



Memorandum

To: Alcazar ESS, LLC
From: EDR
Date: April 22, 2025
Reference: Threatened and Endangered Species Habitat Assessment
Alcazar Battery Energy Storage System (BESS) Project
EDR Project No: 24391

Introduction

On behalf of Alcazar BESS, LLC (the Client), Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) conducted a desktop review of publicly available data and a reconnaissance-level site visit to provide information about the potential for state and federally listed endangered, threatened, and special concern species to occur in the vicinity of the proposed Alcazar Battery Energy Storage System (BESS) Project (the Project) located on an approximately 18.1-acre site (Tax ID: 48.17-1-26) in the Town of Ulster, Ulster County, New York (herein referred to as the Project Site; Figure 1). The Project also involves an interconnection to an adjacent substation located on Tax Parcel #: 48.17-1-13.110 via gen-tie line. The Project Site is roughly bounded by County Highway 29 (Hurley Avenue) to the north, the New York State Thruway (Interstate Route 87) to the south, private forested land to the east, and a transmission line right-of-way to the west. The majority of the Project Site is developed upland that includes the former John A. Coleman Catholic High School building, along with sports fields to a lesser degree, is comprised of forest. The proposed Project's limits of disturbance is approximately 12.2 acres.

The proposed Project involves construction of a new BESS, an interconnection to the existing adjacent electrical utility transmission lines, and a driveway to provide access to the BESS. Construction of the Project will involve demolition of the existing John A. Coleman High School building. EDR consulted with the U.S. Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) system, the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM), the NYSDEC Environmental Assessment Form (EAF) Mapper, and the New York Natural Heritage Program (NYNHP). Review and consultation with these databases indicates several state and federally listed species that have the potential to occur in the vicinity of the Project Site. However, the Project Site is not designated as critical habitat for any of the listed species. The results of EDR's desktop review are summarized herein

and included in Attachment 1. An official species list was obtained from the USFWS IPaC system on February 4, 2025. According to the official species list, two federally listed species (the Indiana bat [*Myotis sodalis*] and northern long-eared bat [*Myotis septentrionalis*]) one proposed endangered species (the tricolored bat [*Perimyotis subflavus*]), and one proposed threatened species (the monarch butterfly [*Danaus plexippus*]) that have been documented in the vicinity of the proposed Project Site. According to the official species list, there are no records of critical habitats that could be affected by the proposed Project Site.

To investigate further, EDR also reviewed data from the NYSDEC Environmental Resource Mapper (ERM), the NYSDEC Environmental Assessment Form (EAF) Mapper to determine if there are additional records of state listed threatened or endangered species occurring in the vicinity of the Project Site (Attachment 1).

EDR also conducted a site reconnaissance on January 18, 2024 to evaluate on-site habitat conditions. This memorandum summarizes the results of EDR's desktop review and site visit.

Findings

The EAF Mapper is a tool developed by the NYSDEC that searches multiple Geographic Information System (GIS) data sets within a user-defined project area. Review of the EAF Mapper The response to EAF question E.2.o indicates records of the state listed endangered bald eagle (*Haliaeetus leucocephalus*) and state listed threatened northern long-eared bat in the vicinity of the Project Site.

The 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. A review of the NYSDEC ERM database indicates records of state listed wildlife species in the vicinity of the Project Site

The 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 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 project 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 indicated that the Project Site is in the vicinity of animals and fish listed as endangered or threatened. In addition, as previously discussed, the response to EAF question E.2.o indicates that there are records of threatened or endangered species within the Project Site. Therefore, in accordance with the NYSDEC guidance, further consultation with the NYNHP was initiated. A site-specific request for documented occurrences in the vicinity of the Project Site was submitted to NYNHP on January 16, 2025, and received on March 12, 2025. The NYNHP response letter indicates there are no records of rare or state-listed animals or plants, or significant natural communities at the project site. However, it notes the presence of a documented winter hibernaculum for the northern long-eared bat within 3.5 miles of the project site (Attachment 1). Species impact avoidance is addressed in the desktop review below.

Land cover classes were evaluated for the Project Site using the 2021 NLCD (Dewitz, 2023). Table 1 provides a breakdown of land cover within the Project Site, based on the 2021 NLCD.

Table 1. Land Cover Within the Project Site

Land Cover Class	Acres	Percent Cover (%)
Developed, Open Space	5.0	53.8
Developed, Medium Intensity	2.4	25.8
Developed, Low Intensity	1.6	17.2
Developed, High Intensity	0.2	2.2
Deciduous Forest	<0.1	1.0
Total	9.2	100

Source: 2021 National Landcover Dataset (Dewitz, 2023).

EDR’s assessment for each of the species identified during the desktop review is provided herein.

Northern Long-eared Bat, Indiana Bat, and Tricolored Bat

- The Project Site overlaps with the northern long-eared bat, Indiana bat, and tricolored bat habitat ranges. During the winter, these species typically hibernate in mines or caves. EDR’s desktop review did not identify any documented hibernaculum within or near the Project Site. Summer roosting habitat for these bat species includes trees with a diameter at breast height greater than 3 inches that have exfoliating bark, crevices, or dead snags. EDR’s review of on-site habitat conditions indicates that trees with these characteristics were

absent from the Project Site. Foraging habitat for these species includes forest openings, forested hillsides and ridges, and small ponds or streams.

- To avoid potential impacts to bats, minor tree removal will be conducted between **November 1 and March 31** when bats are typically inactive and within their winter hibernaculum. The proposed project is expected to have a minimal impact on forested areas.
- A letter of determination for the Indiana Bat was obtained from USFWS on April 1, 2025 through IPaC using the Determination Key (DKey) assessment tool. The determination letter indicated that construction and operation of the Project will “not likely adversely affect (NLAA)” Indiana bat or designated critical habitat. Additionally, DKey assessments were completed for the northern long-eared bat and tricolored bat on April 1, 2025 through IPaC. The determination letters also indicated that construction and operation of the Project will “not likely adversely affect” both the northern long-eared bat and Indiana bat or designated critical habitat. If there are no Project changes or updates on these listed bat species, additional consultation with USFWS should not be required (Attachment 2)¹.

Bald Eagle

- In New York State, bald eagles typically breed in areas with bodies of water that support high populations of fish and waterfowl, their primary food sources. Large, heavy nests are built in tall pine, spruce, fir, cottonwood, oak, poplar, or beech trees (NYNHP, 2025). Conditions of the Project Site observed during the site visit indicated that the Project Site lacks bald eagle habitat. However, bald eagle habitat may occur near the Hudson River and Ashokan Reservoir, located approximately 4 miles east and 4.3 miles northwest of the Project Site, respectively. Therefore, construction and operation of the Project is not anticipated to impact bald eagles. Please note that Bald Eagles were not identified by NYNHP in their review of the Project (Attachment 1).

Monarch Butterfly

- The monarch butterfly can be found in temperate climates throughout North America and is currently proposed for federal listing as threatened, with formal listing anticipated in December 2025. Although the Project Site does not overlap with critical habitat for this species, review of on-site conditions confirms that there are herbaceous areas within and

¹ Currently there is no federal nexus for this Project. If Project changes result in a federal nexus for review (e.g., wetland impacts are proposed), or adjustments to the amount of timeframe for tree clearing change, these determinations will need to be reconsidered and re-run.

adjacent to the Project Site that could be used by monarch butterflies. As this species is not yet federally listed, its potential habitat within the Project Site does not currently impose regulatory constraints. However, this status should be reevaluated as the Project progresses to ensure compliance with future protections associated with the formal listing.

Attachments: Attachment 1: Agency Consultation
Attachment 2: Determination Key Results

Figures: Figure 1: Project Site

References

New York Natural Heritage Program. January 16, 2025.

NYNHP. 2025. *Online Conservation Guide for Haliaeetus leucocephalus*. Available at: <https://guides.nynhp.org/bald-eagle> (Accessed February 2025).

New York State Department of Environmental Conservation Services, Environmental Assessment Form Mapping Tool. Available at: <https://gisservices.dec.ny.gov/eafmapper/> (Accessed January 2025).

New York State Department of Environmental Conservation Services, Environmental Resources Mapper. Available at: <https://gisservices.dec.ny.gov/gis/erm/content.html> (Accessed January 2025).

United States Department of Interior, Fish, and Wildlife Service. New York Ecological Field Office. January 16, 2025.

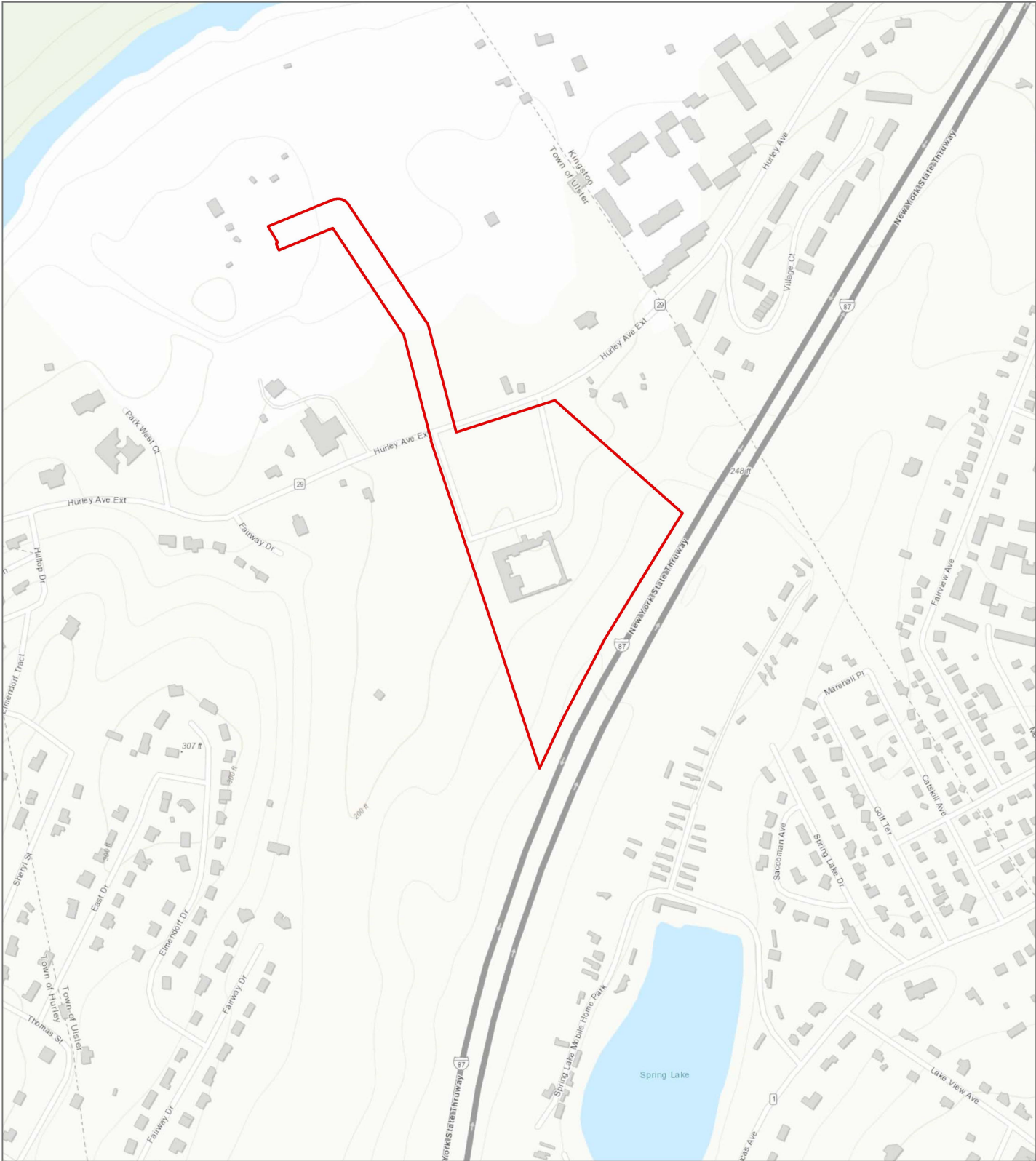
Figure 1.

Project Site

Alcazar BESS Project

EDR Project No: 24391

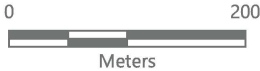
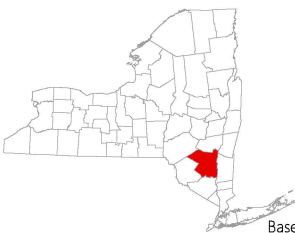
Project Site



Alcazar BESS Project

Town of Ulster, Ulster County, NY

 Project Site



Attachment 1.
Agency Consultation

Alcazar BESS Project

EDR Project No: 24391

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

March 12, 2025

Liam Tobin
EDR
41 State Street
Albany, NY 12210

Re: Alcazar Battery Energy Storage Project
County: Ulster Town/City: Ulster

Dear Liam Tobin:

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.

Within 3.5 miles of the project site is a documented winter hibernaculum of **Northern long-eared bat** (*Myotis septentrionalis*, state and federally listed as Endangered). The bats may travel 5 miles or more from documented locations. The main impact of concern for bats is the removal of potential roost trees. For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 3 Office, Division of Environmental Permits, at dep.r3@dec.ny.gov.

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

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the Permits staff at the NYSDEC Region 3 Office as described above.

Sincerely,



Heidi Krahl
Environmental Review Specialist
New York Natural Heritage Program



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:

01/16/2025 16:59:22 UTC

Project Code: 2025-0003296

Project Name: Terra-Gen Alcazar Battery Energy Storage Project

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 the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

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

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

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

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

PROJECT SUMMARY

Project Code: 2025-0003296

Project Name: Terra-Gen Alcazar Battery Energy Storage Project

Project Type: Operations and Maintenance - Electric Power Transmission and Distribution Facilities

Project Description: The Project is a proposed battery energy storage facility located on the 15.3-acre parcel 48.17-1-26 in the Town of Ulster. The Project parcel is the former location of John A. Coleman Catholic High School and currently contains a school building, sports fields, and a forested area. The Project's Limit of Disturbance is approximately 9.2 acres.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.9332069,-74.04325289508049,14z>



Counties: Ulster County, New York

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity

Name: Liam Tobin

Address: 41 State Street

City: Albany

State: NY

Zip: 12210

Email: ltobin@edrdpc.com

Phone: 5184519150

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Heritage Program

625 Broadway, Fifth Floor, Albany, NY 12233-4757

Phone: (518) 402-8935 | Fax: (518) 402-8925

www.dec.ny.gov

01/15/2025

The attached report from the Environmental Resource Mapper includes information from the New York Natural Heritage Program database with respect to the location indicated on the map below. This letter, together with the attached report from the Environmental Resource Mapper, is equivalent to, and carries the same validity, as a letter from the New York Natural Heritage Program, including for projects where a Natural Heritage letter is required.

If your location of interest does not fall within an area covered by the Rare Plants and Rare Animals layer or in the Significant Natural Communities layer, then New York Natural Heritage has no records to report in the vicinity of your project site. Submitting a project screening request to NY Natural Heritage is not necessary.

If the attached report lists that your location of interest is in the vicinity of state-listed animals, including state-listed bats, please consult the [EAF Mapper](#) to obtain a list of the species involved. (You do not have to be filling out an Environmental Assessment Form in order to use the EAF Mapper). Then consult the appropriate [NYSDEC Regional Office](#) for information on any project requirements or permit conditions.

If the attached report lists unlisted animals, rare plants, or significant natural communities, and if you would like more information on these, please submit a project screening request to [New York Natural Heritage](#). For more information, please see the DEC webpage [Request Natural Heritage Information for Project Screening](#).

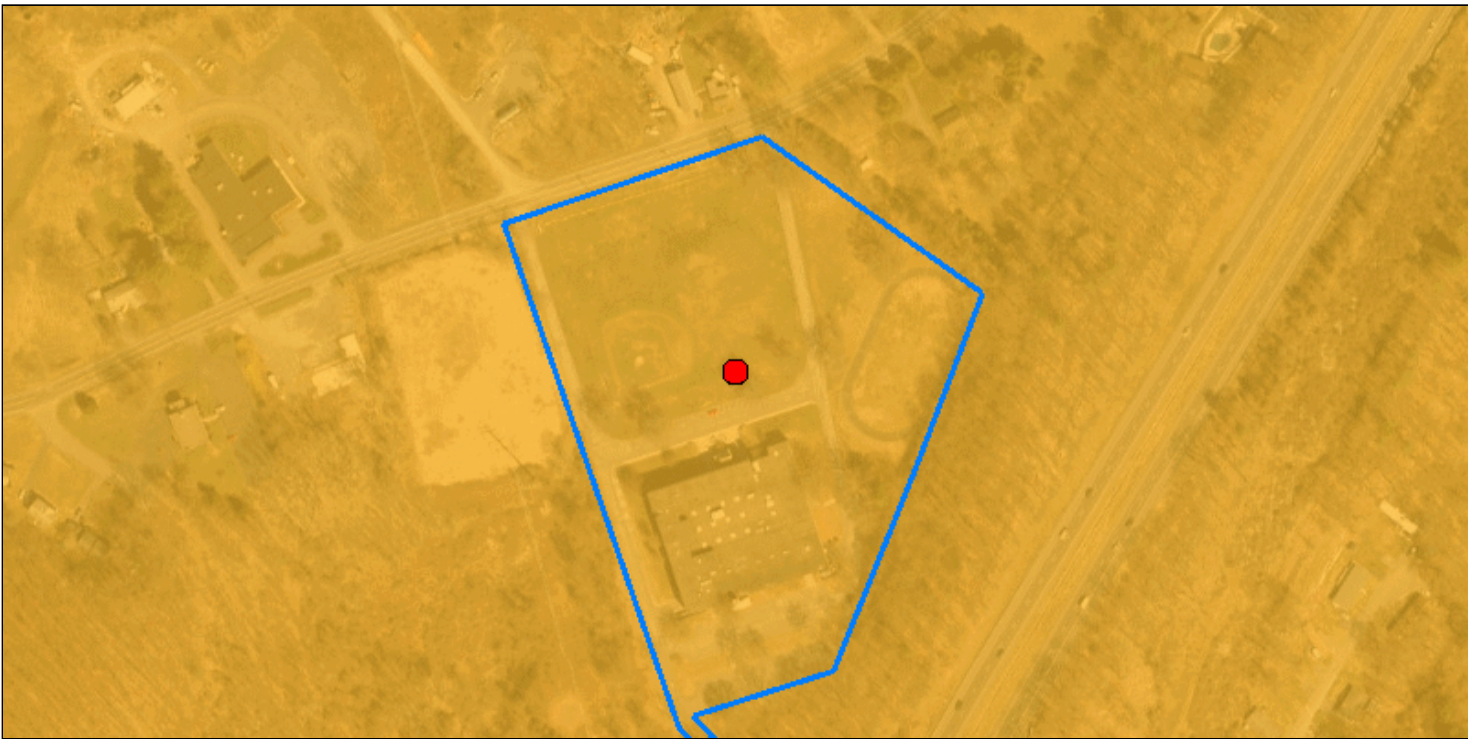
The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, NYNHP files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. NYNHP 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 from a proposed project.

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 NYNHP database.

New York Natural Heritage Program

<https://www.nynhp.org/>.

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18

Easting: 579312.3119266313

Northing: 4642847.695766285

Longitude/Latitude

Longitude: -74.04332578302285

Latitude: 41.933619584505635

The approximate address of the point you clicked on is:

Hurley, New York

County: Ulster

Town: Ulster

USGS Quad: KINGSTON WEST

[Rare Plants and Rare Animals](#)

This location is in the vicinity of Animals Listed as Endangered or Threatened - Contact NYSDEC Regional Office

This location is in the vicinity of Bats Listed as Endangered or Threatened -- Contact NYSDEC Regional Office

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

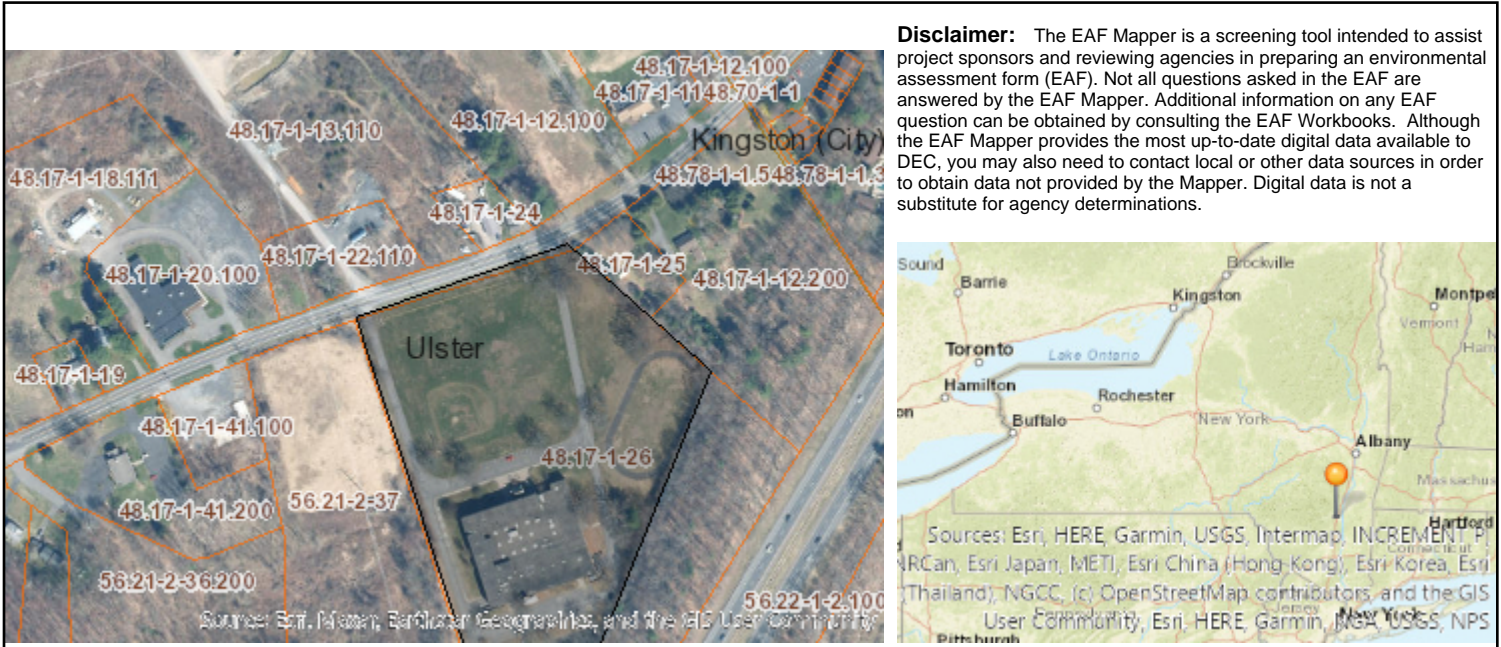
If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

[Print Preview](#)



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	861-110
E.2.h.iv [Surface Water Features - Stream Classification]	D
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

E.2.i. [Aquifers]	Yes
E.2.i. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat, Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment 2.

Determination Key Results

Alcazar BESS Project

EDR Project No: 24391



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:

04/01/2025 13:12:54 UTC

Project code: 2025-0003296

Project Name: Terra-Gen Alcazar Battery Energy Storage Project

Federal Nexus: no

Federal Action Agency (if applicable):

Subject: Technical assistance for 'Terra-Gen Alcazar Battery Energy Storage Project'

Dear Jake Hill:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on April 01, 2025, for “Terra-Gen Alcazar Battery Energy Storage Project” (here forward, Project). This project has been assigned Project Code 2025-0003296 and all future correspondence should clearly reference this number.

The Service developed the IPaC system and associated species’ determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northeast Determination Key (Dkey), invalidates this letter. **Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.**

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative effect(s)), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17). Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no further consultation with, or concurrence from, the Service is

required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required (except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect (NLAA)" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13]).

The IPaC results indicated the following species is (are) potentially present in your project area and, based on your responses to the Service's Northeast DKey, you determined the proposed Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	NLAA

Conclusion

Coordination with the Service is complete. This letter serves as technical assistance. All conservation measures should be implemented as proposed. Thank you for considering federally listed species during your project planning.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the species identified above. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project implements any changes which are final or commits additional resources.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and are not covered by this conclusion:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

Please Note: If the Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) by the prospective permittee may be required. Please contact the Migratory Birds Permit Office, (413) 253-8643, or PermitsR5MB@fws.gov, with any questions regarding potential impacts to Eagles.

If you have any questions regarding this letter or need further assistance, please contact the New York Ecological Services Field Office and reference the Project Code associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Terra-Gen Alcazar Battery Energy Storage Project

2. Description

The following description was provided for the project 'Terra-Gen Alcazar Battery Energy Storage Project':

The Project is a proposed battery energy storage facility located on the 15.3-acre parcel 48.17-1-26 in the Town of Ulster. The Project parcel is the former location of John A. Coleman Catholic High School and currently contains a school building, sports fields, and a forested area. The Project's Limit of Disturbance is approximately 12 acres.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.9332069,-74.04325289508049,14z>



QUALIFICATION INTERVIEW

1. As a representative of this project, do you agree that all items submitted represent the complete scope of the project details and you will answer questions truthfully?

Yes

2. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed species?

Note: This question could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered, or proposed species.

No

3. Is the action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

No

4. Will the proposed project involve the use of herbicide where listed species are present?

No

5. Are there any caves or anthropogenic features suitable for hibernating or roosting bats within the area expected to be impacted by the project?

No

6. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **birds** (e.g., plane-based surveys, land-based or offshore wind turbines, communication towers, high voltage transmission lines, any type of towers with or without guy wires)?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

7. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **bats** (e.g., plane-based surveys, land-based or offshore wind turbines)?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

8. Will the proposed project result in permanent changes to water quantity in a stream or temporary changes that would be sufficient to result in impacts to listed species?

For example, will the proposed project include any activities that would alter stream flow, such as water withdrawal, hydropower energy production, impoundments, intake structures, diversion structures, and/or turbines? Projects that include temporary and limited water reductions that will not displace listed species or appreciably change water availability for listed species (e.g. listed species will experience no changes to feeding, breeding or sheltering) can answer "No". Note: This question refers only to the amount of water present in a stream, other water quality factors, including sedimentation and turbidity, will be addressed in following questions.

No

9. Will the proposed project affect wetlands where listed species are present?

This includes, for example, project activities within wetlands, project activities within 300 feet of wetlands that may have impacts on wetlands, water withdrawals and/or discharge of contaminants (even with a NPDES).

No

10. Will the proposed project activities (including upland project activities) occur within 0.125 miles of the water's edge of a stream or tributary of a stream where listed species may be present?

No

11. Will the proposed project directly affect a streambed (below ordinary high water mark (OHWM)) of the stream or tributary where listed species may be present?

No

12. Will the proposed project bore underneath (directional bore or horizontal directional drill) a stream where listed species may be present?

No

13. Will the proposed project involve a new point source discharge into a stream or change an existing point source discharge (e.g., outfalls; leachate ponds) where listed species may be present?

No

14. Will the proposed project involve the removal of excess sediment or debris, dredging or in-stream gravel mining where listed species may be present?

No

15. Will the proposed project involve the creation of a new water-borne contaminant source where listed species may be present?

Note New water-borne contaminant sources occur through improper storage, usage, or creation of chemicals. For example: leachate ponds and pits containing chemicals that are not NSF/ANSI 60 compliant have contaminated waterways. Sedimentation will be addressed in a separate question.

No

16. Will the proposed project involve perennial stream loss, in a stream or tributary of a stream where listed species may be present, that would require an individual permit under 404 of the Clean Water Act?

No

17. Will the proposed project involve blasting where listed species may be present?

No

18. Will the proposed project include activities that could negatively affect fish movement temporarily or permanently (including fish stocking, harvesting, or creation of barriers to fish passage).

No

19. Will the proposed project involve earth moving that could cause erosion and sedimentation, and/or contamination along a stream or tributary of a stream where listed species may be present?

Note: Answer "Yes" to this question if erosion and sediment control measures will be used to protect the stream.

No

20. Will the proposed project impact streams or tributaries of streams where listed species may be present through activities such as, but not limited to, valley fills, large-scale vegetation removal, and/or change in site topography?

No

21. Will the proposed project involve vegetation removal within 200 feet of a perennial stream bank where aquatic listed species may be present?

No

22. Will erosion and sedimentation control Best Management Practices (BMPs) associated with applicable state and/or Federal permits, be applied to the project? If BMPs have been provided by and/or coordinated with and approved by the appropriate Ecological Services Field Office, answer "Yes" to this question.

Yes

23. Is the project being funded, lead, or managed in whole or in part by U.S Fish and Wildlife Restoration and Recovery Program (e.g., Partners, Coastal, Fisheries, Wildlife and Sport Fish Restoration, Refuges)?

No

24. [Semantic] Does the project intersect the Virginia big-eared bat critical habitat?

Automatically answered

No

25. [Semantic] Does the project intersect the Indiana bat AOI?

Automatically answered

Yes

26. Is the action area within 0.5 mile radius of any known hibernacula (caves or mines) openings or underground features?

Note: If you are unsure, contact the appropriate Ecological Services Field Office before continuing through the key.

No

27. Are trees present within the action area?

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 5 inches dbh (12.7 centimeter), answer "Yes". If you are unsure, answer "Yes." Or refer to Appendix A of the Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines for definitions and an assessment form that will assist you in determining if suitable habitat is present within your project's action area. Suitable summer habitat for Indiana bat consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 5 inches dbh (12.7 centimeter) that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat

Yes

28. Is the action area within known occupied Indiana bat habitat? Known occupied Indiana bat habitat includes established conservation buffers (10-mile buffer around Phase 1 or Phase 2 hibernacula, 5-mile buffer around Phase 3 or Phase 4 hibernacula; 5-mile buffer around Indiana bat captures or detections; 2.5-mile buffer around known roosts).

No

29. Has a presence/probable absence bat survey following the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#) been conducted within the action area?

No

30. Does the project involve removal or modification of a human-made structure (barn, house, or other building) known or suspected to contain roosting bats?

Note: Most maintenance and general human disturbance in and around structures will not affect Indiana bats as bats roosting in human structures are adjusted to a certain level of routine noise and are generally expected to roost away from areas with excessive disturbance. Answer 'no' if the proposed action will not include disturbance to human structures known or suspected to contain roosting bats or if the structure does not offer suitable roosting habitat for northern long-eared bats. If unsure, answer 'yes.'

No

31. Does the project include removal/modification of an existing bridge or culvert?

No

32. Will the project include tree cutting, other means of knocking down or bringing down trees, or tree trimming?

Yes

33. Does the project include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property?

No

34. Will the proposed project result in the removal of any known or potential Indiana bat roost trees?

Note: Suitable Indiana bat roost trees are live trees and/or snags ≥ 5 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities.

No

35. Will the project result in the use of prescribed fire?

No

36. Will the proposed project involve blasting within Indiana bat suitable habitat?

No

37. Does the project include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s)?

Yes

38. When installing new or replacing existing permanent lights, will downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) be used?

Yes

39. Will temporary lighting be directed away from suitable Indiana bat habitat during the active season?

Yes

40. [Semantic] Does the project intersect the Indiana bat critical habitat?

Automatically answered

No

41. [Semantic] Does the project intersect the candy darter critical habitat?
Automatically answered
No
42. [Semantic] Does the project intersect the diamond darter critical habitat?
Automatically answered
No
43. [Semantic] Does the project intersect the Big Sandy crayfish critical habitat?
Automatically answered
No
44. [Hidden Semantic] Does the project intersect the Guyandotte River crayfish critical habitat?
Automatically answered
No
45. Do you have any other documents that you want to include with this submission?
No

PROJECT QUESTIONNAIRE

1. Approximately how many acres of trees would the proposed project remove?

1.2

2. Approximately how many total acres of disturbance are within the disturbance/
construction limits of the proposed project?

12

3. Briefly describe the habitat within the construction/disturbance limits of the project site.

Developed/Disturbed, Open Field

IPAC USER CONTACT INFORMATION

Agency: Private Entity

Name: Jake Hill

Address: 41 State Street, Suite 806

City: Albany

State: NY

Zip: 12207

Email: jhill@edrdpc.com

Phone: 5184519150



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:

04/01/2025 13:07:56 UTC

Project code: 2025-0003296

Project Name: Terra-Gen Alcazar Battery Energy Storage Project

Federal Nexus: no

Federal Action Agency (if applicable):

Subject: Technical assistance for 'Terra-Gen Alcazar Battery Energy Storage Project'

Dear Jake Hill:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on April 01, 2025, for 'Terra-Gen Alcazar Battery Energy Storage Project' (here forward, Project). This project has been assigned Project Code 2025-0003296 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not bbe complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid. Note that conservation measures for northern long-eared bat and tricolored bat may differ. If both bat species are present in the action area and the key suggests more conservative measures for one of the species for your project, the Project may need to apply the most conservative measures in order to avoid adverse effects. If unsure which conservation measures should be applied, please contact the appropriate Ecological Services Field Office***

Determination for the Northern Long-Eared Bat and Tricolored Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the following effect determination(s):

Species	Listing Status	Determination
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	NLAA
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed Endangered	NLAA

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination key for the northern long-eared bat and tricolored bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Indiana Bat *Myotis sodalis* Endangered
- Monarch Butterfly *Danaus plexippus* Proposed Threatened

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species and/or critical habitat listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

Next Steps

Coordination with the Service is complete. This letter serves as technical assistance. All conservation measures should be implemented as proposed. Thank you for considering federally listed species during your project planning.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the

Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the New York Ecological Services Field Office and reference Project Code 2025-0003296 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Terra-Gen Alcazar Battery Energy Storage Project

2. Description

The following description was provided for the project 'Terra-Gen Alcazar Battery Energy Storage Project':

The Project is a proposed battery energy storage facility located on the 15.3-acre parcel 48.17-1-26 in the Town of Ulster. The Project parcel is the former location of John A. Coleman Catholic High School and currently contains a school building, sports fields, and a forested area. The Project's Limit of Disturbance is approximately 12 acres.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.9332069,-74.04325289508049,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for a least one species covered by this determination key.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

Automatically answered

No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

Automatically answered

No

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

5. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

No

6. Have you contacted the appropriate agency to determine if your action is near any known northern long-eared bat or tricolored bat **hibernacula**?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat and tricolored bat hibernacula is available [here](#). Location information for northern long-eared bat and tricolored bat hibernacula is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Yes

7. Is any portion of the action area within 0.5-mile radius of any known bat **hibernacula**?

If unsure, contact your local Ecological Services Field Office.

No

8. Have you contacted the appropriate agency to determine if your action is near any known occupied culverts?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat and tricolored bat hibernacula is available [here](#). Location information for northern long-eared bat and tricolored bat hibernacula is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Yes

9. Is any portion of the action area within a 0.25-mile radius of any known bat occupied culvert? If unsure, contact your local Ecological Services Field Office.

No

10. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

No

11. Will the action cause effects to a bridge?

Note: Covered bridges should be considered as bridges in this question.

No

12. Will the action result in effects to a culvert or tunnel at any time of year?

No

13. Are trees present within 1000 feet of the action area?

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

14. Does the action include the intentional exclusion of bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats or tricolored bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local Ecological Services Field Office to help assess whether northern long-eared bats or tricolored bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures.

No

15. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

16. Will the action cause construction of one or more new roads open to the public?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

17. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic permanently or temporarily on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

18. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

19. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g., leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

Note: For information regarding NSF/ANSI 60 please visit <https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects>

No

20. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

21. Will the proposed action involve blasting or drilling?

No

22. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

23. Will the proposed action involve the use of herbicides or other pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

24. Will the action include or cause activities that are reasonably certain to cause chronic or intense nighttime noise (above current levels of ambient noise in the area) in suitable summer habitat for the northern long-eared bat or tricolored bat during the active season?

Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time. Sources of chronic or intense noise that could cause adverse effects to bats may include, but are not limited to: road traffic; trains; aircraft; industrial activities; gas compressor stations; loud music; crowds; oil and gas extraction; construction; and mining.

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

No

25. Does the action include, or is it reasonably certain to cause, the use of permanent or temporary artificial lighting within 1000 feet of suitable northern long-eared bat or tricolored bat roosting habitat?

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

No

26. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

27. Will the proposed action occur exclusively in an already established and currently maintained utility right-of-way?

No

28. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property.

No

29. Does the project intersect with the 0- 9.9% forest density category?

Automatically answered

No

30. Does the project intersect with the 10.0- 19.9% forest density category map?

Automatically answered

No

31. Does the project intersect with the 20.0- 29.9% forest density category map?

Automatically answered

Yes

32. Does the project intersect with the 30.0- 100% forest density category map?

Automatically answered

Yes

33. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 40 acres in total extent?

No

34. Will the proposed action result in the use of prescribed fire?

Note: If the prescribed fire action includes other activities than application of fire (e.g., tree cutting, fire line preparation) please consider impacts from those activities within the previous representative questions in the key. This set of questions only considers impacts from flame and smoke.

No

35. Does the action area intersect the northern long-eared bat species list area?

Automatically answered

Yes

36. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats?

Automatically answered

No

37. Have you contacted the appropriate agency to determine if your action is within 150 feet of any documented northern long-eared bat roosts?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat roosts is available [here](#). Location information for northern long-eared bat roosts is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Yes

38. Is any portion of the action area within 150 feet of any known northern long-eared bat roosts? If unsure, contact your local Ecological Services Field Office.

No

39. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

If unsure, answer "Yes."

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

40. Have you contacted the appropriate agency to determine if the action area overlaps with a known northern long-eared bat habitat buffer? Summer habitat buffers include the following: (1) 3-mile buffer around northern long-eared bat captures or acoustic detections; (2) 1.5-mile buffer around known roosts). The Spring Staging/Fall Swarming buffer includes 5-mile buffer around the entrance of known hibernacula)?

Note: A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees can be found [here](#). Location information for northern long-eared bat maternity roost trees and swarming areas is generally kept in state natural heritage inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Yes

41. Does the action area overlap with a known northern long-eared bat spring staging/fall swarming buffer (within 5 miles of known hibernacula)?

Yes

42. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

43. Will any tree cutting/trimming or other knocking or bringing down of trees occur during the **Fall Swarming season** for northern long-eared bats in the action area?

Note: Bat activity periods for your state can be found in Appendix L of the Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>

No

44. Will any tree cutting/trimming or other knocking or bringing down of trees occur during the **Spring Staging** season for northern long-eared bats in the action area?

Note: Bat activity periods for your state can be found in Appendix L of the Service's Range-wide Indiana Bat and Northern long-eared Bat Survey [Guidelines](#).

No

45. Will any tree cutting/trimming or other knocking or bringing down of trees occur during the **Summer Occupancy season** for northern long-eared bats in the action area?

Note: Bat activity periods for your state can be found in Appendix L of the Service's Range-wide Indiana Bat and Northern long-eared Bat Survey [Guidelines](#).

No

46. Does the action area intersect the tricolored bat species list area?

Automatically answered

Yes

47. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

48. Have you contacted the appropriate agency to determine if your action is within 150 feet of any documented tricolored bat roosts?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of tricolored bat roosts is available [here](#). Location information for tricolored bat roosts is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Yes

49. Is any portion of the action area within 150 feet of any documented tricolored bat roosts? If unsure, contact your local Ecological Services Field Office.

No

50. Have you contacted the appropriate agency to determine if the action area overlaps with a known tricolored bat habitat buffer? Summer habitat buffers include the following: (1) 3-mile buffer around tricolored bat captures or acoustic detections; (2) 1.5-mile buffer around known roosts). The Spring Staging/Fall Swarming buffer includes a 3-mile buffer around the entrance of known hibernacula)?

Note: A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of tricolored bat roost trees can be found [here](#). Location information for tricolored bat maternity roost trees and swarming areas is generally kept in state natural heritage inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. If you'd like to assume presence of tricolored bats, answer "No".

Yes

51. Does the action area intersect a known Spring Staging/Fall Swarming tricolored bat buffer (within 3 miles of known hibernacula)?

Yes

52. Does the action area intersect a known tricolored bat summer buffer (3-mile buffer around tricolored bat captures or detections; 1.5-mile buffer around known roost trees)?

No

53. Is suitable summer habitat for the tricolored bat present within 1000 feet of project activities?

(If unsure, answer ""Yes."")

Note: If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (*Tillandsia usneoides*), clusters of dead pine needles of large live pines) answer ""Yes."" For a complete definition of suitable summer habitat for the tricolored bat, please see Appendix A in the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

Yes

54. Do any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (*Tillandsia usneoides*), clusters of dead pine needles of large live pine trees)?

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

55. Will any tree cutting/trimming or other knocking or bringing down of trees be conducted during the Spring Staging Season for tricolored bat?

Note: Bat activity periods for your state can be found in Appendix L of the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

No

56. Will any tree cutting/trimming or other knocking or bringing down of trees be conducted during the Fall Swarming Season for tricolored bat?

Note: Bat activity periods for your state can be found in Appendix L of the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

No

57. Will any tree cutting/trimming or other knocking or bringing down of trees be conducted during the Pup Season for tricolored bat?

Note: Bat activity periods for your state can be found in Appendix L of the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

No

58. Do you have any documents that you want to include with this submission?

No

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

1.2

IPAC USER CONTACT INFORMATION

Agency: Private Entity

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