
FISH AND WILDLIFE RESOURCE IMPACT ANALYSIS PART I

**1 NORTH DEPOT STREET
CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK 13901**

PREPARED FOR:

Residences at North Depot LLC
1055 Saw Mill River Road, Suite 204
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PREPARED BY:



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March 6, 2025
PVE File #20240228

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FISH AND WILDLIFE RESOURCES IMPACT ANALYSIS PART 1
1 NORTH DEPOT STREET
CITY OF BINGHAMTON, BROOME 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 a parcel located at 1 N Depot Street in Binghamton, 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 21, 2024 and March 3, 2025.

The subject parcel is located at 1 N Depot Street (Tax ID #160.25-2-20.2) totaling 0.63 acres which is located along North Depot Street and Prospect Avenue in the village of Binghamton, Broome 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 subject parcel is located in an urban setting which has been impacted by prior site development. The proposed BCP Site is bordered to the north by 95 Prospect Avenue (commercial) and 108 Prospect Avenue (residential), to the east by 10 Eldrege Street (parking lot) and 21 North Depot Street (commercial), to the south by railroad tracks and a storage yard, and to the west by 89 Prospect Avenue (commercial).

The Site is improved with one (1) 51,000 sq. ft. five-story and paved parking lot. The Site is currently zoned by the City of Binghamton as "Service Commercial". The proposed project area is adjacent to commercial and residential properties. The Site is currently vacant with parking being used for adjoining businesses.

As early as 1887, the property operated as wholesale groceries, a cigar factory, Casper and Honah Tin Works, a machine shop and the Bengal Blueing Factory. In 1898, only the wholesale groceries and cigar factory were in operation. In 1918, the property operated as wholesale groceries, coffee roasters wholesale hardware, and Reynolds and Hawley ornamental iron works. In 1950-1952, the property operated as wholesale groceries, prints wholesale hardware and motor freight terminals with a gasoline tank. In 1970, the property operated as LJ Kingsley Wholesale Hardware (including paints), with a buried gasoline tank, wholesale meats. Currently the structure is a 5-story abandoned/vacant former commercial structure in very poor condition. 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 3, 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 clear, cool weather, with small patches of remaining snow cover. 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 3, 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 little to no 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 by multi-story dwellings and intermixed commercial and older industrial buildings. Two terrestrial ecological communities were identified within the subject parcel. These include 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, deepwater river, 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 1 North Depot parcel does not contain any mowed lawn, however 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 *Digitaria* 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 includes a recreational park approximately 0.4 mile northwest of the project parcel and a minor league ballpark 0.25 mile southeast of 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 1 North Depot parcel is 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 (*Haemorrhous mexicanus*). Other species may include rock pigeons (*Columba livia*) and in some cases bats.

3.1.5 Cover Type 5: Railroad

The northern side of the parcel shares a border with an active railroad. 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.

3.2 Aquatic Resources

3.2.1 Cover Type 6: Unconfined River

The Chenango River is located 0.2 mile west of the parcel and is categorized as an unconfined river. These rivers are typically dominated by runs with interspersed pool sections and a few or no distinct riffles, clearly defined meanders and well-developed natural levees. The Chenango River flows through Madison, Chenango and Broome counties. It begins in Morrisville (Madison County) and flows for around 90 miles until it empties into the Susquehanna River (Broome County) in Binghamton. The Tioughnioga River is a major tributary which combines with the Chenango River at Chenango Forks. The river is a Class B river that is suitable for recreational uses such as fishing, swimming and boating.

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 Chenango supports the threatened (NYS & federal) green floater (*Lasmigona subviridis*) The subject parcels will have no impact on the river, or green floater mussel.

3.3 Freshwater Wetlands

Based on desktop review and site visit observations, wetlands are not present on or adjacent to the subject parcel. There is no impact to offsite wetlands from this site.

3.4 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 as the species listed are waterborne species associated with the Chenango River. The USFWS IPaC Trust Resource List (included in Appendix C) identified that the subject parcels are in the vicinity of the 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 two species that warrant special attention within 0.5 mile of the project location. These include:

- Green floater mussel – NYS threatened, federal proposed threatened
- Monarch butterfly (*Danaus plexippus*) - federal proposed endangered

Based on available habitat observed during the site visit, 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. 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 green floater mussels due to a lack of suitable habitat. The parcel could not 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 impervious nature 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 likely due to the highly urbanized surrounding areas. The ecological communities are not consistent or well connected and therefore do not support diverse wildlife populations. 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 Chenango 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.

3.5 Observations Of Stress

During the March 3, 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 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 use and remnants of industrial use, asphalt and concrete, remain. This limits uses for wildlife.

3.6 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

3.7 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.

3.8 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 extent of existing pavement and concrete. 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*), Crabgrass (*Digitaria sanguinalis*) and Virginia Creeper (*Parthenocissus quinquefolia*) 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 and disturbed habitat.

3.9 Value of Resources to Humans

Except for commercial use, the subject parcels currently provide minimal value to humans in terms of fish and wildlife resources as the parcel is not used for recreational purposes. The urban setting prevents hunting, and the degraded ecological habitats are not significant for wildlife viewing. Fishing in the Chenango River is the nearest environmental outdoor recreational resources within a 0.5-mile radius of the parcel.

Recreation opportunities are not available at the subject parcel nor will they be available in the future, as the project is planned for residential development with no recreational amenities planned.

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 limited broken pavement/concrete areas. 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 ten (10) 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:

- Benzo(a)anthracene,
- Benzo(a)pyrene,
- Benzo(b)fluoranthene,
- Benzo(k)fluoranthene,
- Dibenzo(a,h)anthracene,
- Indeno(1,2,3-c,d)pyrene,
- Lead, and
- Mercury.

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 (10) 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. Due to the nature of the existing impervious cover, burrowing is not anticipated on this site.

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

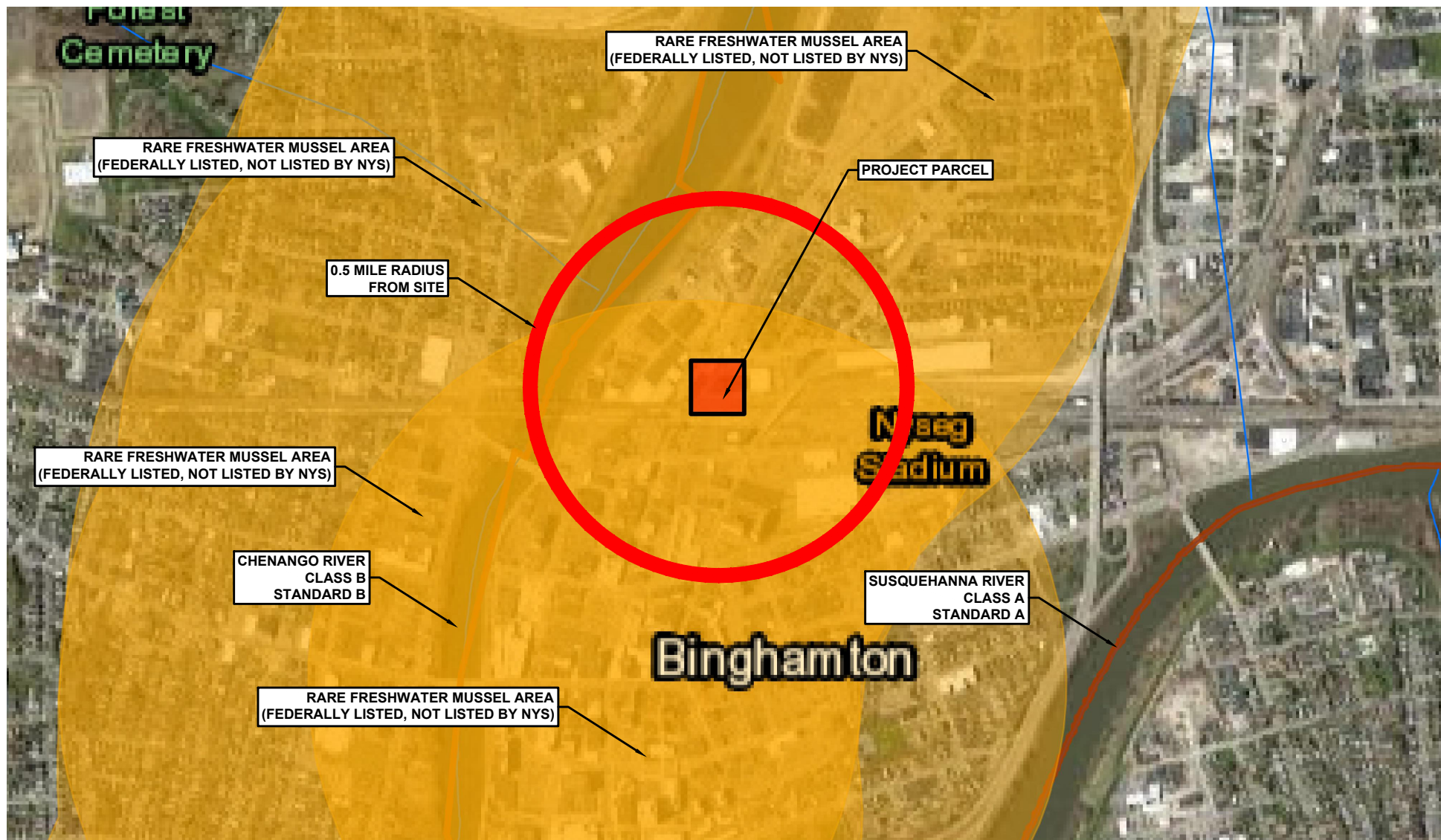
Site-specific criteria such as the NYS Freshwater Wetlands Act (FWA), the Tidal Wetland Act (TWA) and 401 Water Quality Certification (WQC) are not applicable to the project parcels because aquatic resources are not present within the parcel.

6.0 CONCLUSIONS

The site's use as habitat for wildlife is substantially restricted due to the impervious nature and past uses of the site. These past uses have resulted in the discharge of contaminants into the soil, however the impervious cover will protect against direct contact to wildlife. Burrowing, direct soil contact and sediment transport are not anticipated with the site's current land cover. No aquatic resources are located on site and the nearest surface water is 0.2 miles to the west. 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

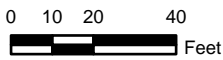


LEGEND

TAX PARCEL OUTLINE



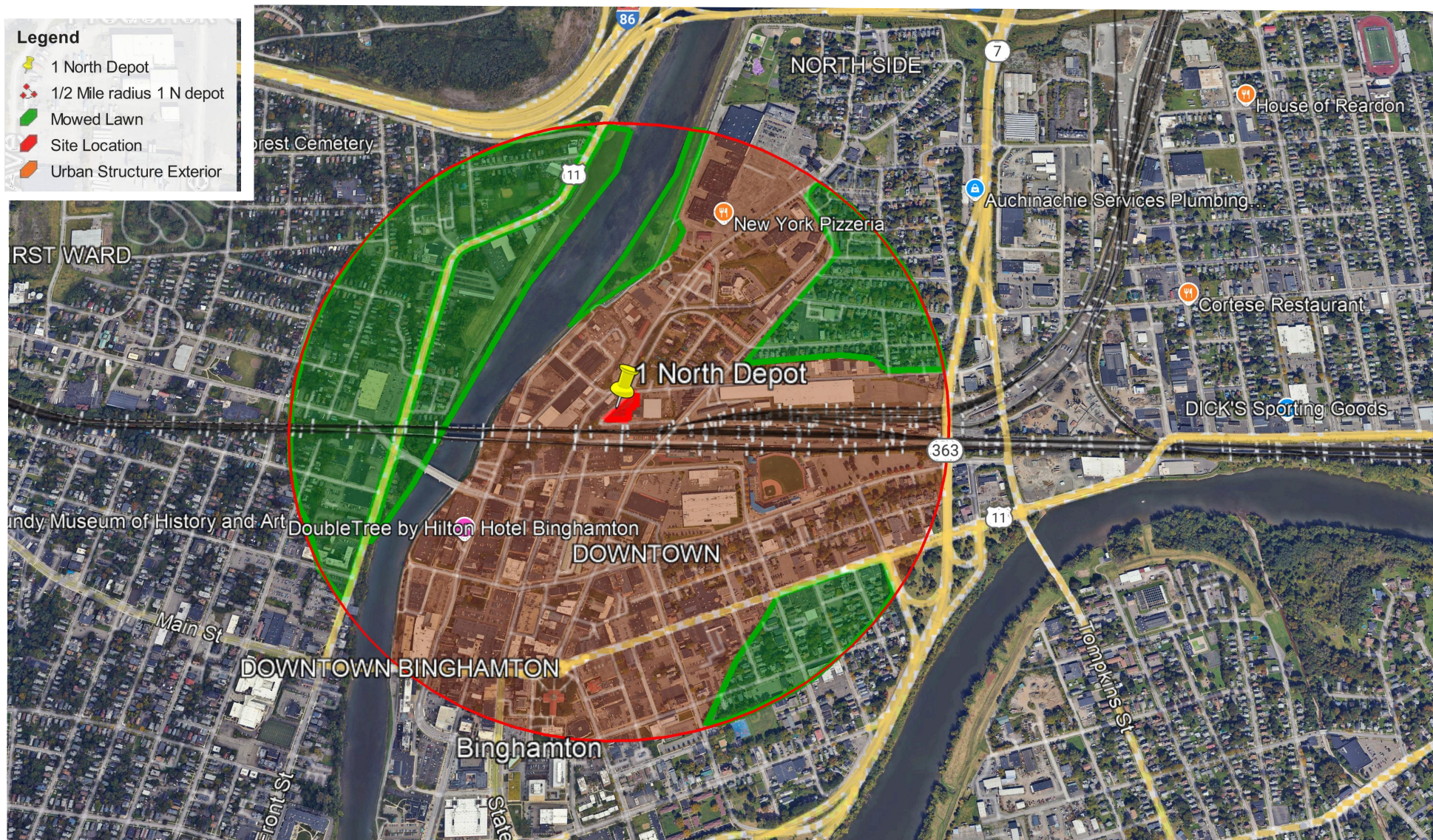
DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: New York State, Maxar, Microsoft



<div><div>PVE</div><div>48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655</div></div>	<div>SELECTED SITE FEATURES</div> <div>1 NORTH DEPOT STREET, CITY OF BINGHAMTON BROOME COUNTY, NEW YORK</div>	PROJECT NO.	FIGURE 2
		20240228	DATE: 05/21/2024
		<div>N</div> <div></div>	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
			ALL LOCATIONS APPROXIMATE

Legend

- 1 North Depot
- 1/2 Mile radius 1 N depot
- Mowed Lawn
- Site Location
- Urban Structure Exterior



LAND COVER TYPE MAP

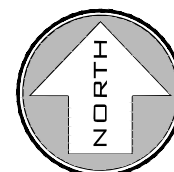
1 NORTH DEPOT STREET

CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK



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Civil Engineering | Land Development | Planning
Landscape Architecture | Structures | Environmental



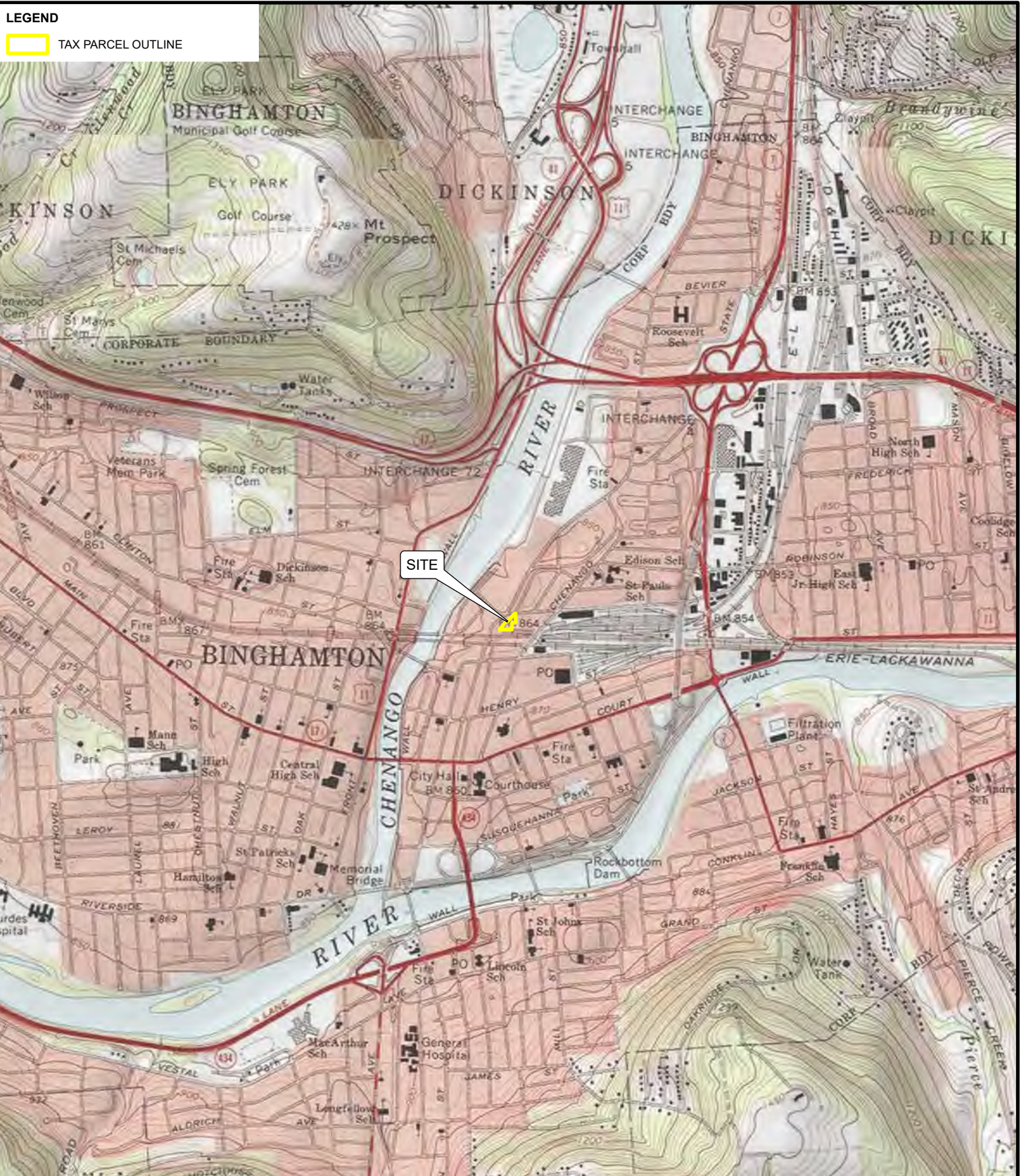
DATE: 03/05/2025

SCALE: 1"=1,000'

PROJECT NUMBER: 20240228

FIGURE 3

LEGEND
TAX PARCEL OUTLINE



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: Copyright:© 2013 National Geographic Society, i-cubed

0 500 1,000 2,000
Feet

PVE
48 Springside Avenue
Poughkeepsie, NY 12603
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SITE LOCATION MAP

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.
20240228



FIGURE 4

DATE: 02/27/2025

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

APPENDIX B

SITE PHOTOGRAPHS



Photo 1 – Site facing south



Photo 2 – Northern portion of site



Photo 3 – Site facing east



Photo 4 – Site facing Northeast



Photo 5 – Broken concrete area



Photo 6 – Active railroad at southern border of site

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:
Project Code: 2025-0063938
Project Name: 1 N Depot

03/04/2025 20:10:59 UTC

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: 2025-0063938

Project Name: 1 N Depot

Project Type: Residential Construction

Project Description: Project includes an existing structure and surrounding impervious areas.
The existing structure will be razed and a new building constructed.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.104678250000006,-75.90924629318809,14z>



Counties: Broome 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
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

CLAMS

NAME	STATUS
Green Floater <i>Lasmigona subviridis</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/7541	Proposed Threatened

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: 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

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