is to monitor the status and distribution of wintering bird populations across the Western Hemisphere. Counts take place on a single day within defined 15-mile (24 kilometer) diameter count circles, and all bird species and individuals observed are recorded by volunteers (National Audubon Society, 2023a). The nearest CBC circle, Sherburne, is located 11.2 miles south of the Facility Study Area. Because of this distance, species observed within the Sherburne count circle may not be representative of the bird community within the Facility Study Area and therefore are not further evaluated herein.

2.9 USGS Breeding Bird Survey

The USGS Breeding Bird Survey (BBS), overseen by the USFWS Patuxent Wildlife Research Center, is a long-term, large-scale, international avian monitoring program that tracks the status and trends of North American bird populations. Each survey route is 24.5 miles long, with 3-minute point counts completed at 0.5-mile intervals. During the point counts, every bird seen or heard within a 0.25-mile radius is recorded. Data were queried for the Oriskany Falls Survey Route, which occurs within 1 mile of the northwest boundary of the Facility Study Area. No state listed bird species have been observed along the Oriskany Falls Survey Route since 2018.

[2] Hotspots are public birding locations created by eBird users, which allow multiple birders to enter data into the same shared location, creating aggregated results.

2.10 New York Breeding Bird Atlas III

The New York Breeding Bird Atlas (BBA) is a statewide inventory of all birds breeding in the state. The first atlas inventory was conducted from 1980-1985, the second from 2000-2005, and NYSDEC is currently working with agency and conservation partners to conduct the third atlas inventory from 2020-2024 (BBA III). Field work is conducted by dividing the state into blocks of approximately 9 square miles, within which volunteers record all the bird species observed during the breeding season and document evidence of breeding activity (NYSDEC, 2023c). A key change for the BBA III compared to the previous atlases is the use of eBird for data collection. eBird offers real-time data entry and outputs, so partial data results are available throughout the entire survey period (eBird, 2023b). These preliminary results were reviewed for the eight atlas blocks that encompass the Facility Study Area (i.e., Oriskany Falls CW, Oriskany Falls CE, Oriskany Falls SW, Oriskany Falls SE, Hubbardsville NW, and Hubbardsville NE; Figure 3).

A total of four state listed bird species have been recorded within the Oriskany Falls SW and Hubbardsville NW survey blocks within the last five years (2019-2023). These species are listed in Table 1 and discussed in Section 3.2. The Wildlife Species List provided in Appendix C identifies all bird species observed within these survey blocks from 2019 to 2023.

2.11 New York State Ornithological Association

The New York State Ornithological Association (NYSOA) is a conservation organization focused on documenting the ornithology of New York State, fostering interest in and appreciation of birds, and protecting birds and their habitats. Members of NYSOA participate in citizen science efforts, contributing data to eBird, the CBC, BBS, and BBA (described in Sections 2.7, 2.8, 2.9, and 2.10, respectively). In addition, the New York State Avian Records Committee (NYSARC; a committee of the NYSOA) is responsible for maintaining the official list of species of birds that are known to occur (or to have occurred) in New York State and adjacent coastal waters (including the Great Lakes). As part of this effort, NYSARC reviews all data pertaining to records of scarce or rare birds reported in the state (NYSOA, 2020).

The NYSOA website includes a complete, downloadable list of all reports of rare birds submitted to and reviewed by NYSARC since its inception, including species, date, county, status, and publication date. All Madison and Oneida County records in this list, last updated in August 2020, were reviewed. No birds state listed as threatened, endangered, or species of special concern have been reported from Madison or Oneida County within the last five years (NYSOA, 2020).

2.12 Local Birding Organizations

The NYSOA website includes links to local breeding clubs and organizations, based on region. The Facility Study Area is located in NYSOA's Region 5, which contains two such groups: the Kirkland Bird Club and the Onondaga Audubon Society (NYSOA, 2023).

The link for the Kirkland Bird Club leads to a Facebook page where members share photos and announcements for programs, field trips, and special events. However, the page is currently inactive; therefore, no data was obtained from this Facebook page (Kirkland Bird Club, 2023).

The Onondaga Audubon Society (OAS) is the National Audubon Chapter for central New York and the eastern Lake Ontario basin (i.e., Cayuga, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, and Oswego Counties). The website includes information on meetings, field trips, and other programs hosted by the 2,200-member chapter, as well as information about the two sanctuaries on Lake Ontario that OAS owns and operates. The Derby Hill Bird Observatory and Richard A. Noyes Sanctuary are both located more than 40 miles from the Facility Study Area. The OAS website also has a Rare Bird Alerts page that shares information about sightings of uncommon birds throughout the region. Observations are organized by date, then by county, with general location information provided to help birders find new species to add to their "life list." EDR reviewed the rare bird reports for both Madison and Oneida Counties. Over the last five years, the OAS rare bird alerts contained no observations of state listed birds within 5 miles of the Facility Study Area (OAS, 2023).

2.13 Bat Conservation International's Database on Bat Species Ranges

According to the Bat Conservation International (BCI) database, nine species of bat have ranges that extend into New York State. The BCI database's "approximate range" maps show that seven of these species have ranges that overlap the Facility Study Area, including both migratory tree bats and cave-hibernating bats. **BEGIN CONFIDENTIAL INFORMATION<** [redacted] **>END CONFIDENTIAL INFORMATION** Although the ranges for these species include the Facility Study Area, BCI does not provide occurrence data that could be used to determine the actual presence or absence of bat species at any given location (BCI, 2023).

2.14 NYSDEC Bat Information

NYSDEC data also indicate that nine bat species have the potential to occur in New York State, six cave bats and three tree bats (Stegemann & Hicks, 2008). **BEGIN CONFIDENTIAL INFORMATION<** [redacted] **>END CONFIDENTIAL INFORMATION** This section provides more specific information regarding the potential occurrence of each of these listed species.

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[redacted]

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3.0 THREATENED OR ENDANGERED SPECIES OR SPECIES OF SPECIAL CONCERN

This section provides more information about the state listed threatened or endangered species or species of special concern identified in the publicly available data sources, as summarized in Section 2.0. Sections 3.1 through 3.6 respond to specific requirements of §900-1.3(g)(1), which are provided for reference at the beginning of each discussion.

3.1 Species Documented at the Proposed Facility

This section provides information in response to the following requirement of §900-1.3(g)(1):

With respect to NYS threatened or endangered species or species of special concern, the wildlife site characterization shall include:

(i) Species documented at the proposed facility, access roads, interconnections, connecting lines, from available data sources. A subset of NYS threatened or endangered species identified within the last five (5) years shall be provided.

A full list of wildlife species documented within the Facility Study Area[3] is included as Appendix C. A subset of the full list, comprising those species that are state listed and have been identified within the last five years, is presented in Table 1.

Table 1. State Listed Species Observed in the Facility Study Area within the Last Five Years
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Species	NYS Status	USFWS Status	SGCN Status[1]	Source[2]
[redacted]	Threatened	n/a	SGCN	NYNHP
	Threatened	n/a	SGCN	eBird, BBA, NYNHP, EAF
	Threatened	n/a	SGCN	eBird, BBA, NYNHP
	Threatened	n/a	SGCN	NYNHP
	Species of Special Concern	n/a	n/a	eBird, BBA
	Species of Special Concern	n/a	SGCN	eBird
	Species of Special Concern	n/a	n/a	eBird, BBA

[1] SGCN Status refers to status under the Comprehensive State Wildlife Strategy. SGCN = Species of Greatest Conservation Need, SGCN-HP = High Priority Species of Greatest Conservation.
[2] BBA= New York Breeding Bird Atlas III, Oriskany Falls SW, Hubbardsville CE, and Hubbardsville NW atlas blocks; NYNHP = New York Natural Heritage Program correspondence; EAF = New York's EAF Mapper; eBird= personal locations data.

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[3] In querying publicly available data sources, the Applicant used the Facility Study Area as the default search area. However, due to variable data collection regimes for each data sources, additional data from beyond the Facility Study Area were included in some cases. The Applicant searched all records within 1 mile of the Facility Study Area for the following data sources: eBird, New York Breeding Bird Atlas III, Audubon Christmas Bird Count data, and USGS breeding bird surveys. The Applicant requested information from NYNHP for the Facility Study Area and surrounding 2-mile area. In addition, the NYSOA's data are only available at the county level and the NYSDEC's bat information is available at the town level.

3.2 Evaluation of Habitat Suitability for Listed Species at the Facility Study Area

This section provides information in response to the following requirement of §900-1.3(g)(1):

With respect to NYS threatened or endangered species or species of special concern, the wildlife site characterization shall include:

(ii) For each listed animal species documented from available data sources, provide an evaluation of current habitat suitability for those species at the project site.

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3.2.1 [redacted]

[redacted]

3.2.2 [redacted]

[redacted]

[redacted]

3.2.3 [redacted]

[redacted]

[redacted]

3.2.4 [redacted]

[redacted]

[redacted]

[redacted]

3.2.5 [redacted]

[redacted]

[redacted]

3.2.6 [redacted]

[redacted]

[redacted]

[redacted]

3.2.7 [redacted]

[redacted]

[redacted]

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3.3 Landscape Features and Resources within Five Miles

This section provides information in response to the following requirement of §900-1.3(g)(1):

With respect to NYS threatened or endangered species or species of special concern, the wildlife site characterization shall include:

(iii) Landscape features and resources of potential concern within five (5) miles of the facility that may function to funnel or concentrate birds and bats, with a focus on NYS threatened or endangered species, during migration or for feeding, breeding, wintering, or roosting activities, such as national wildlife refuges, wildlife management areas, grassland focus areas, core forest blocks (contiguous areas one hundred fifty (150) acres or larger), Audubon Important Bird Areas, high elevation mountaintops, prominent ridgelines, forested riparian areas, known hibernacula, records of caves and mines, or other significant habitat areas.

There are no national wildlife refuges, state wildlife management areas, Audubon Important Bird Areas, high elevation mountaintops, prominent ridgelines, known bat hibernacula, or other documented significant habitat areas within 5 miles of the Facility Study Area. However, other landscape features and resources within 5 miles of the Facility Study Area that could function to funnel or concentrate birds or bats are discussed in greater detail in the following sub-sections.

3.3.1 Grassland Focus Areas

The Grassland Focus Area designation was created because grassland birds are declining faster than any other habitat-species suite in the northeastern U.S. Draft and final focus areas were delineated by the NYSDEC by identifying contiguous BBA blocks where important grassland bird species were found to be breeding, with subsequent field surveys conducted to confirm habitat conditions and refine the focus area boundaries (Morgan & Burger, 2008). The northern portions of the 5-mile area and the Facility Study Area

lie within Grassland Focus Area 4, which encompasses over 1 million acres in the Central Leatherstocking and Mohawk River Valley regions (Figure 5).

3.3.2 Core Forest Blocks

New York's forests provide important breeding, migratory stop-over, and wintering habitat for more than a hundred species of birds. One of their most important ecological functions is to provide breeding habitat for bird species that are experiencing population declines due to habitat fragmentation and the loss of quality forest habitat (Treyger, 2019). Research has demonstrated that larger forest tracks typically support more species than smaller forest stands. The amount of forest cover, size of individual forest patches, forest type, and linkages to other patches in a landscape determine their ability to support wildlife species which depend on them, including area-sensitive and edge-intolerant species. This is particularly true for mammals and forest interior birds that require extensive forests (Environment Canada, 2004). Ongoing development is resulting in the fragmentation of privately held forest habitats that connect publicly managed open spaces. If these trends continue, New York's future forest ecosystems will have a higher proportion of isolated forest patches that will be less connected across the landscape. Large blocks of core forest also play an important role by providing 'source' populations of plants and animals that can repopulate nearby smaller patches of habitat after disturbance events (NYSDEC, 2011).

In partnership with the NYNHP, The Nature Conservancy (TNC) conducted an analysis to identify matrix forest blocks, which were defined as large contiguous areas whose size and natural condition allow for the maintenance of ecological processes, embedded large and small patch communities, and embedded species populations. The goal of the matrix forest selection was to identify viable examples of the dominant forest types that could serve as critical source areas for species requiring interior forest conditions or associated with the dominant forest types. Matrix occurrences are bounded by fragmenting features such as roads, railroads, major utility lines, and major shorelines. Tier 1 occurrences represent the best examples of viable matrix forest, while Tier 2 occurrences are also viable matrix occurrences, but are considered alternates. The closest matrix forest blocks are the Chenango Highlands matrix, located approximately 17.9 miles southwest of the Facility Study Area, and the Rome Sand Plains matrix, located approximately 18.7 miles northwest of the Facility Study Area. The TNC/NYNHP analysis also identified linkage zones, which represent the easiest/most suitable paths for forest species traveling between matrix forest blocks. The Facility Study Area is located approximately 8.7 miles east of the linkage zone that connects the Rome Sand Plains matrix forest to the Chenango Highlands matrix forest (The Nature Conservancy, 2012).

In accordance with the Section 94-c regulations, EDR also conducted a desktop analysis to identify core forest blocks (i.e., contiguous areas 150 acres or larger) in the vicinity of the proposed Facility. Based on data from the 2019 USGS NLCD, there are 91 core forest blocks at least partially within 5 miles of the Facility Study Area (Figure 6). These forest blocks range in size from 149 acres to 3,072 acres and collectively total 53,203 acres, or approximately 53% of the total land area within 5 miles of the Facility Study Area boundaries. This analysis included all areas classified by the NLCD as one of the four forest types (i.e., deciduous forest, mixed forest, evergreen forest, and woody wetlands).

3.3.3 Forested Riparian Areas

Riparian areas are located immediately adjacent to streams and rivers and are distinguished from uplands by their high soil moisture levels, frequent flooding, and unique plant and animal species assemblages. Riparian areas in the eastern U.S. are among the most productive biological systems in the world and provide critical habitat for many types of wildlife, including both common and rare species. Wildlife may be permanent residents of a riparian area or occasional visitors that use the area for food, water, temporary shelter, or travel corridors. The importance of a particular riparian area depends on the surrounding land uses and the vegetation present. For example, in areas of intensive agriculture, forested riparian areas can provide important travel corridors and natural habitat "islands" or refugia where species that depend on forests for their survival can live and reproduce (Klapproth & Johnson, 2009).

Mapped NYSDEC streams can be used as a preliminary screening tool to help identify forested riparian areas, as most NYSDEC streams have riparian corridors that are forested, at least in part. See Section 3.5.1 for a discussion of mapped NYSDEC streams.

3.3.4 Caves and Mines

Large numbers of cave-dwelling bats now use abandoned subterranean mines as roosting sites and hibernacula. Like caves, abandoned mines offer bats the advantage of a stable microclimate, reduced risk from predation and disturbance, and protection from adverse weather. Hard-rock mining provides structures that cave-dwelling bats find attractive for roosting (Belwood & Waugh, 1991). There are no documented caves or mines within the Facility Study Area. **BEGIN CONFIDENTIAL INFORMATION<** [redacted] **>END CONFIDENTIAL INFORMATION**

3.3.5 Significant Natural Communities

The NYNHP response letter indicated that three natural communities that are considered significant from a statewide perspective by the NYNHP exist within the vicinity of the Facility Study Area. These three significant natural communities are all wetland/aquatic communities that provide high-quality habitat, and include (1) rich shrub fen, (2) floodplain forest, and (3) northern white cedar swamp. All of these communities are located within Ninemile Swamp, which runs northeast-southwest approximately 0.4 miles southeast of the Facility Study Area. Given the rich ecological quality provided by these significant natural communities, they have the potential to provide habitat for various state listed species. There are no significant natural communities located within the Facility Study Area.

3.4 Geographical, Topographical, or Other Physical Features within Five Miles

This section provides information in response to the following requirement of §900-1.3(g)(1):

With respect to NYS threatened or endangered species or species of special concern, the wildlife site characterization shall include:

(iv) Geographical, topographical, and other physical features within five (5) miles of the facility, interconnections, connecting lines, and access roads.

Every spring and fall, millions of birds and bats migrate through the Great Lakes region as they travel between their wintering and breeding grounds. The Facility Study Area and the surrounding 5-mile area are both located within the Atlantic Flyway, a broad front north-south route for migratory birds that encompasses much of eastern North America (National Audubon Society, 2023b). Migrating raptors and other soaring birds tend to concentrate along linear ridges, which create updrafts or "thermals" that raptors use to fly long distances with minimal exertion (Berthold, 2001). As indicated in Section 3.3, there are no prominent ridgelines within 5 miles of the Facility Study Area.

On a smaller scale, birds and bats often follow more local migration corridors. The migration corridor system is not well understood, but areas near the shorelines of large waterbodies are known to host concentrated movements of birds and bats. For example, the Great Lakes act as barriers to migrating birds and bats because they are devoid of safe places to land and require substantial energy to cross. Conversely, the shorelines of these lakes concentrate migrants by providing the last refuge near a geographic obstacle and are likely used for navigation (USFWS & USGS, 2012; Heist et al., 2018). The NYSDEC has also identified large river corridors (e.g., the Hudson, the St. Lawrence) as features that can concentrate movements of migrating birds and bats (NYSDEC, 2016). There are no Great Lakes shorelines or large river corridors within 5 miles of the Facility Study Area (Figure 7).

3.5 Mapped Wetlands, Streams, State Forests, State Parks, Land Use

This section provides information in response to the following requirement of §900-1.3(g)(1):

With respect to NYS threatened or endangered species or species of special concern, the wildlife site characterization shall include:

(v) National Wetlands Inventory (NWI) and NYSDEC mapped wetlands, streams, waterbodies, state forests, parks, land use, and other available information relevant to siting the facility.

3.5.1 Mapped Wetlands, Streams, and Waterbodies

National Wetlands Inventory (NWI) mapping indicates the presence of 121 wetlands within the Facility Study Area, totaling 119.7 acres (Figure 8). Freshwater forested/shrub wetlands are the dominant community types mapped on-site, totaling approximately 48.7 acres. Other NWI-mapped communities within the Facility Study Area are classified as riverine features (45.5 acres), freshwater emergent wetlands (19.7 acres), and freshwater ponds (5.8 acres).

New York State Freshwater Wetlands maps indicate that a small portion of one wetland regulated under Article 24 of the Environmental Conservation Law occurs within the northwest corner of the Facility Study Area, totaling 0.1 acre (Figure 8). Based on available NYSDEC stream classification mapping, the Facility Study Area includes Class C and C(T) streams. State protected streams mapped within the Facility Study Area

include tributaries of Oriskany Creek, tributaries and sub tributaries of the Sangerfield River, tributaries of Payne Brook, and associated Payne Creek (Figure 8).

Aside from small farm ponds, there are no significant areas of open water within the Facility Study Area. As indicated in Section 3.5.3, these features that are classified as open water by the NLCD collectively comprise approximately 1.3 acres within the Facility Study Area. The most significant waterbody in the surrounding area is the Sangerfield River and associated Ninemile Swamp, located approximately 0.5 miles to the east of the Facility Study Area. This resource is also characterized by a substantial forested riparian corridor.

3.5.2 State Forests and Parks

There are no state parks or state forests within the Facility Study Area. The closest state park is Oriskany Battlefield, located approximately 18 miles north of the Facility Study Area. The closest state forest is Gorton Lake State Forest, located approximately 2.5 miles east of the Facility Study Area. Other state forests within 5 miles of the Facility Study Area include Mount Hunger State Forest, Brookfield Railroad State Forest, Beaver Creek State Forest, and Charles E. Baker State Forest, all of which are located to the east and southeast of the Facility Study Area.

3.5.3 Land Use/Land Cover

The Facility Study Area is primarily composed of deciduous forest, pasture/hay, and agricultural land that is actively managed to produce cultivated crops (i.e., row crops), with a lesser extent of developed land, including paved roadways, scattered rural residences, and farms (Figure 4). Table 2 summarizes the NLCD land cover types found within the Facility Study Area.

Table 2. Land Cover Classes Found within the Facility Study Area

Land Cover Class	Acres	Percent Cover
Deciduous Forest	2,343.7	40.3
Pasture/Hay	1,609.9	27.7
Cultivated Crops	787.6	13.5
Mixed Forest	334.2	5.7
Developed, Open Space	260.0	4.5
Evergreen Forest	145.0	2.5
Grasslands/Herbaceous	111.3	1.9
Scrub/Shrub	88.3	1.5
Woody Wetlands	87.1	1.5
Developed, Low Intensity	24.5	0.4
Developed, Medium Intensity	20.5	0.4
Emergent Herbaceous Wetlands	6.2	0.1
Developed, High Intensity	1.8	<0.1
Open Water	1.3	<0.1
Total	5,821.4	100

Source: National Land Cover Database (NLCD), 2019.

3.6 Climate Change Modeling for Listed Species

This section provides information in response to the following requirement of §900-1.3(g)(1):

With respect to NYS threatened or endangered species or species of special concern, the wildlife site characterization shall include:

(vi) A review of National Audubon Society climate change modeling for listed bird species documented in the wildlife site characterization, and review of other climate change models relevant to listed bird species and other wildlife species documented at the Facility Study Area, as available.

Climate change is accelerating many threats that challenge rare species and the natural ecosystems they depend on. Consequently, successful conservation strategies will require an understanding of climate change and the ability to predict how it will affect both species and habitats. Birds have been the focus of many studies on the ecological effects of climate change and have also been the subject of a wide variety of correlative models to predict potential future species distribution. Data show that birds are responding to recent climate change in a variety of ways, including shifting their breeding and non-breeding ranges to higher latitudes (La Sorte and Jetz, 2010). For example, a National Audubon Society study investigated the center of abundance for North American bird species using CBC data and found a strong northward shift over the past 40 years. Of the 305 species evaluated, 208 (68%) had shifted north. A majority of species of wetland birds, forest birds, shrub birds, and generalists have shifted their range northward, while most grassland birds have not (Niven et al., 2009).

This section reviews climate change modeling to evaluate the sensitivity of listed wildlife species documented in the vicinity of the Facility Study Area within the last five years (Table 1).

3.6.1 National Audubon Society Climate Change Modeling

The National Audubon Society assessed the climate change vulnerability of North American bird species under multiple warming scenarios, ranging from 1.5 degrees Celsius (°C; 2.7 degrees Fahrenheit [°F]) warming, which is considered imminent, to a 3°C (5.4°F) warming, which is expected to occur by 2080-2100. The study found that 389 of 604 species (64%) were moderately or highly vulnerable to climate change. However, climate change vulnerability was not evenly distributed across habitats. The most vulnerable groups include Arctic bird species, boreal forest birds, western forest birds, and waterbirds (Wilsey et al., 2019). The National Audubon Society *Survival by Degrees* climate change modeling platform was queried for Madison and Oneida Counties, where the Facility Study Area is located under a 3°C warming scenario. Table 3 summarizes the climate change vulnerability of the state listed bird species observed in the vicinity of the Facility Study Area within the last five years.

Table 3. Climate Change Vulnerability of State Listed Bird Species Observed within the Last Five Years
BEGIN CONFIDENTIAL INFORMATION<

Species	Summer	Winter
[redacted]	low vulnerability	stable
	low vulnerability	stable
	stable	low vulnerability
	stable	stable
	stable	stable

Source: National Audubon Society, 2023c.

>END CONFIDENTIAL INFORMATION

3.6.2 New York Natural Heritage Program Vulnerability to Climate Change Assessment

The NYNHP conducted a vulnerability assessment for 119 of the 366 wildlife species designated as Species of Greatest Conservation Need (SGCN) in New York State using NatureServe's Climate Change Vulnerability Index (CCVI). Species were included in the assessment that represent the range of taxonomic groups designated as SGCN, might be susceptible to climate change, are indicators of vulnerability of other species in similar habitats, and have sufficient data available to allow conducting the assessment. The CCVI determines vulnerability to climate change based on both exposure and sensitivity. Of the eight state listed species documented in the vicinity of the Facility Study Area within the last five years (Table 1), only two were evaluated in the NYNHP vulnerability assessment. **BEGIN CONFIDENTIAL INFORMATION<** [redacted] **>END CONFIDENTIAL INFORMATION**

4.0 CONCLUSIONS

In accordance with the requirements of the Section 94-c permitting process, publicly available data sources were queried to determine wildlife species that have the potential to be present within the Facility Study Area. Table 4 provides a summary of state listed species with documented occurrences in the vicinity of the Facility Study Area in the last 5 years.

Table 4. State Listed Species Summary
BEGIN CONFIDENTIAL INFORMATION<

Species	NYS Status[1]	Habitat Present within the Facility Study Area	Documented Within the Facility Study Area	Multiple Supporting Data Sources[2]
[redacted]	T	Yes	Yes	No
	T	Yes	Yes	Yes
	T	No	Yes	Yes
	T	Yes	Yes	No
	SSC	Yes	Yes	Yes
	SSC	Yes	Yes	No
	SSC	No	Yes	Yes

[1] E = endangered; T = threatened; SSC = species of special concern.
[2] Multiple publicly available data sources identify this species as potentially occurring within the Facility Study Area or its vicinity. See Table 1.

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In accordance with §900-1.3(g)(2) through (4), project-specific consultations with NYSDEC and ORES will take place to determine the need for on-site surveys of these species and/or their habitats. If such surveys are necessary, the Applicant will prepare associated work plans in consultation with ORES and NYSDEC and conduct the required surveys in accordance with §900-1.3(g)(4) and (5). Should NYSDEC and ORES ultimately determine that there is confirmed or presumed occupied habitat at the Facility Study Area, the Section 94-c application will identify any unavoidable impacts to state listed threatened or endangered species or species of special concern and provide an evaluation of avoidance and minimization measures to be incorporated into Facility design, as per the requirements of §900-2.13(d).

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[redacted]

[redacted] **>END CONFIDENTIAL INFORMATION**

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Figures

This figure has been redacted from this publicly available document because it contains protected/confidential information regarding the proposed facility location and/or species listed as endangered, threatened, or special concern in New York.

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Appendix A

New York State Database Reports

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Appendix B
Agency Correspondence

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

July 20, 2022

Jeannine Manna
EDR
274 N. Goodman Street, Suite B260
Rochester, NY 14607

Re: Rolling Upland Wind Project
County: Madison, Oneida Town/City: Madison, Hamilton, Brookfield, Sangerfield, Marshall, Augusta

Dear Jeannine Manna:

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 within the project evaluation area. Also enclosed is a report of rare birds documented within 10 miles of the evaluation area, and rare bats documented within 40 miles of the evaluation, for use in assessing potential impacts of bird and bat collisions. For information on NYSDEC's environmental review of proposed wind energy projects, and for the document entitled Guidelines for Conducting Bird and Bat Studies at Commercial Wind Energy Projects, follow this link:

https://www.dec.ny.gov/regulations/28693.html

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 conditions at the site, more information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the Permits staff at the NYSDEC Region 6 and 7 Offices at dep.r6@dec.ny.gov, 315-785-2245 and dep.r7@dec.ny.gov, 315-426-7438.

Sincerely,

Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

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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

In Reply Refer To:
Project Code: 2024-0030441
Project Name: Rolling Upland Wind Project

December 27, 2023

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 IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC 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)

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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

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Appendix C
Wildlife Species List

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