FISH AND WILDLIFE RESOURCE IMPACT ANALYSIS
PART I

41 NORTH 2ND STREET
CITY OF HUDSON
COLUMBIA COUNTY, NEW YORK 12534

PREPARED FOR:

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PVE File #20240218

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FISH AND WILDLIFE RESOURCES IMPACT ANALYSIS PART 1
41 NORTH 2ND STREET
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

1.0 INTRODUCTION

As part of the New York Department of Environmental Conservation's (NYDEC) Brownfield Cleanup Program (BCP), Partridge Venture Engineering, PC, dba PVE Engineering (PVE) is required to perform a Fish and Wildlife Resources Impact Analysis (FWRIA) Part 1 for two parcels located at 41 North 2nd Street in Hudson, New York. The FWRIA identifies potential risks to wildlife from chemicals potentially migrating from the project parcel due to previous site usage. PVE conducted a site visit to evaluate current conditions on May 15, 2024 and March 6, 2025.

The subject parcels are located at 41 North 2nd Street. A portion of Parcel A (Tax ID #109.35-2-19) totaling approximately 0.76 acre and Parcel B (Tax ID #109.35-2-19) approximately 1.4 acres are located along North 2nd Street and State Street in the City of Hudson, Columbia County, New York. The parcels are currently undergoing a New York State Department of Environmental Conservation (NYSDEC) Brownfield Program investigation as part of a redevelopment plan for the parcels. Figures located in Appendix A illustrate the project location.

1.1 Project Area Description

The proposed BCP Site is bordered to the north by 73-79 North 2nd Street (commercial) and 7 Dock Street (whole food market), to the east by 201-205 State Street (religious), 36-38 North 2nd Street (residential) and 202 Columbia Street (vacant residential land), to the south by 22-24 North 2nd Street (apartments) and 119 Columbia Street (apartments), and to the west 39 Columbia Street (residential) and 46-48 North Front Street (apartments).

The Site is improved with one (1) playground, one (1) basketball court, one (1) handball court, one (1) shed, and paved parking areas. Remaining portions of the property are maintained grassy/vegetated areas.

The site historically operated as a furniture manufacture as early as 1923, a junk yard from 1949 – 1961, malt house with kiln (1884-1903), and a slaughterhouse (1949 – 1961). Ecological communities present on the parcel are described in detail in Section 3 of this report. Appendix B includes photographs depicting the parcel and surrounding areas.

2.0 METHODOLOGY

The FWRIA was prepared in accordance with New York State Department of Environmental Conservation Fish and Wildlife Impact Analysis for Inactive Hazardous Waste Sites (NYSDEC 1994).

Vegetative community types were described according to Ecological Communities of New York State, Second Edition (2014).

The United States Department of the Interior, Fish and Wildlife Service (USFWS) and New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program (NHP) were contacted for information on rare, threatened and endangered species and significant natural communities in proximity to the parcels; this correspondence is included in Appendix C. The response from the Natural Heritage Program is still pending. The NYSDEC Environmental Resources Mapper (ERM) was used to identify the presence of NYS freshwater wetlands, other mapped aquatic resources, and significant ecological communities in the project vicinity. Information from the ERM review was used to develop the Fish and Wildlife Resource Map (Appendix A). Google Maps was used to perform a desktop analysis of the land uses within 0.5 mile of the subject parcels; this information was used to develop the General Cover Types Map (Appendix A).

A site visit was conducted on March 6, 2025 to inventory the resources of the parcels and land uses within 0.5 mile of the parcels. Conditions during the site visit consisted of cloudy, cool weather. Observations during the site visit were used to:

- develop the attached Fish and Wildlife Topographic Map and General Cover Types Map (included in Appendix A),
- observe wildlife species, identify significant ecological resources, and observe evidence of stressors on plants and animals, if any, from site-related contaminants.

Wildlife use in the subject parcels and areas within 0.5 mile was characterized based on evaluation of desktop resources and observations during the March 6, 2025 site visit. Evidence of use observed during the site visit included vocalizations, tracks, scat, tree damage, direct observations of animals, and other indications suggesting presence. Food and cover availability were also noted.

3.0 FISH & WILDLIFE RESOURCES

The area comprising the subject parcels and surrounding area is an urban environment with minimal natural vegetation present. Years of urban development pressure have transformed the area into a highly impacted ecosystem, when compared to an undeveloped site. Vegetation in the area consists of isolated pockets with a high degree of invasive, opportunistic species present. The area is characterized maintained grassy areas, recreation sport courts and small outbuildings. Four terrestrial ecological communities were identified within the subject parcels. These include mowed lawn, mowed lawn with trees, paved road/ path and urban structure exterior.

Terrestrial ecological communities identified outside of the subject parcels but within ½ mile include mowed lawn, mowed lawn with trees, paved road/path, railroad, unconfined river, Freshwater Subtidal Aquatic Bed, Successional Southern Hardwoods, Farm Pond/Artificial Pond, and urban structure exterior. The approximate boundaries of these cover types are illustrated on the General Cover Type Map located in Appendix A.

3.1 Terrestrial Resources

3.1.1 Cover Type 1: Mowed Lawn

The parcels both contain areas of mowed lawn, as do many residential and commercial properties within 0.5 mile of the project contain this cover type. This community is typified by its regularly

mowed herbaceous stratum that is dominated by grasses (Poa pratensis and Digitaris spp.) and forbs such as common dandelion (Taraxacum officinale), red clover (Trifolium pratense) and chicory (Cichorium intybus).

This community type provides some foraging habitat for common wildlife species that have adapted to the urban environment, but due to its openness it is not suitable for nesting.

3.1.2 Cover Type 2: Mowed Lawn with Trees

This is the dominant ecological community within the 0.5 mile radius of the site and is primarily associated with the residential and commercial properties that dominate the area. The largest parcels with this cover type include residential and business developments surrounding the project parcel. This community is typified by its regularly mowed herbaceous stratum that is dominated by grasses and forbs. Scattered shrubs and trees occur as ornamentals. Common shrubs include border privet (Ligustrum obtusifolium), yew (Taxus spp.) and winged euonymus (Euonymus alatus). Tree species generally include Norway spruce (Picea abies), red maple (Acer rubrum), and Norway maple (Acer platanoides).

This community type provides foraging, roosting, nesting, and other habitat for common wildlife species that are adapted to urban environments, such as eastern grey squirrel (Sciurus carolinensis), eastern cottontail (Sylvilagus floridanus), woodchuck (Marmota monax) and American robin (Turdus migratorius).

3.1.3 Cover Type 3: Paved Road/Path

This community type occurs throughout the review area and primarily consists of paved roads for vehicle use. The 41 North 2nd Street parcels are in the middle of a large contiguous network of paved road paths.

This community provides no wildlife habitat, but it is typically bordered by remnant vegetation that may consist of exotic and/or invasive species. Common urban species are usually found in this habitat type. Wildlife use of the parcels is also limited by surrounding roadways, which discourage or, in the case of road kills, prevent access.

3.1.4 Cover Type 4: Urban Structure Exterior

Exterior surfaces of the residential and commercial buildings and other developed infrastructure throughout the review area can provide some habitat for wildlife species. Some surfaces may be partially vegetated by mosses, lichens, vines and/or other vegetation. The northern portion of the parcel shares a border with a impervious parking lot.

These structures provide potential nesting and roosting habitat for wildlife that has adapted to the urban environment. Species likely include house sparrow (Passer domesticus) and house finch (Haemorhous mexicanus). Other species may include rock pigeons (Columba livia) and in some cases bats.

3.1.5 Cover Type 5: Railroad

An active railroad exists to the west and southwest of the parcels. This community is described as a permanent road having a line of steel rails fixed to wood ties and laid on a gravel roadbed that provides a track for cars or equipment drawn by locomotives. The railroad right of way may be maintained by mowing or herbicide spraying. Characteristic plants include invasive weeds.

This habitat could provide a corridor for white tailed deer and edge habitat for birds. The tendency for railroad habitat to characteristically support invasive species makes it not desirable for species diversity.

3.1.6 Cover Type 6: Successional southern hardwoods

Successional southern hardwoods: a hardwood or mixed forest that occurs on sites that have been cleared or otherwise disturbed. Characteristic trees and shrubs include any of the following: American elm[s] (*Ulmus americana*), slippery elm (*Ulmus rubra*), white ash[s] (*Fraxinus americana*), red maple[s] (*Acer rubrum*), box elder[s] (*Acer negundo*), silver maple (*Acersaccharinum*), sassafras[s] (*Sassafras albidum*), gray birch (*Betula populifolia*), hawthorns (*Crataegus* spp.), eastern red cedar (*Juniperus virginiana*), and choke-cherry[s] (*Prunus virginiana*). Certain introduced species are commonly found in successional forests, including black locust (*Robinia pseudo-acacia*), tree-of-heaven (*Ailanthus altissima*), and buckthorn (*Rhamnus cathartica*). Any of these may be dominant or codominant in a successional southern hardwood forest. This is a broadly defined community and several seral and regional variants are known.

3.2 Aquatic Resources

3.2.1 Cover Type 7: Unconfined River

The Hudson River is a 315-mile (507 km) river that flows from north to south primarily through eastern New York, United States. It originates in the Adirondack Mountains of upstate New York at Henderson Lake in the town of Newcomb, and flows southward through the Hudson Valley to the New York Harbor between New York City and Jersey City, eventually draining into the Atlantic Ocean at Upper New York Bay. The river is a Class A river that is suitable for recreational uses such as fishing, swimming and boating and a source of drinking water.

This diverse ecosystem is critically important for numerous fish and wildlife species. It is likely that bald eagles have or will spend time foraging along this stretch of river. Review of the USFWS Information for Planning and Consultation (IPaC) system reported that the Hudson supports threatened (NYS & federal) fish species. The subject parcels will have no impact on the river, or fish species.

3.3 Palustrine Resources

3.3.1 Cover Type 8: Freshwater Subtidal Aquatic Bed

The aquatic community consists of continuously flooded substrates with rooted aquatic vegetation. The water is fresh (salinity less than 0.5 ppt) and the water is usually less than 2 m (6 ft) deep at low tide. Tapegrass or wild celery (*Vallisneria americana*), is usually abundant. Other characteristic species include clasping-leaved pondweed (*Potamogeton perfoliatus*), Nuttall's waterweed (*Elodea nuttallii*), coontail (*Ceratophyllum demersum*), and naiads (*Najas guadalupensis*, *N. minor*). Two non-native weeds, Eurasian milfoil (*Myriophyllum spicatum*) and water chestnut (*Trapa natans*), are common in the Hudson River aquatic beds. Large, dense areas of water chestnut on tidal rivers are classified as a cultural community, estuarine water chestnut bed. A characteristic bird that feeds on the subaquatic vegetation is the canvasback (*Aythya valisneria*). Other birds that feed on plants, fish, and invertebrates in the vegetated shallows during migration, or in winter, include bufflehead (*Bucephala albeola*), common goldeneye (*B. clangula*), common merganser (*Mergus merganser*), and greater scaup (*Aythya marila*). Wading birds such as snowy egret (*Egretta thula*) and great blue heron (*Ardea herodias*) have been frequently observed feeding in freshwater aquatic beds at low tide.

3.4 Lacustrine Resources

3.4.1 Cover Type 9: Farm Pond/Artificial Pond

A small portion of an existing pond is located in the 0.5 mile radius. The aquatic community consists of a small pond constructed on agricultural or residential property. These ponds typically lack perennially flowing inlets and outlets. These ponds are often eutrophic, and may be stocked with panfish such as bluegill (*Lepomis macrochirus*), and yellow perch (*Perca flavescens*). The biota is variable (within limits), reflecting the species that were naturally or artificially seeded, planted, or stocked in the pond.

3.5 Freshwater Wetlands

Based on desktop review and site visit observations, wetlands are not present on site. A Freshwater Subtidal Aquatic Bed (Wetland ID- HN-2, 806.9 ac) is within the 0.5 mile radius of the subject parcel. There is no impact to offsite wetlands from this site.

3.6 Fish and Wildlife Resources

Review of the Environmental Resource Mapper (ERM) identified that the subject parcel is inside of rare species and significant natural community polygons. However, the parcel is not known to support rare, threatened, or endangered species or significant natural communities/species that are listed as waterborne species associated with the Hudson River. The USFWS IPaC Trust Resource List (included in Appendix C) identified that the subject parcels are in the vicinity of the Indiana Bat (Myotis sodalis, NYS and federal endangered), Northern Long Eared Bat (Myotis septentrionalis, NYS and federal endangered), and Tricolored Bat (Myotis septentrionalis, NYS and federal proposed endangered) and that there are no critical habitats for these species at this location. The list also identified on species that warrants special attention within 0.5 mile of the project location. This includes:

- Monarch butterfly (Danaus plexippus) - federal proposed endangered

Based on available habitat observed during the site visit and the IPaC species list, none of these species are expected to utilize the site.

The subject parcels provide limited wildlife value due to the previously developed nature of the parcels and the minimal existing vegetation outside of maintaining grass. In addition, the presence of concrete slabs and asphalt further inhibit plant growth which could provide habitat. Wildlife species likely to be present are those that adapt well to an urban setting. The subject parcels do not support Northern Long Eared Bat, Tricolor Bat or Indiana Bat due to a lack of suitable habitat. The parcel could support common milkweed (Asclepias syriaca), the host plant for the monarch butterfly. Milkweed or other pollinator friendly species were not observed during the site visit. The mowing of the site restricts the growth of any suitable nectar species that could be food sources for monarchs.

The surrounding 0.5-mile radius consists of residential and commercial properties in an urban setting. Naturally occurring ecological communities are not minimal due to the highly urbanized surrounding areas. The ecological communities are not consistent or well connected and therefore do not support diverse wildlife populations on the properties. Any species present are primarily those that have adapted to the urban environment. The rail corridor could be used a limited wildlife travel corridor for urbanized species. The Hudson River provides the best wildlife habitat within 0.5 mile of the subject parcels but is far enough from the subject parcel that it would not be affected by any contaminants from the subject parcel.

3.7 Observations Of Stress

During the March 6, 2025 site visit, PVE searched for evidence of chemical and physical stressors on flora and fauna inhabiting the subject parcels. This included searching for stressors such as, but not limited to, wildlife mortality, seeps, exposed waste, absence of plants and animals, dead or dying vegetation, discolored soils, and unusual odors.

The subject parcel and surrounding lands have been heavily developed/altered for commercial, recreational and residential uses. This has significantly reduced the viability of these areas to support diverse ecological communities and associated fish and wildlife populations. Indications of stress on flora or fauna were not detected during the site visit. Much of the site was previously developed for industrial/commercial and recreational use. This limits uses for wildlife.

3.8 Recorded Fish Kills or other Instances of Wildlife Mortality Associated with Subject Parcels

Records of fish kills or other instances of wildlife mortality were not found for the area

3.9 Fish or Wildlife Consumption Advisories

Fish and wildlife consumption opportunities are not associated with the project parcel as there are no streams or waterbodies on the site, therefore hunting and fishing opportunities do not exist within the

subject parcel. As a result, no NYS Department of Health (NYSDOH) fish consumption advisories are relevant.

3.10 Value of Habitat to Associated Fauna

As previously discussed, the developed/urban nature of the subject parcel and surrounding lands greatly limits any wildlife uses and constrains plant life to invasive species that are well adapted to the urban environment. Likely wildlife associations are provided in Sections 3.1, 3.2 and 3.3 above.

Vegetative growth is significantly limited by previous disturbances and the recreational uses/mowing of the subject parcels. Broken asphalt and concrete can provide cover for small invertebrates such as worms, snails and millipedes. These cover objects may also be utilized by small amphibians and small snakes. As typically found on abandoned urban sites, common invasive species of plants such as Golden Feather Moss (Campyliadelphus chrysophyllus), American Hornbeam (Carpinus caroliniana), Red Maple (Acer rubrum), American Sycamore (Platanus occidentalis), Northern White Cedar (Thuja occidentalis), Common Chickweed (Stellaria media) and Poison Ivy (Toxicodendron radicans) were identified on the property. The habitat value associated with the parcel are minimal and do not offer quality habitat for common species or those that are able to adapt to degraded ecological communities.

3.11 Value of Resources to Humans

The subject parcels currently provides recreational value to humans as Parcel B is a park and is used for recreational purposes. The urban setting prevents hunting, and the ecological habitats are not significant for wildlife viewing. Fishing in the Hudson River is the nearest environmental outdoor recreational resources within a 0.5-mile radius of the parcel.

4.0 EXPOSURE PATHWAYS & ANALYSIS

Based on a review of the existing site conditions, topography, soil boring logs, sampling information, and analytical data, exposure pathways appear limited to direct contact of onsite wildlife species with the broken pavement/concrete areas, surface contact and burrowing. The presence of blacktop and concrete essentially act as a barrier to burrowing and potential ingestion of contaminated grit. The lack of any aquatic resources on site also limits the potential exposure pathways to any aquatic species.

Contaminants in shallow soil at the project parcels have a very limited exposure to wildlife and a low potential for offsite migration to aquatic resources. Shallow soils were only evaluated since most biological activities occur within approximately three feet of the surface.

Based on previous investigations, groundwater beneath the site was not encountered by any of the fourteen (14) soil borings. Due to the distance to surface water bodies, the flat topography of the area and the lack of groundwater encountered in the borings, exposure to groundwater contaminants is not anticipated.

4.1 Chemicals of Potential Ecological Concern

Table 375-6.8(b) in Title 6 New York Code of Rules and Regulations (NYCRR) Part 375 lists Restricted Use Soil Cleanup Objectives (SCOs) for Protection of Ecological Resources. Table 375-6.8(a) lists Unrestricted

Use SCOs. Soil concentrations at the subject parcels were compared to Restricted Use SCOs for Protection of Ecological Resources to determine what chemicals were those of potential ecological concern. Where an SCO for the Protection of Ecological Resources was not specified for a particular compound, the Unrestricted Use SCO was used as a guidance value.

Based on the soil analytical results reported for the subject parcels, chemicals of potential ecological concern in soil include:

- SB-1 (3-4-feet)
  - Acetone (0.073 mg/kg)
- SB-12 (8-9-feet)
  - Acetone (0.33 mg/kg)
- SB-10 (5-6-feet)
  - **Benzo(b)fluoranthene (1.2 mg/kg)**
  - **Indeno(1,2,3-cd)pyrene (0.66 mg/kg)**
- SB-11 (2-6-feet)
  - **Benzo(a)pyrene (1.1 mg/kg)**
  - **Benzo(b)fluoranthene (1.4 mg/kg)**
  - **Indeno(1,2,3-cd)pyrene (0.83 mg/kg)**
- SB-13 (11-12-feet)
  - **Benzo(a)Anthracene (1.3 mg/kg)**
  - Benzo(k)fluoranthene (0.84 mg/kg)
  - **Indeno(1,2,3-cd)pyrene (0.65 mg/kg)**

- SB-10 (5-6-feet)
  - **Benzo(b)fluoranthene (1.2 mg/kg)**
  - **Indeno(1,2,3-cd)pyrene (0.66 mg/kg)**
- SB-11 (2-6-feet)
  - **Benzo(a)pyrene (1.1 mg/kg)**
  - **Benzo(b)fluoranthene (1.4 mg/kg)**
  - **Indeno(1,2,3-cd)pyrene (0.83 mg/kg)**
- SB-13 (11-12-feet)
  - **Benzo(a)Anthracene (1.3 mg/kg)**
  - Benzo(k)fluoranthene (0.84 mg/kg)
  - **Indeno(1,2,3-cd)pyrene (0.65 mg/kg)**

As discussed above, contaminants of concern were evaluated only in shallow (0-3.5 feet depth) soil.

Groundwater was not encountered in any of the ten (14) borings performed.

4.2 Exposure Pathways

Complete exposure pathways include:

- Surface soil contamination that may be ingested by invertebrates and other wildlife, especially burrowing animals,

- Sediment transport of contaminated soil during precipitation, snowmelt and other events that transport surface sediment, and
- Dermal exposure of invertebrates and other wildlife to surface soil contamination especially during burrowing.

Invertebrates such as earthworms and insects likely ingest contaminants through ingestion of contaminated soils and vegetation present onsite. Burrowing mammals, such as chipmunks (Tamias striatus) or woodchuck (Marmota monax), could also have direct contact with surficial soil contamination. The contaminants are then transported through the food chain when larger wildlife (e.g., birds) feed on the invertebrates or small mammals.

5.0 IDENTIFICATION OF APPLICATION FISH & WILDLIFE REGULATORY CRITERIA

Contaminant-specific criteria applicable to the remediation of fish and wildlife resources at the project parcels likely include:

- NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1
- Division of Fish and Wildlife Screening and Assessment of Contaminated Sediment
- NYSDEC DER-10: Technical Guidance for Site Investigation and Remediation

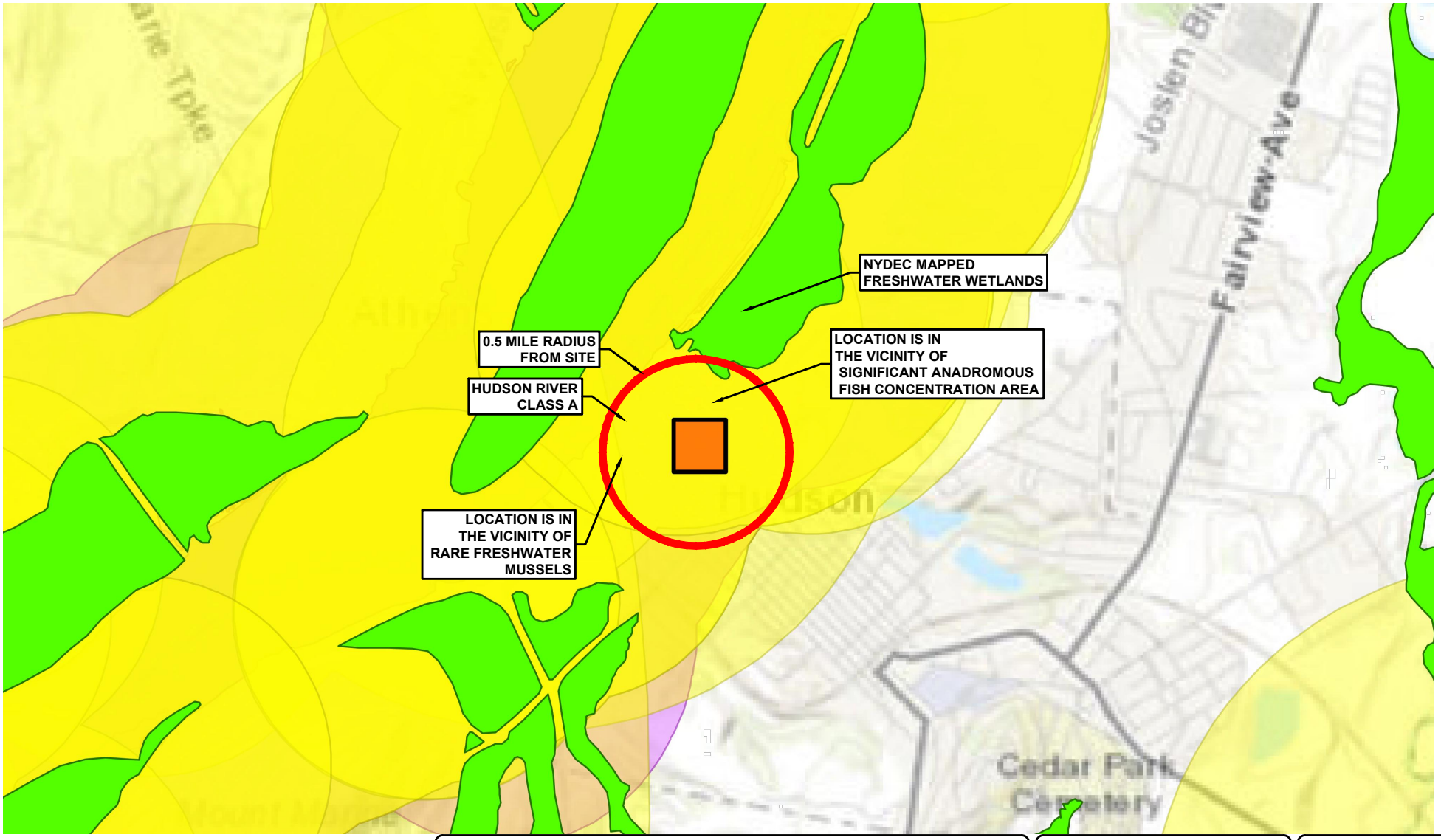
Site-specific criteria such as the NYS Freshwater Wetlands Act (FWA), the Tidal Wetland Act (TWA) and 401 Water Quality Certification (WQC) are not applicable to the project parcels because aquatic resources are not present within the parcel.

6.0 CONCLUSIONS

The site's use as habitat for wildlife is substantially restricted due to the impervious nature and current uses of the site. These past uses have resulted in the discharge of contaminants into the soil. Contaminants within the shallow soil (0-3 ft below ground surface) may affect fauna through direct contact (i.e., earth worms, insects, or small mammals burrowing in contaminated soil onsite) and/or sediment transport in surface water runoff. However, no clear aquatic receptors were identified since the nearest water body is approximately 0.4 mile away. Although groundwater at the site was impacted, faunal exposure to groundwater is considered negligible due to depth of groundwater and distance to nearest groundwater discharge point. No aquatic resources are located on site. Redevelopment of the property may be able to provide some future wildlife habitat by utilizing softscape areas with plant selections that will provide food, habitat and shelter.

APPENDIX A

SITE MAPPING



ENVIRONMENTAL RESOURCE MAP

41 NORTH 2ND STREET

CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

PVE

Waterfront Corporate Park III, Suite 101
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Civil Engineering | Land Development | Planning
Landscape Architecture | Structures | Environmental

NORTH

DATE:	03/24/2025
SCALE:	1"=1,000'
PROJECT NUMBER:	20240218

FIGURE 1

PVE
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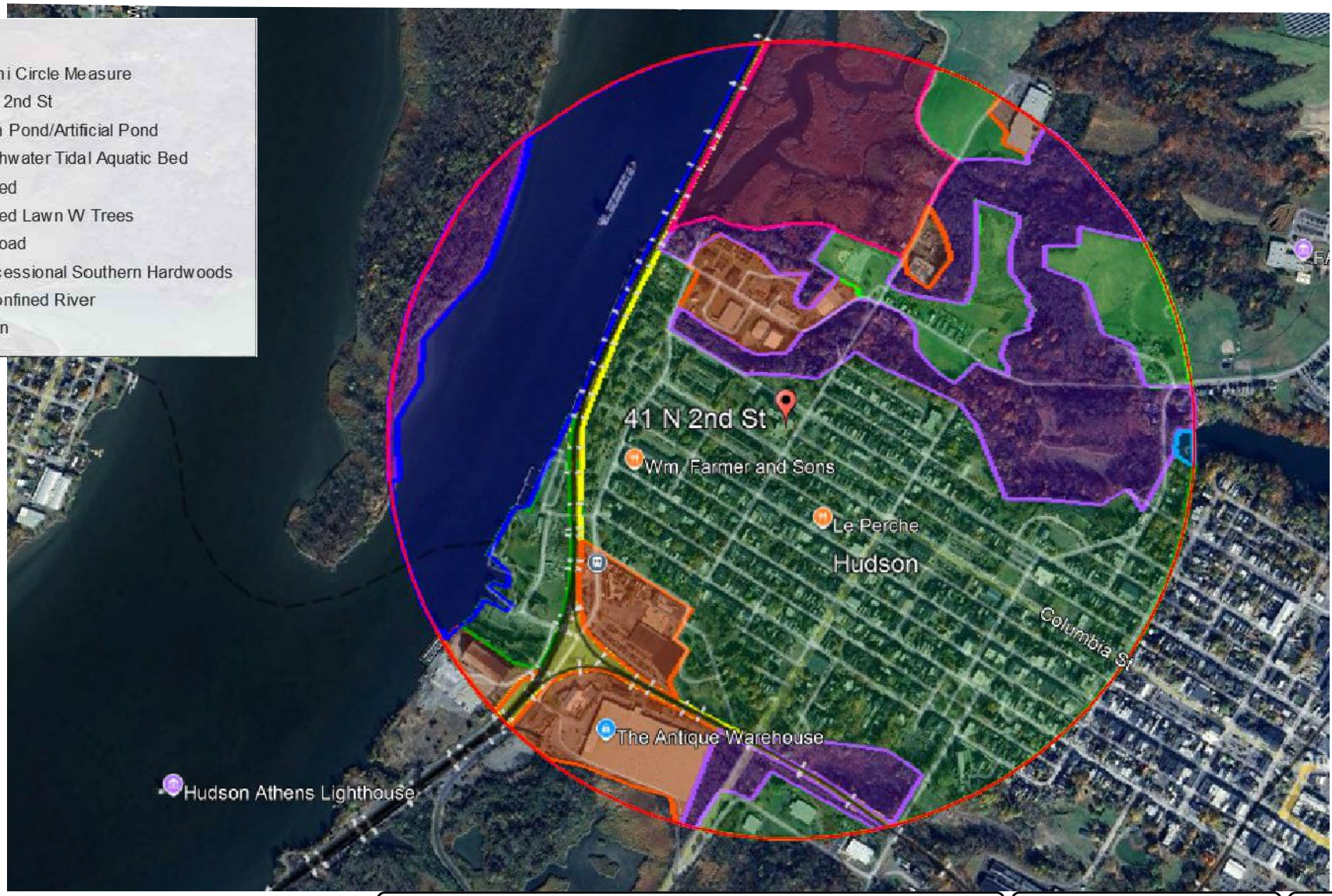
Fax: 845.454.2655

SELECTED SITE FEATURES

PARCEL A PARTIAL & B, 41 NORTH 2ND STREET
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

PROJECT NO.	FIGURE 2
20240218	DATE: 05/24/2024
N	SCALE: AS INDICATED
	PROJECTION: STATE PLANE NAD83 NY EAST
	ALL LOCATIONS APPROXIMATE



LAND COVER TYPE MAP

41 NORTH 2ND STREET

CITY OF HUDSON,COLUMBIA COUNTY, NEW YORK

PVE

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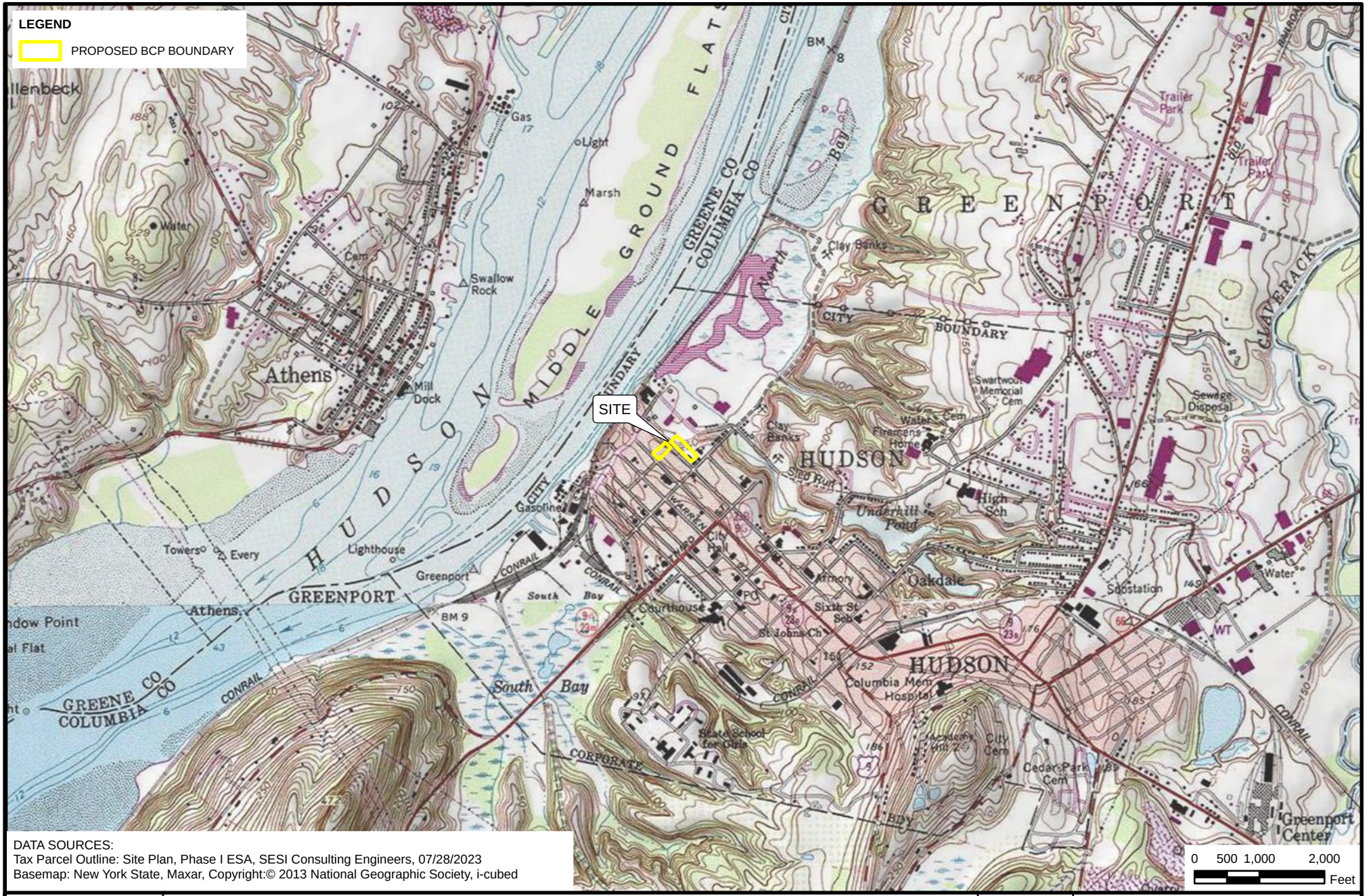
NORTH

DATE:	03/24/2025
SCALE:	1"=1,000'
PROJECT NUMBER:	20240218

FIGURE 3



DATA SOURCES:
Tax Parcel Outline: Site Plan, Phase I ESA, SESI Consulting Engineers, 07/28/2023
Basemap: New York State, Maxar, Copyright:© 2013 National Geographic Society, i-cubed

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PROPERTY MAP (USGS 7.5 QUADRANGLE)

41 NORTH 2ND STREET
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

PROJECT NO. 20240218	**FIGURE 1A**
	DATE: 11/13/2024
N	**SCALE: AS INDICATED**
	PROJECTION: STATE PLANE NAD83 NY EAST
	ALL LOCATIONS APPROXIMATE

APPENDIX B

SITE PHOTOGRAPHS

Photo 1 – Parcel A facing Southeast

Photo 2 – Parcel A facing northeast

Photo 3 –Parcel A

Photo 4 – Parcel B facing Southeast

Photo 5 – Parcel B recreational courts

Photo 6 – Parcel B facing west

APPENDIX C

CORRESPONDENCE

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: 03/24/2025 16:53:26 UTC
Project Code: 2025-0073025
Project Name: 41 North 2nd Street

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: 2025-0073025
Project Name: 41 North 2nd Street
Project Type: Residential Construction
Project Description: Project is located at 41 N 2nd Street Hudson, NY. The subject parcels are located at 41 North 2nd Street. A portion of Parcel A (Tax ID #109.35-2-19) totaling approximately 0.76 acre and Parcel B (Tax ID #109.35-2-19) approximately 1.4 acres area located along North 2nd Street and Prospect Avenue in the City of Hudson, Columbia County, New York. The parcels are currently undergoing a New York State Department of Environmental Conservation (NYSDEC) Brownfield Program investigation as part of a redevelopment plan for the parcels

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.2556059,-73.79220867116875,14z

Counties: Columbia and Greene counties, 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 Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

MAMMALS

NAME	STATUS
Indiana Bat *Myotis sodalis* 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 *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat *Perimyotis subflavus* 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 *Danaus plexippus* 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:	Matthew Carroll
Address:	Waterfront Corporate Park III,
Address Line 2:	2000 Georgetown Drive, Suite 101
City:	Sewickley
State:	PA
Zip:	15143-0000
Email	mcarroll@pve-llc.com
Phone:	3303325200

APPENDIX D

QUALIFICATIONS

MATTHEW T. CARROLL, CPESC

Permitting Specialist
Civil + Land Development

mcarroll@pve-llc.com
724-444-1100

ABOUT

Matt's background consists of permitting and aquatic resource identification and delineation for large and small land development, utility, municipal and transportation projects. He has considerable experience in the application and acquisition of Local, State and Federal permits for stream and wetlands encroachments, wetland mitigation, riparian buffer offsetting, stormwater discharges from construction activities, erosion and sediment control, and developing permits through coordination with various agencies, including the Ohio Environmental Protection Agency, multiple County Conservation Districts, the Pennsylvania Department of Environmental Protection and the US Army Corps of Engineers (Pittsburgh, Buffalo and Huntingdon Districts).

PROFESSIONAL PRACTICE AREAS

- Eastern Mountain And Piedmont Regional Supplement Training
- Ohio Rapid Assessment Methodology (ORAM) Training
- PADEP Chapter 105 General Permits including GP-3, GP-4. GP-5, GP-7, and GP-8
- PADEP Sam Safety Permitting
- PADEP Sewage Facilities Planning Modules
- Stream Restoration and Stream Habitat Enhancement Plans
- US Army Corps of Engineers Nationwide Permitting
- Wetland Delineation and Management Training

EDUCATION

Youngstown State University
Bachelor of Science, Civil Engineering

Additional Training
NPDES Permits
Preparation of Erosion and Sedimentation Control Plans
Stormwater Management
Wetland Delineation and Mitigation

LICENSES & CERTIFICATIONS

Certified Professional in Erosion and Sedimentation Control (CPESC)

AFFILIATIONS

Nation Council of Examiners for Engineering and Surveying

TENURE

PVE: Since 2013

TREVOR TREGLIA

Scientist

ttreglia@pve-llc.com
O: 845-454 2544 M: 914-943-2606

ABOUT

Trevor is an experienced Scientist with a broad-based knowledge of field investigations, including soil, surface and groundwater sampling, and vapor/air monitoring. At PVE, his responsibilities include field sampling, coordination with subcontractors, correspondence with regulatory agencies, data management, including tabulation and comparison to regulatory standards, reporting, and customer relations. Trevor is also responsible for assembling information, site inspections, and completing Phase I and II Environmental Site Assessments, including all associated reporting.

PROFESSIONAL PRACTICE AREAS

- Collects Analysis of Soil Gathered Samples
- Conducts Site Visits
- Groundwater Samples
- Historical Research of Properties
- Indoor Ambient Air Samples
- Monitoring of Landfill Gases and Leachate
- Phase I and II Environmental Site Assessments
- Sub-Slab Soil Vapor Samples

EDUCATION

SUNY Environmental Science and Forestry
Bachelor of Science, Environmental Science

LICENSES & CERTIFICATIONS

CPR/AED Certified

First Aid Certified

OSHA 40-HR Hazardous Waste Operations and Emergency Response Health & Safety Training

OSHA 30-HR Hazard Recognition Training for the Construction Industry

Radon Measurement Professional Certification

TENURE

PVE: Since 2019

KEN ATKINS

Environmental Technician

katkins@pve-llc.com
845-454-2544 ext. 313

ABOUT

Ken is an experienced Environmental Technician with broad-based knowledge of inspections and environmental compliance on various types of projects. He is responsible for field sampling, coordination and oversight of subcontractors, correspondence with regulatory agencies, data management, and reporting. Ken also has experience working on a hazardous materials response team and has responded to spills and completed clean up and restoration of affected areas.

PROFESSIONAL PRACTICE AREAS

- Community Air Monitoring
- Drilling Rig Operation & Maintenance
- Field Investigations
- Flora & Fauna Identification
- Groundwater Sampling
- Major Oil Storage Facility Inspections and Compliance
- Monitoring Well Development
- Petroleum Bulk Storage Tank Removal
- Phase I & II Environmental Site Assessments
- Site Inspections
- Soil Vapor Intrusion Investigations
- Unified Soil Classification System

EDUCATION

Mount Saint Mary College:
Bachelor of Arts, Biology

LICENSES & CERTIFICATIONS

OSHA 40-HR training on Hazardous Waste Operations and Emergency Response

OSHA 10-HR construction training

TENURE

PVE: Since 2025

Prior Experience: 6 Years