

## **Appendix G:**

## **Natural Resources**

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# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

April 13, 1999

TEL: 212/696-0670  
FAX: 212/447-5546

Mr. John Ferguson  
Division of Environmental Permits  
New York State Department of Environmental Conservation  
Region 2  
Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101

RE: Long Island Rail Road East Side Access Project EIS

Dear Mr. Ferguson:

I am writing to request information about any permit applications or consultation with the NYS DEC that may be required for this project. The East Side Access study includes six study areas located in New York, Bronx, and Queens Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the Central Park and Brooklyn, New York USGS topographical quadrangles and are labeled as follows:

1. Manhattan - Tunnel to Grand Central Terminal
2. Bronx - Highbridge Yard
3. Queens - Sunnyside Yard/Yard A
4. Queens - Maspeth Yard
5. Queens - Blissville Yard
6. Queens - Fresh Pond Yard

Proposed activities include excavation in the Grand Central and Sunnyside Yard/Yard A areas, and construction or expansion of existing railyards in the remaining four study areas.

We would appreciate a response from your department stating whether permitting is required for this scope of work. If permitting, is required, please include details of the requirements in your response. If we receive no response we shall assume that no permitting or consultation is required with the New York State Department of Environmental Conservation for this project.

Sincerely,  
AKRF, INC.



Cara E. Lindsley  
Environmental Analyst

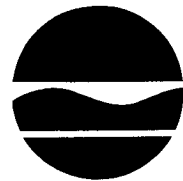
**New York State Department of Environmental Conservation**

**Division of Fish, Wildlife & Marine Resources**

**Wildlife Resources Center – New York Natural Heritage Program**

700 Troy-Schenectady Road, Latham, New York 12110-2400

Phone: (518) 783-3932 FAX: (518) 783-3916



John P. Cahill  
Commissioner

April 26, 1999

Cara E. Lindsley  
AKRF Inc. Environmental Consultants  
117 E. 29th St.  
New York City, NY 10016-8022

Dear Ms. Lindsley:

We have reviewed the New York Natural Heritage Program files with respect to your recent request for biological information concerning the proposed Long Island Rail Road East Side Access Project EIS, 6 study sites, areas as indicated on your enclosed maps, located in Manhattan, Bronx and Queens, New York City.

Enclosed is a computer printout covering the area you requested to be reviewed by our staff. The information contained in this report is considered sensitive and may not be released to the public without permission from the New York Natural Heritage Program.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

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

This response applies only to known occurrences of rare or state-listed animals and plants, of significant natural communities, and of other significant habitats. For information regarding regulated areas or permits that may be required under state law (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

*Teresa Mackey*  
Teresa Mackey, Information Services  
NY Natural Heritage Program

Encs

cc: Reg. 2, Wildlife Mgr.  
Peter Nye, Endangered Species Unit, Delmar

NATURAL HERITAGE REPORT ON RARE SPECIES AND ECOLOGICAL COMMUNITIES

Prepared 21 APR 1999 by NY Natural Heritage Program, NYS DEC, Latham, New York.

Records with a PRECISION value of "S" are known to be in a location which may be impacted by the proposed action.  
 Records with a PRECISION value of "M" may possibly occur within the project area in appropriate habitat.  
 This report contains SENSITIVE information which should be treated in a sensitive manner -- Please see cover letter.

page 1

REFER TO THE USERS GUIDE FOR EXPLANATIONS OF CODES, RANKS, AND FIELDS.

* LOCATION	SCIENTIFIC NAME & Common Name	NY LEGAL STATUS & HERITAGE RANK	FEDERAL STATUS	PRECISION & ACRES	EORANK & LAST SEEN	GENERAL HABITAT AND QUALITY	TOWN(S) & DETAILED LOCATION	USGS TOPO QUAD LAT & LONG	OFFICE USE
* GLENDALE									
	STROPHOSTYLES UMBELLATA	UNPROTECTED		M	H 1911		CITY OF NEW YORK.	JAMAICA	4007367
	Pink wild bean						GLENDALE.	40 42 15 N	20
	VASCULAR PLANT	G5 SH						73 52 18 W	
* MET LIFE BUILDING									
	FALCO PEREGRINUS	ENDANGERED	E(S/A)	S	E 1998	SKYSCRAPER LEDGE.	CITY OF NEW YORK.	CENTRAL PARK	4007378
	Peregrine falcon						MET LIFE BUILDING, 200 PARK	40 45 08 N	35
	BIRD	G4 S2					AVENUE. NEST ON 57TH FLOOR OF	73 58 42 W	
							MET LIFE BUILDING, SOUTH FACADE		ESU
							TO LEFT OF SIGN.		

2 Records Processed

## USERS GUIDE TO NY NATURAL HERITAGE DATA

New York Natural Heritage Program, 700 Troy-Schenectady Road, Latham NY 12110-2400 phone: (518) 783-3932

**NATURAL HERITAGE PROGRAM:** The Natural Heritage Program is an ongoing, systematic, scientific inventory whose goal is to compile and maintain data on the rare plants and animals native to New York State, and significant ecological communities. The data provided in the report facilitate sound planning, conservation, and natural resource management and help to conserve the plants, animals and ecological communities that represent New York's natural heritage.

**DATA SENSITIVITY:** The data provided in the report are ecologically sensitive and should be treated in a sensitive manner. The report is for your in-house use and should not be released, distributed or incorporated in a public document without prior permission from the Natural Heritage Program.

### **NATURAL HERITAGE REPORTS** (may contain any of the following types of data):

**COUNTY NAME:** County where the occurrence of a rare species or significant ecological community is located.

**TOWN NAME:** Town where the occurrence of a rare species or significant ecological community is located.

**USGS 7 1/2' TOPOGRAPHIC MAP:** Name of 7.5 minute US Geological Survey (USGS) quadrangle map (scale 1:24,000).

**LAT:** Centum latitude coordinate of the location of the occurrence. Caution: latitude & longitude must be used with PRECISION (e.g. the location of an occurrence with M (minute) precision is not precisely known & is thought to occur within a 1.5 mile radius of the latitude/longitude coordinates).

**LONG:** Centum longitude coordinate of the location of the occurrence. See also LAT above.

**PRECISION:** S - seconds: location known precisely. (within a 300' or 1-second radius of the latitude and longitude given.

M - minutes: location known only to within a 1.5 mile (1 minute) radius of the latitude and longitude given.

G - general: location known to within a 5 mile radius of the latitude and longitude given.

**SIZE (acres):** Approximate acres occupied by the rare species or significant ecological community at this location.

**SCIENTIFIC NAME:** Scientific name of the occurrence of a rare species or significant ecological community.

**COMMON NAME:** Common name of the occurrence of a rare species or significant ecological community.

**ELEMENT TYPE:** Type of element (i.e. plant, animal, significant ecological community, other, etc.)

**LAST SEEN:** Year rare species or significant ecological community last observed extant at this location.

**EO RANK:** Comparative evaluation summarizing the quality, condition, viability and defensibility of this occurrence. Use with LAST SEEN and PRECISION.

A-E = Extant: A=excellent, B=good, C=marginal, D=poor, E=extant but with insufficient data to assign a rank of A - D.

F = Failed to find. Did not locate species, but habitat is still there and further field work is justified.

H = Historical. Historical occurrence without any recent field information.

X = Extirpated. Field/other data indicates element/habitat is destroyed and the element no longer exists at this location.

? = Unknown.

Blank = Not assigned.

**NEW YORK STATE STATUS (animals):** Categories of Endangered and Threatened species are defined in New York State Environmental Conservation Law section 11-0535. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

**E = Endangered Species:** any species which meet one of the following criteria:

1) Any native species in imminent danger of extirpation or extinction in New York.

2) Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

**T = Threatened Species:** any species which meet one of the following criteria:

1) Any native species likely to become an endangered species within the foreseeable future in NY.

2) Any species listed as threatened by the U.S. Department of the Interior, as enumerated in the Code of the Federal Regulations 50 CFR 17.11.

**SC = Special Concern Species:** those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York. Unlike the first two categories, species of special concern receive no additional legal protection under Environmental Conservation Law section 11-0535 (Endangered and Threatened Species).

**P = Protected Wildlife** (defined in Environmental Conservation Law section 11-0103): wild game, protected wild birds, and endangered species of wildlife.

**U = Unprotected** (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however a license to take may be required.

**G = Game** (defined in Environmental Conservation Law section 11-0103): any of a variety of big game or small game species as stated in the Environmental Conservation Law; many normally have an open season for at least part of the year, and are protected at other times.

**NEW YORK STATE STATUS (plants):** The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Environmental Conservation Law section 9-1503.

(blank) = no state status

**E = Endangered Species:** listed species are those with:

1) 5 or fewer extant sites, or

2) fewer than 1,000 individuals, or

3) restricted to fewer than 4 U.S.G.S. 7 1/2 minute topographical maps, or

4) species listed as endangered by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

**T = Threatened:** listed species are those with:

1) 6 to fewer than 20 extant sites, or

2) 1,000 to fewer than 3,000 individuals, or

3) restricted to not less than 4 or more than 7 U.S.G.S. 7 and 1/2 minute topographical maps, or

4) listed as threatened by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

**R = Rare:** listed species have:

1) 20 to 35 extant sites, or

2) 3,000 to 5,000 individuals statewide.

**U = Unprotected**

**V = Exploitably vulnerable:** listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

**NEW YORK STATE STATUS (communities):** At this time there are no categories defined for communities.

continued on next page

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL PERMITS REGIONAL OFFICES**

<u>REGION</u>	<u>COUNTIES</u>	<u>NAME</u>	<u>ADDRESS AND PHONE NO.</u>
Region 1	Nassau Suffolk	Robert Greene Permit Administrator	Loop Road, Bldg. 40 SUNY Stony Brook, NY 11790-2356 (516) 444-0365
Region 2	New York City	George Danskin Permit Administrator	Hunters Point Plaza 4740 21st Street Long Island City, NY 11101-5407 (718) 482-4997
Region 3	Dutchess Orange Putnam Rockland, Sullivan Ulster, Westchester	Margaret Duke Permit Administrator	21 South Putt Corners Road New Paltz, NY 12561-1696 (914) 256-3059
Region 4	Albany Columbia Delaware Greene, Montgomery, Otsego Rensselaer, Schenectady, Schoharie	William J. Clarke Permit Administrator	1150 N. Westcott Road Schenectady, NY 12306-2014 (518) 357-2234
Region 5	Clinton Essex Franklin Fulton, Hamilton Saratoga, Warren, Washington	Richard Wild Permit Administrator	Route 86 Ray Brook, NY 12977 (518) 897-1234
Region 6	Herkimer Jefferson Lewis Oneida, St. Lawrence	Randy Vaas Permit Administrator	State Office Building 317 Washington Street Watertown, NY 13601 (315) 785-2246
Region 7	Broome Cayuga Chenango Cortland, Madison, Onondaga Oswego, Tioga, Tompkins	Ralph Manna, Jr. Permit Administrator	615 Erie Blvd. West Syracuse, NY 13204-2400 (315) 426-7439
Region 8	Chemung Genesee Livingston Monroe, Ontario, Orleans Schuyler, Seneca, Steuben Wayne, Yates	Albert Butkas Permit Administrator	6274 East Avon-Lima Road Avon, NY 14414 (716) 226-2466
Region 9	Allegany Cattaraugus Chautauqua Erie, Niagara, Wyoming	Steven Doleski Permit Administrator	270 Michigan Avenue Buffalo, NY 14203-2999 (716) 851-7165

# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

TEL: 212/696-0670  
FAX: 212/447-5546

April 13, 1999

Mr. Mike Stoll  
U.S. Department of the Interior  
Fish & Wildlife Service  
3817 Luker Road  
Cortland, NY 13045

RE: Long Island Rail Road East Side Access Project EIS

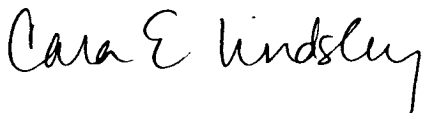
Dear Mr. Stoll:

I am writing to request information from your files concerning threatened and endangered species and significant ecological communities for the above-referenced project. The East Side Access study includes six study areas located in New York, Bronx, and Queens Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the Central Park and Brooklyn, New York USGS topographical quadrangles and are labeled as follows:

1. Manhattan - Tunnel to Grand Central Terminal
2. Bronx - Highbridge Yard
3. Queens - Sunnyside Yard/Yard A
4. Queens - Maspeth Yard
5. Queens - Blissville Yard
6. Queens - Fresh Pond Yard

We would appreciate a review of all threatened and endangered species and significant ecological communities within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Cara E. Lindsley  
Environmental Analyst



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

3817 Luker Road  
Cortland, NY 13045



May 13, 1999

Ms. Cara E. Lindsley  
Environmental Analyst  
AKRF, Inc., Environmental Consultants  
117 East 29th Street  
New York, NY 10016-8022

Dear Ms. Lindsley:

This responds to your letter of April 13, 1999, requesting information on the presence of endangered or threatened species in the vicinity of the following Long Island Railroad East Side Access Study locations:

1. The Tunnel to Grand Central Terminal in the Borough of Manhattan, New York County, New York.
2. The Highbridge Railroad Yard in the Borough of Bronx, Bronx County, New York.
3. The Sunnyside Railroad Yard/Yard A in the Borough of Queens, Queens County, New York.
4. The Maspeth Railroad Yard in the Borough of Queens, Queens County, New York.
5. The Blissville Railroad Yard in the Borough of Queens, Queens County, New York.
6. The Fresh Pond Railroad Yard in the Borough of Queens, Queens County, New York.

The peregrine falcon (*Falco peregrinus*) is a Federally listed endangered species known to occur in the vicinity of locations 1 through 3 above, and may be found in the surrounding area. This project's environmental documents should, therefore, include an evaluation of the potential direct, indirect, and cumulative effects of specific project-related activities on the peregrine falcon or its habitat, and include appropriate measures, if necessary, to protect this species and its habitat. When specific plans are identified, the plans and the results of the evaluation should be provided to this office to determine the need for further consultation pursuant to Section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Except for the peregrine falcon, and occasional transient individuals, no other Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the respective project impact areas. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A compilation of Federally listed and proposed endangered and threatened species in New York is enclosed for your information.



The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the Endangered Species Act. This response does not preclude additional U.S. Fish and Wildlife Service (Service) comments under the Fish and Wildlife Coordination Act or other legislation.

Federally listed endangered and threatened marine species may be found near the project area. These species are under the jurisdiction of the National Marine Fisheries Service. You should contact Mr. Stanley Gorski, Habitat and Protected Resources Division, Area Coordinator, National Marine Fisheries Service, James J. Howard Marine Sciences Laboratory, 74 Magruder Road, Highlands, NJ 07732, for additional information (telephone: [908] 872-3037).

This species is also listed as endangered by the State of New York. The results of the evaluations discussed above should be coordinated with both this office and with the New York State Department of Environmental Conservation. The State contact for the peregrine falcon is Mr. Peter Nye, Endangered Species Unit, Wildlife Resources Center, Delmar, NY 12054-9767 (telephone: [518] 439-7635).

For additional information on fish and wildlife resources or State-listed species, we suggest you contact:

New York State Department  
of Environmental Conservation  
Region 2  
47-40 21st Street  
Long Island City, NY 11101  
(718) 482-4900

New York State Department  
of Environmental Conservation  
Wildlife Resources Center - Information Services  
New York Natural Heritage Program  
700 Troy-Schenectady Road  
Latham, NY 12110-2400  
(518) 783-3932

National Wetlands Inventory (NWI) maps may or may not be available for the respective project areas. However, while the NWI maps are reasonably accurate, they should not be used in lieu of field surveys for determining the presence of wetlands or delineating wetland boundaries for Federal regulatory purposes. Copies of specific NWI maps can be obtained from:

Cornell Institute for Resource Information Systems  
302 Rice Hall  
Cornell University  
Ithaca, NY 14853  
(607) 255-4864

Work in certain waters and wetlands of the United States may require a permit from the U.S. Army Corps of Engineers (Corps). If a permit is required, in reviewing the application pursuant to the Fish and Wildlife Coordination Act, the Service may concur, with or without stipulations, or recommend denial of the permit depending upon the potential adverse impacts on fish and wildlife resources associated with project implementation. The need for a Corps permit may be determined by contacting Mr. Joseph Seebode, Chief, Regulatory Branch, U.S. Army Corps of Engineers, 26 Federal Plaza, New York, NY 10278 (telephone: [212] 264-3996).

If you require additional information please contact Michael Stoll at (607) 753-9334.

Sincerely,

  
**ACTING FOR**

David A. Stilwell  
Acting Field Supervisor

Enclosure

cc: NYSDEC, Long Island City, NY (Environmental Permits)  
NYSDEC, Latham, NY  
NYSDEC, Delmar, NY (Attn: P. Nye)  
NMFS, Highlands, NJ (Attn: S. Gorski)  
NMFS, Milford, CT (Attn: M. Ludwig)  
EPA, Div. of Environmental Planning & Protection, New York, NY  
COE, New York, NY

# FEDERALLY LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES IN NEW YORK

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Distribution</u>
<u>FISHES</u>			
Sturgeon, shortnose*	<i>Acipenser brevirostrum</i>	E	Hudson River & other Atlantic coastal rivers
<u>REPTILES</u>			
Turtle, bog	<i>Clemmys muhlenbergii</i>	T	Albany, Columbia, Dutchess, Genesee, Orange, Oswego, Putnam, Seneca, Ulster, Wayne, and Westchester Counties
Turtle, green*	<i>Chelonia mydas</i>	T	Oceanic summer visitor coastal waters
Turtle, hawksbill*	<i>Eretmochelys imbricata</i>	E	Oceanic summer visitor coastal waters
Turtle, leatherback*	<i>Dermochelys coriacea</i>	E	Oceanic summer resident coastal waters
Turtle, loggerhead*	<i>Caretta caretta</i>	T	Oceanic summer resident coastal waters
Turtle, Atlantic ridley*	<i>Lepidochelys kempii</i>	E	Oceanic summer resident coastal waters
<u>BIRDS</u>			
Eagle, bald	<i>Haliaeetus leucocephalus</i>	T	Entire state
Falcon, peregrine	<i>Falco peregrinus</i>	E	Entire state - re-establishment to former breeding range in progress
Plover, piping	<i>Charadrius melodus</i>	E	Great Lakes Watershed
Tern, roseate	<i>Sterna dougallii dougallii</i>	T E	Remainder of coastal New York Southeastern coastal portions of state
<u>MAMMALS</u>			
Bat, Indiana	<i>Myotis sodalis</i>	E	Entire state
Cougar, eastern	<i>Felis concolor cougar</i>	E	Entire state - probably extinct
Whale, blue*	<i>Balaenoptera musculus</i>	E	Oceanic
Whale, finback*	<i>Balaenoptera physalus</i>	E	Oceanic
Whale, humpback*	<i>Megaptera novaeangliae</i>	E	Oceanic
Whale, right*	<i>Eubalaena glacialis</i>	E	Oceanic
Whale, sei*	<i>Balaenoptera borealis</i>	E	Oceanic
Whale, sperm*	<i>Physeter catodon</i>	E	Oceanic
<u>MOLLUSKS</u>			
Snail, Chittenango ovate amber	<i>Succinea chittenangoensis</i>	T	Madison County
Mussel, dwarf wedge	<i>Alasmidonta heterodon</i>	E	Orange County - lower Neversink River

\* Except for sea turtle nesting habitat, principal responsibility for these species is vested with the National Marine Fisheries Service.

# FEDERALLY LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES IN NEW YORK (Cont'd)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Distribution</u>
<u>BUTTERFLIES</u>			
Butterfly, Karner blue	<i>Lycaeides melissa samuelis</i>	E	Albany, Saratoga, Warren, and Schenectady Counties
<u>PLANTS</u>			
Monkshood, northern wild	<i>Aconitum noveboracense</i>	T	Ulster, Sullivan, and Delaware Counties
Pogonia, small whorled	<i>Isotria medeoloides</i>	T	Entire state
Swamp pink	<i>Helonias bullata</i>	T	Staten Island - presumed extirpated
Gerardia, sandplain	<i>Agalinis acuta</i>	E	Nassau and Suffolk Counties
Fern, American hart's-tongue	<i>Asplenium scolopendrium</i> var. <i>americana</i>	T	Onondaga and Madison Counties
Orchid, eastern prairie fringed	<i>Platanthera leucophea</i>	T	Not relocated in New York
Bulrush, northeastern	<i>Scirpus ancistrochaetus</i>	E	Not relocated in New York
Roseroot, Leedy's	<i>Sedum integrifolium</i> ssp. <i>Leedyi</i>	T	West shore of Seneca Lake
Amaranth, seabeach	<i>Amaranthus pumilus</i>	T	Atlantic coastal plain beaches
Goldenrod, Houghton's	<i>Solidago houghtonii</i>	T	Genesee County

E=endangered    T=threatened    P=proposed

# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

TEL: 212/696-0670

FAX: 212/447-5546

April 13, 1999

Ms. Diane Rusanowsky  
National Marine Fisheries Service  
Habitat Conservation Division  
212 Rogers Avenue  
Milford, CT 06460

RE: Long Island Rail Road East Side Access Project EIS

Dear Ms. Rusanowsky:

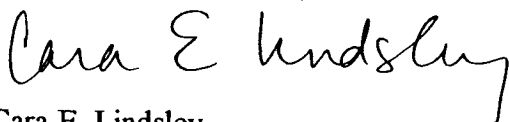
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6. Queens - Fresh Pond Yard

Several areas on Long Island will also potentially be impacted by the proposed project as a consequence of parking expansion and will be determined later in the study.

We would appreciate a review of all Federally listed threatened and endangered species within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Cara E. Lindsley  
Environmental Analyst

c. Mr. Stanley Gorski, NMFS

# AKRF, Inc.

## ENVIRONMENTAL CONSULTANTS

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April 13, 1999

Ms. Jean Petrusiak  
Information Services  
New York Natural Heritage Program  
Wildlife Resources Center  
700 Troy-Schenectady Road  
Latham, NY 12110-2400

RE: Long Island Rail Road East Side Access Project EIS

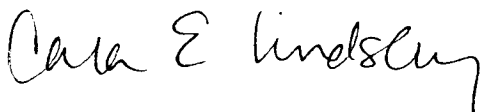
Dear Ms. Petrusiak:

I am writing to request information from your files concerning rare plants, rare animals, and significant ecological communities for the above-referenced project. The East Side Access study includes six study areas located in New York, Bronx, and Queens Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the Central Park and Brooklyn, New York USGS topographical quadrangles and are labeled as follows:

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Cara E. Lindsley  
Environmental Analyst

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FAX: 212/447-5546

April 13, 1999

Joseph Pane  
Fish and Wildlife Division  
New York State Department of Environmental Conservation  
Region 2  
Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101

RE: Long Island Rail Road East Side Access Project EIS

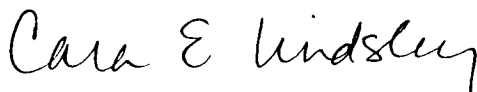
Dear Mr. Pane:

I am writing to request information from your files concerning rare plants, rare animals, and significant ecological communities for the above-referenced project. The East Side Access study includes six study areas located in New York, Bronx, and Queens Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the Central Park and Brooklyn, New York USGS topographical quadrangles and are labeled as follows:

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We would appreciate a review of all threatened and endangered species and significant ecological communities within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Cara E. Lindsley  
Environmental Analyst

# AKRF, Inc.

## ENVIRONMENTAL CONSULTANTS

117 East 29th Street • New York, NY 10016-8022

April 13, 1999

TEL: 212/696-0670

FAX: 212/447-5546

Mr. Joseph Seebode  
Regulatory Branch  
U.S. Army Corps of Engineers  
26 Federal Plaza  
New York, NY 10278

RE: Long Island Rail Road East Side Access Project EIS

Dear Mr. Seebode:

I am writing to request information concerning any permit applications or consultation that may be required with the Corps of Engineers for the above-referenced project. The East Side Access study includes six study areas located in New York, Bronx, and Queens Counties, New York that will be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the Central Park and Brooklyn, New York USGS topographical quadrangles and are labeled as follows:

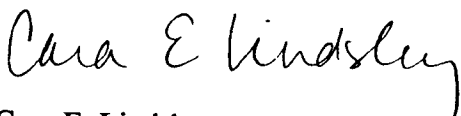
1. Manhattan - Grand Central Terminal
2. Bronx - Highbridge Yard
3. Queens - Sunnyside Yard/Yard A
4. Queens - Maspeth Yard
5. Queens - Blissville Yard
6. Queens - Fresh Pond Yard

Proposed activities include excavation in the Grand Central Terminal and Sunnyside Yard/Yard A areas, and construction or expansion of existing railyards in the remaining four study areas.

We would appreciate a response from your department stating whether permitting is required for this scope of work. If permitting is required for this project, please include details of wetland areas within the five boroughs of New York City where this type of work would require such a permit.

If we receive no response from your department we shall assume that no permitting or consultation is required with the Corps of Engineers for this project.

Sincerely,  
AKRF, INC.



Cara E. Lindsley  
Environmental Analyst



# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

TEL: 212/696-0670

FAX: 212/447-5546

March 6, 2000

Joseph Pane  
Fish and Wildlife Division  
New York State Department of Environmental Conservation  
Region 2  
Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101

RE: East Side Access Project EIS

Dear Mr. Pane:

I am writing to request information from your files concerning rare plants, rare animals, and significant ecological communities for the above-referenced project. The East Side Access study includes seven study areas located in Nassau and Suffolk Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the appropriate New York USGS topographical quadrangles and are labeled as follows:

1. Cerro Wire- Hicksville and Huntington Quadrangles
2. Hazelton- Greenlawn and Huntington Quadrangles
3. Deer Park- Greenlawn Quadrangle
4. Riverhead- Riverhead Quadrangle
5. Yaphank- Bellport Quadrangle
6. Babylon- Bay Shore West Quadrangle
7. Ronkonkoma- Patchogue Quadrangle

We would appreciate a review of all threatened and endangered species and significant ecological communities within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Elizabeth Nemeth  
Environmental Analyst

cc. ESA File

Julie Cowing, AKRF

White Plains, NY • Hauppauge, LI • Buffalo, NY  
1-800/899-2573

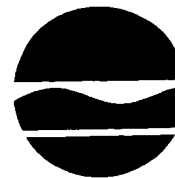
# New York State Department of Environmental Conservation

## Division of Fish, Wildlife & Marine Resources

Wildlife Resources Center – New York Natural Heritage Program

700 Troy-Schenectady Road, Latham, New York 12110-2400

Phone: (518) 783-3932 FAX: (518) 783-3916



John P. Cahill  
Commissioner

March 21, 2000

Elizabeth A. Nemeth  
AKRF, Inc  
117 East 29<sup>th</sup> St  
New York, NY 10016-8022

Dear Ms. Nemeth:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to the proposed SEVEN study areas, involving some possible LIRR tunnels bringing the Railroad to the Grand Central Railroad Station, locations as indicated on the maps you provided, encompassing Suffolk and Nassau Counties.


Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and may not be released to the public without permission from the New York Natural Heritage Program.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

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

This response applies only to known occurrences of rare or state-listed animals and plants, of significant natural communities, and of other significant habitats. For information regarding regulated areas or permits that may be required under state law (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

  
Teresa Mackey, Information Services  
NY Natural Heritage Program

Encs.

cc: Reg. 1, Wildlife Mgr.  
Reg. 1, Fisheries Mgr.  
Peter Nye, Endangered Species Unit, Delmar

# Natural Heritage Report on Rare Species and Ecological Communities

Riverhead Site

Prepared 16 March 2000 by NY Natural Heritage Program, NYS DEC, Latham, New York

Records with a Precision value of "S" or with a blank Precision are known to be in a location that may be impacted by the proposed action. Records with a Precision value of "M" may possibly occur within the project area in appropriate habitat. This report contains SENSITIVE information that should be treated in a sensitive manner -- Please see cover letter. Refer to the Users' Guide for explanations of codes, ranks, and fields.

Page 2

* County	** Town	Scientific Name, COMMON NAME, & Group Name	NY Legal Status & Heritage Ranks	Precision & Acreage	EO Rank & Last Seen	General Habitat and Quality	Detailed Location	USGS Topo Quad Lat & Long	Office Use
* SUFFOLK									
** RIVERHEAD									
		<i>Sporobolus clandestinus</i> ROUGH RUSH-GRASS Vascular Plant	UNPROTECTED G5 S1	M	H 1873-09-30	SANDY SOIL. ASSOCIATED SPECIES: SPOROBOLUS LONGIFOLIUS.	AQUEBOGUE	RIVERHEAD 40 56 33 N 72 37 39 W	4007286 25
** RIVERHEAD, SOUTHAMPTON									
		<i>Fimbristylis castanea</i> MARSH FIMBRY Vascular Plant	THREATENED G5 S2	M	H 1878-08-26		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Liatris scariosa</i> var <i>novae-angliae</i> NEW ENGLAND BLAZING-STAR Vascular Plant	RARE G5/T3 S2	M	H 1919-09	DRY SHRUB OAK GROUNDS.	RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Juncus brachycarpus</i> SHORT-FRUIT RUSH Vascular Plant	UNPROTECTED G4G5 S1	M	H 1943-07-06		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Juncus debilis</i> WEAK RUSH Vascular Plant	THREATENED G5 S1	M	H 1894-07-03		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Euphorbia ipecacuanhae</i> WILD IPECAC Vascular Plant	UNPROTECTED G5? S1	M	H 1918-08-09		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Arethusa bulbosa</i> SWAMP PINK Vascular Plant	RARE G4 S2	M	H 1925-06-02	BOG. SPHAGNOUS SWAMP.	RIVERHEAD BOG NEAR RIVERHEAD. SPHAGNOUS SWAMP, RIVERHEAD.	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8

# Natural Heritage Report on Rare Species and Ecological Communities

Riverhead Site

Prepared 16 March 2000 by NY Natural Heritage Program, NYS DEC, Latham, New York

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* SUFFOLK										
** RIVERHEAD, SOUTHAMPTON										
		<i>Aletris farinosa</i> STARGRASS Vascular Plant	UNPROTECTED G5 S2		M	H 1949-09-01	1920: WET SANDY SHORE. 1949: DRY SANDY OPEN GROUND.	RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Utricularia striata</i> FIBROUS BLADDERWORT Vascular Plant	RARE G4G5 S2		M	H 1972-08-15	WARM POND EDGE, WET MUD.	RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Gaylussacia dumosa</i> DWARF HUCKLEBERRY Vascular Plant	UNPROTECTED G5 S1S2		M	H 1877-08-20		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Potamogeton pulcher</i> SPOTTED PONDWEED Vascular Plant	UNPROTECTED G5 S2		M	H 1952-09-05	1952: IN DENSE (?) STREAM.	RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Rumex hastatulus</i> HEART SORREL Vascular Plant	THREATENED G5 S1		M	H 1878-07-05		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Onosmodium virginianum</i> VIRGINIA FALSE GROMWELL Vascular Plant	RARE G4 S1		M	H 1927-07-15		RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8
		<i>Scleria pauciflora</i> var <i>caroliniana</i> FEW-FLOWERED NUTRUSH Vascular Plant	THREATENED G5T4T5 S1		M	H 1950-09-12	DRY SANDY CLEARING.	RIVERHEAD	RIVERHEAD 40 55 08 N 72 40 13 W	4007286 8

\*\* SOUTHAMPTON

# Natural Heritage Report on Rare Species and Ecological Communities

Riverhead Site

Prepared 16 March 2000 by NY Natural Heritage Program, NYS DEC, Latham, New York

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* SUFFOLK										
** SOUTHAMPTON		<i>Cicindela patruela consentanea</i> A TIGER BEETLE Beetle	UNPROTECTED G3T2 SH		M	H 1946-05-20		FLANDERS	RIVERHEAD 40 54 26 N 72 37 57 W	4007286 58
** SOUTHAMPTON,	RIVERHEAD	<i>Utricularia juncea</i> RUSH BLADDERWORT Vascular Plant	RARE G5 S2		M	H 1921-09-19	PINE BARREN SWAMP.	FLANDERS PINE BARREN SWAMP, FLANDERS.	RIVERHEAD 40 55 04 N 72 37 35 W	4007286 24
		<i>Sphenopholis pennsylvanica</i> SWAMP OATS Vascular Plant	UNPROTECTED G4 S1		M	H 1925-05-31		FLANDERS	RIVERHEAD 40 55 04 N 72 37 35 W	4007286 24

# Natural Heritage Report on Rare Species and Ecological Communities

Yaphank Site

Prepared 16 March 2000 by NY Natural Heritage Program, NYS DEC, Latham, New York

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* County	** Town	Scientific Name, COMMON NAME, & Group Name	NY Legal Status & Heritage Ranks	Federal Status	Precision & Acreage	EO Rank & Last Seen	General Habitat and Quality	Detailed Location	USGS Topo Quad Lat & Long	Office Use
* SUFFOLK										
** BROOKHAVEN		<i>Erynnis persius persius</i> PERSIUS DUSKY WING Butterfly/Skipper	ENDANGERED G5T2T3 SH		M	H XXXX-05-17		YAPHANK	BELLPORT 40 50 21 N 72 55 11 W	4007278 19 ESU
		<i>Lechea tenuifolia</i> SLENDER PINWEED Vascular Plant	RARE G5 S2		M	H 1912-09-01		YAPANK YAPHANK.	BELLPORT 40 50 21 N 72 55 11 W	4007278 19
		<i>Crataegus uniflora</i> DWARF HAWTHORN Vascular Plant	UNPROTECTED G5 SH		M	H 1907-07-14		YAPANK YAPHANK.	BELLPORT 40 50 21 N 72 55 11 W	4007278 19

3 Records Processed

# Natural Heritage Report on Rare Species and Ecological Communities

Ronkonkoma Site

Prepared 16 March 2000 by NY Natural Heritage Program, NYS DEC, Latham, New York

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* County	** Town	Scientific Name, COMMON NAME, & Group Name	NY Legal Status & Heritage Ranks	Federal Status	Precision & Acreage	EO Rank & Last Seen	General Habitat and Quality	Detailed Location	USGS Topo Quad Lat & Long	Office Use
* SUFFOLK										
** BROOKHAVEN, ISLIP, SMITHTOWN										
		<i>Linum medium var texanum</i>	THREATENED		M	H	DRY, SANDY, OAK WOODS.	RONKONKOMA	PATCHOGUE 40 49 32 N 73 06 46 W	4007371 2
		SOUTHERN YELLOW FLAX Vascular Plant	G5T5 S2			1925-09-23				
** BROOKHAVEN, SMITHTOWN, ISLIP										
		<i>Scleria pauciflora var</i> <i>caroliniana</i>	THREATENED		M	H		RONKONKOMA	CENTRAL ISLIP 40 49 00 N 73 07 48 W	4007372 25
		FEW-FLOWERED NUTRUSH Vascular Plant	G5T4T5 S1			1922-09-25				
		<i>Aster concolor</i>	ENDANGERED		M	H	DRY SANDY BARRENS.	RONKONKOMA	PATCHOGUE 40 48 54 N 73 06 58 W	4007371 5
		SILVERY ASTER Vascular Plant	G4? S1			1928-09-20				
** ISLIP										
		<i>Paspalum setaceum var</i> <i>setaceum</i>	UNPROTECTED		M	E	FIELDS AROUND LANDING STRIPS.	MAC ARTHUR AIRPORT FIELDS AROUND LANDING STRIPS AT MAC ARTHUR AIRPORT, ISLIP, LONG ISLAND.	PATCHOGUE 40 48 00 N 73 06 11 W	4007371 15
		SLENDER BEADGRASS Vascular Plant	G5T5 S2			1991-09-10	NO COUNTS TAKEN.			
		<i>Lespedeza stuevei</i>	RARE		M	H	DRY PINE BARRENS.	RONKONKOMA	CENTRAL ISLIP 40 49 18 N 73 08 01 W	4007372 7
		VELVETY LESPEDEZA Vascular Plant	G4? S2			1928-09-11				
** ISLIP, BROOKHAVEN										
		<i>Gnaphalium helleri var</i> <i>micradenium</i>	UNPROTECTED		M	F	FAILED TO FIND. MORE HABITAT AVAILABLE.	RONKONKOMA	CENTRAL ISLIP 40 48 55 N 73 07 53 W	4007372 55
		CATFOOT Vascular Plant	G4G5T3? SH			1922				

Natural Heritage Report on Rare Species and Ecological Communities

Cerro Wire, Hazelton,  
and Babylon Sites

Prepared 16 March 2000 by NY Natural Heritage Program, NYS DEC, Latham, New York

Records with a Precision value of "S" or with a blank Precision are known to be in a location that may be impacted by the proposed action. Records with a Precision value of "M" may possibly occur within the project area in appropriate habitat. This report contains SENSITIVE information that should be treated in a sensitive manner -- Please see cover letter. Refer to the Users' Guide for explanations of codes, ranks, and fields.

* County	** Town	Scientific Name, COMMON NAME, & Group Name	NY Legal Status & Heritage Ranks	Federal Status	Precision & Acreage	EO Rank & Last Seen	General Habitat and Quality	Detailed Location	USGS Topo Quad Lat & Long	Offsite Use
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No Records for the Cerro Wire, Hazelton, or Babylon Sites.



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL PERMITS REGIONAL OFFICES**

<u>REGION</u>	<u>COUNTIES</u>	<u>NAME</u>	<u>ADDRESS AND PHONE NO.</u>
Region 1	Nassau Suffolk	John Pavacic Permit Administrator	Loop Road, Bldg. 40 SUNY Stony Brook, NY 11790-2356 (516) 444-0365
Region 2	New York City	Charles deQuillfeldt Permit Administrator	Hunters Point Plaza 4740 21st Street Long Island City, NY 11101-5407 (718) 482-4997
Region 3	Dutchess Orange Putnam Rockland, Sullivan Ulster, Westchester	Margaret Duke Permit Administrator	21 South Putt Corners Road New Paltz, NY 12561-1696 (914) 256-3059
Region 4	Albany Columbia Delaware Greene, Montgomery, Otsego Rensselaer, Schenectady, Schoharie	William J. Clarke Permit Administrator	1150 N. Westcott Road Schenectady, NY 12306-2014 (518) 357-2234
Region 5	Clinton Essex Franklin Fulton, Hamilton Saratoga, Warren, Washington	Richard Wild Permit Administrator	Route 86 Ray Brook, NY 12977 (518) 897-1234
Region 6	Herkimer Jefferson Lewis Oneida, St. Lawrence	Randy Vaas Permit Administrator	State Office Building 317 Washington Street Watertown, NY 13601 (315) 785-2246
Region 7	Broome Cayuga Chenango Cortland, Madison, Onondaga Oswego, Tioga, Tompkins	Ralph Manna, Jr. Permit Administrator	615 Erie Blvd. West Syracuse, NY 13204-2400 (315) 426-7439
Region 8	Chemung Genesee Livingston Monroe, Ontario, Orleans Schuyler, Seneca, Steuben Wayne, Yates	Albert Butkas Permit Administrator	6274 East Avon-Lima Road Avon, NY 14414 (716) 226-2466
Region 9	Allegany Cattaraugus Chautauqua Erie, Niagara, Wyoming	Steven Doleski Permit Administrator	270 Michigan Avenue Buffalo, NY 14203-2999 (716) 851-7165

## USERS GUIDE TO NY NATURAL HERITAGE DATA

New York Natural Heritage Program, 700 Troy-Schenectady Road, Latham NY 12110-2400 phone: (518) 783-3932

**NATURAL HERITAGE PROGRAM:** The Natural Heritage Program is an ongoing, systematic, scientific inventory whose goal is to compile and maintain data on the rare plants and animals native to New York State, and significant ecological communities. The data provided in the report facilitate sound planning, conservation, and natural resource management and help to conserve the plants, animals and ecological communities that represent New York's natural heritage.

**DATA SENSITIVITY:** The data provided in the report are ecologically sensitive and should be treated in a sensitive manner. The report is for your in-house use and should not be released, distributed or incorporated in a public document without prior permission from the Natural Heritage Program.

### **NATURAL HERITAGE REPORTS** (may contain any of the following types of data):

**COUNTY NAME:** County where the occurrence of a rare species or significant ecological community is located.

**TOWN NAME:** Town where the occurrence of a rare species or significant ecological community is located.

**USGS 7 1/2' TOPOGRAPHIC MAP:** Name of 7.5 minute US Geological Survey (USGS) quadrangle map (scale 1:24,000).

**LAT:** Centum latitude coordinate of the location of the occurrence. Caution: latitude & longitude must be used with PRECISION (e.g. the location of an occurrence with M (minute) precision is not precisely known & is thought to occur within a 1.5 mile radius of the latitude/longitude coordinates).

**LONG:** Centum longitude coordinate of the location of the occurrence. See also LAT above.

**PRECISION:** S - seconds: location known precisely. (within a 300' or 1-second radius of the latitude and longitude given.

M - minutes: location known only to within a 1.5 mile (1 minute) radius of the latitude and longitude given.

G - general: location known to within a 5 mile radius of the latitude and longitude given.

**SIZE (acres):** Approximate acres occupied by the rare species or significant ecological community at this location.

**SCIENTIFIC NAME:** Scientific name of the occurrence of a rare species or significant ecological community.

**COMMON NAME:** Common name of the occurrence of a rare species or significant ecological community.

**ELEMENT TYPE:** Type of element (i.e. plant, animal, significant ecological community, other, etc.)

**LAST SEEN:** Year rare species or significant ecological community last observed extant at this location.

**EO RANK:** Comparative evaluation summarizing the quality, condition, viability and defensibility of this occurrence. Use with LAST SEEN and PRECISION.

A-E = Extant: A=excellent, B=good, C=marginal, D=poor, E=extant but with insufficient data to assign a rank of A - D.

F = Failed to find. Did not locate species, but habitat is still there and further field work is justified.

H = Historical. Historical occurrence without any recent field information.

X = Extirpated. Field/other data indicates element/habitat is destroyed and the element no longer exists at this location.

? = Unknown.

Blank = Not assigned.

**NEW YORK STATE STATUS (animals):** Categories of Endangered and Threatened species are defined in New York State Environmental Conservation Law section 11-0535. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

E = Endangered Species: any species which meet one of the following criteria:

1) Any native species in imminent danger of extirpation or extinction in New York.

2) Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

T = Threatened Species: any species which meet one of the following criteria:

1) Any native species likely to become an endangered species within the foreseeable future in NY.

2) Any species listed as threatened by the U.S. Department of the Interior, as enumerated in the Code of the Federal Regulations 50 CFR 17.11.

SC = Special Concern Species: those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York. Unlike the first two categories, species of special concern receive no additional legal protection under Environmental Conservation Law section 11-0535 (Endangered and Threatened Species).

P = Protected Wildlife (defined in Environmental Conservation Law section 11-0103): wild game, protected wild birds, and endangered species of wildlife.

U = Unprotected (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however a license to take may be required.

G = Game (defined in Environmental Conservation Law section 11-0103): any of a variety of big game or small game species as stated in the Environmental Conservation Law; many normally have an open season for at least part of the year, and are protected at other times.

**NEW YORK STATE STATUS (plants):** The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Environmental Conservation Law section 9-1503.

(blank) = no state status

E = Endangered Species: listed species are those with:

1) 5 or fewer extant sites, or

2) fewer than 1,000 individuals, or

3) restricted to fewer than 4 U.S.G.S. 7 1/2 minute topographical maps, or

4) species listed as endangered by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

T = Threatened: listed species are those with:

1) 6 to fewer than 20 extant sites, or

2) 1,000 to fewer than 3,000 individuals, or

3) restricted to not less than 4 or more than 7 U.S.G.S. 7 and 1/2 minute topographical maps, or

4) listed as threatened by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

R = Rare: listed species have:

1) 20 to 35 extant sites, or

2) 3,000 to 5,000 individuals statewide.

U = Unprotected

V = Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

**NEW YORK STATE STATUS (communities):** At this time there are no categories defined for communities.

continued on next page

**FEDERAL STATUS** (plants and animals): The categories of federal status are defined by the United States Department of the Interior as part of the 1974 Endangered Species Act (see Code of Federal Regulations 50 CFR 17). The species listed under this law are enumerated in the Federal Register vol. 50, no. 188, pp. 39526 - 39527.

(blank) = No Federal Endangered Species Act status.

LE = The taxon is formally listed as endangered.

LT = The taxon is formally listed as threatened.

LELT = The taxon is formally listed as endangered in part of its range and threatened in other parts.

PE = The taxon is proposed as endangered.

PT = The taxon is proposed as threatened.

C1 = Candidate, category 1 - There is sufficient information to list the taxon as endangered or threatened.

C2 = Candidate, category 2 - The taxon may be appropriate for listing but more data are needed.

3A = The taxon considered extinct by the U. S. Fish and Wildlife Service (USFWS).

3B = The taxon is no longer considered taxonomically distinct by the USFWS and thus is not appropriate for listing.

3C = The taxon has been shown to be more abundant, widespread, or better protected than previously thought and therefore not in need of official listing.

\* = The taxon is possibly extinct.

\*\* = The taxon is thought to be extinct in the wild but extant in cultivation.

Additional codes:

(C2NL) = Heritage code indicating that the taxon is a candidate in some areas, not listed in other areas.

(E/SA) = Heritage code indicating that the taxon is endangered because of similarity of appearance to other endangered species or subspecies.

**FEDERAL STATUS** (ecological communities): At this time there are no federal status categories defined for ecological communities.

**GLOBAL AND STATE RANKS** (animals, plants, ecological communities and others): Each element has a global and state rank as determined by the NY Natural Heritage Program. These ranks carry no legal weight. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State. Intraspecific taxa are also assigned a taxon rank to reflect the infraspecific taxon's rank throughout the world.

#### GLOBAL RANK:

G1 = Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 = Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 = Either rare and local throughout its range (21 to 100 occurrences), or found locally (even abundantly at some of its locations) in a restricted range (e.g. a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 = Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 = Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

GH = Historically known, with the expectation that it might be rediscovered.

GX = Species believed to be extinct.

GU = Status unknown.

#### STATE RANK:

S1 = Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.

S2 = Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.

S3 = Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 = Apparently secure in New York State.

S5 = Demonstrably secure in New York State.

SH = Historically known from New York State, but not seen in the past 15 years.

SX = Apparently extirpated from New York State.

SA = Accidental or casual in the state.

SE = Exotic, not native to New York State.

SP = Element potentially occurs in the state but there are no occurrences reported.

SR = Reported in the state but without persuasive documentation.

SU = Status unknown.

**TAXON (T) RANK:** The T-ranks (T1 - T5) are defined the same way the Global ranks (G1 - G5) are but the T-rank only refers to the rarity of the subspecific taxon of the species as a whole.

T1 through T5 = See Global Rank definitions above.

Q = Indicates a question exists whether or not the taxon is a good taxonomic entity.

? = Indicates a question exists about the rank.

**OFFICE USE:** Information for use by the Natural Heritage Program.

**SIGNIFICANT HABITAT DATABASE REPORTS** (Use of this database is slowly being discontinued as the data is integrated into Heritage databases)

REPORT ID: Significant habitat file code.

NAME OF AREA: Site name where the significant habitat is located.

TYPE OF AREA: Type of significant habitat.

COUNTY/TOWN OR CITY: County and town where the significant habitat is located.

QUADRANGLE: Name of the USGS 7.5 minute topographic map where the significant habitat is located.

LATITUDE: Latitude coordinate (degrees, minutes, seconds) for the location of the significant habitat.

LONGITUDE: Longitude coordinate for the location of the significant habitat.

# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

March 6, 2000

TEL: 212/696-0670

FAX: 212/447-5546

Mr. Mike Stoll  
U.S. Department of the Interior  
Fish & Wildlife Service  
3817 Luker Road  
Cortland, NY 13045

RE: East Side Access Project EIS

Dear Mr. Stoll:

I am writing to request information from your files concerning threatened and endangered species and significant ecological communities for the above-referenced project. The East Side Access study includes seven study areas located in Suffolk and Nassau Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the appropriate New York USGS topographical quadrangles and are labeled as follows:

1. Cerro Wire- Hicksville and Huntington Quadrangles
2. Hazelton- Greenlawn and Huntington Quadrangles
3. Deer Park- Greenlawn Quadrangle
4. Riverhead- Riverhead Quadrangle
5. Yaphank- Bellport Quadrangle
6. Babylon- Bay Shore West Quadrangle
7. Ronkonkoma- Patchogue Quadrangle

We would appreciate a review of all threatened and endangered species and significant ecological communities within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Elizabeth A. Nemeth  
Environmental Analyst

cc. ESA File  
Julie Cowing, AKRF



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

3817 LUKER ROAD  
CORTLAND, NY 13045

March 29, 2000

Ms. Elizabeth A. Nemeth  
Environmental Analyst  
AKRF, Incorporated  
117 East 29th Street  
New York, NY 10016-8022

Dear Ms. Nemeth:

This responds to your letter of March 6, 2000, requesting information on the presence of endangered or threatened species in the vicinity of the following locations:

1. The Cerro Wire Site in the Town of Oyster Bay, Nassau County, New York.
2. The Hazelton Site in the Town of Huntington, Suffolk County, New York.
3. The Deer Park Site in the Town of Huntington, Suffolk County, New York.
4. The Riverhead Site in the Town of Riverhead, Suffolk County, New York.
5. The Yaphank Site in the Town of Brookhaven, Suffolk County, New York.
6. The Babylon Site in the Town of Babylon, Suffolk County, New York.
7. The Ronkonkoma Site in the Town of Brookhaven, Suffolk County, New York.

The sandplain gerardia (*Agalinis acuta*) is a Federally listed endangered plant which is typically associated with grassland communities and is known to occur at several locations on Long Island, including in the vicinity of the Yaphank Site in the Town of Brookhaven. Although there are no records of this species occurring at this site, the project area should be evaluated by a qualified person to determine the presence or absence of the sandplain gerardia. The project environmental documents should identify any direct, indirect, and cumulative impacts on the sandplain gerardia and its habitat. This information should be provided to this office to determine the need for further consultation pursuant to Section 7 of the Endangered Species Act.

Except for the sandplain gerardia in the vicinity of the Yaphank Site, and occasional transient individuals, no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the respective project impact areas. Should project plans change, or if additional information on listed or proposed species becomes available, this

determination may be reconsidered. A compilation of Federally listed and proposed endangered and threatened species in New York is enclosed for your information.

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the Endangered Species Act. This response does not preclude additional Service comments under the Fish and Wildlife Coordination Act or other legislation.

The sandplain gerardia is listed as endangered by the State of New York. Any plans for surveys and their timing, should be coordinated with both this office and the New York State Department of Environmental Conservation. The State contact for sandplain gerardia is Kathryn J. Schneider, Ph.D., New York Natural Heritage Program, 700 Troy-Schenectady Road, Latham, New York 12110 (telephone: [518] 783-3932).

For additional information on fish and wildlife resources or State-listed species, we suggest you contact:

New York State Department  
of Environmental Conservation  
Region 1  
Building 40, SUNY  
Stony Brook, NY 11794  
(516) 444-0200

New York State Department  
of Environmental Conservation  
Wildlife Resources Center-Information Services  
New York Natural Heritage Program  
700 Troy-Schenectady Road  
Latham, NY 12110-2400  
(518) 783-3932

National Wetlands Inventory (NWI) maps may or may not be available for the respective project areas. However, while the NWI maps are reasonably accurate, they should not be used in lieu of field surveys for determining the presence of wetlands or delineating wetland boundaries for Federal regulatory purposes. Copies of specific NWI maps can be obtained from:

Cornell Institute for Resource Information Systems  
302 Rice Hall  
Cornell University  
Ithaca, NY 14853  
(607) 255-4864

Work in certain waters and wetlands of the United States may require a permit from the U.S. Army Corps of Engineers (Corps). If a permit is required, in reviewing the application pursuant to the Fish and Wildlife Coordination Act, the Service may concur, with or without stipulations, or recommend denial of the permit depending upon the potential adverse impacts on fish and wildlife resources associated with project implementation. The need for a Corps permit may be determined by contacting Mr. Joseph Seebode, Chief, Regulatory Branch, U.S. Army Corps of Engineers, 26 Federal Plaza, New York, NY 10278 (telephone: [212] 264-3996).

If you require additional information please contact Michael Stoll at (607) 753-9334.

Sincerely,

*Mark W. Clough*

**ACTING FOR**

David A. Stilwell  
Field Supervisor

Enclosure

cc: NYSDEC, Stony Brook, NY (Environmental Permits)  
NYSDEC, Latham, NY  
NYSDEC, Latham, NY (Attn: Dr. K. Schneider)  
COE, New York, NY

# FEDERALLY LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES IN NEW YORK

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Distribution</u>
<u>FISHES</u>			
Sturgeon, shortnose*	<i>Acipenser brevirostrum</i>	E	Hudson River & other Atlantic coastal rivers
<u>REPTILES</u>			
Turtle, bog	<i>Clemmys muhlenbergii</i>	T	Albany, Columbia, Dutchess, Genesee, Orange, Oswego, Putnam, Seneca, Ulster, Wayne, and Westchester Counties
Turtle, green*	<i>Chelonia mydas</i>	T	Oceanic summer visitor coastal waters
Turtle, hawksbill*	<i>Eretmochelys imbricata</i>	E	Oceanic summer visitor coastal waters
Turtle, leatherback*	<i>Dermochelys coriacea</i>	E	Oceanic summer resident coastal waters
Turtle, loggerhead*	<i>Caretta caretta</i>	T	Oceanic summer resident coastal waters
Turtle, Atlantic ridley*	<i>Lepidochelys kempii</i>	E	Oceanic summer resident coastal waters
<u>BIRDS</u>			
Eagle, bald	<i>Haliaeetus leucocephalus</i>	T	Entire state
Plover, piping	<i>Charadrius melodus</i>	E	Great Lakes Watershed
		T	Remainder of coastal New York
Tern, roseate	<i>Sterna dougallii dougallii</i>	E	Southeastern coastal portions of state
<u>MAMMALS</u>			
Bat, Indiana	<i>Myotis sodalis</i>	E	Entire state
Cougar, eastern	<i>Felis concolor cougar</i>	E	Entire state - probably extinct
Whale, blue*	<i>Balaenoptera musculus</i>	E	Oceanic
Whale, finback*	<i>Balaenoptera physalus</i>	E	Oceanic
Whale, humpback*	<i>Megaptera novaeangliae</i>	E	Oceanic
Whale, right*	<i>Eubalaena glacialis</i>	E	Oceanic
Whale, sei*	<i>Balaenoptera borealis</i>	E	Oceanic
Whale, sperm*	<i>Physeter catodon</i>	E	Oceanic
<u>MOLLUSKS</u>			
Snail, Chittenango ovate amber	<i>Succinea chittenangoensis</i>	T	Madison County
Mussel, dwarf wedge	<i>Alasmidonta heterodon</i>	E	Orange County - lower Neversink River
<u>BUTTERFLIES</u>			
Butterfly, Karner blue	<i>Lycaeides melissa samuelis</i>	E	Albany, Saratoga, Warren, and Schenectady Counties

\* Except for sea turtle nesting habitat, principal responsibility for these species is vested with the National Marine Fisheries Service.



**FEDERALLY LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES  
IN NEW YORK (Cont'd)**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Distribution</u>
<u>PLANTS</u>			
Monkshood, northern wild	<i>Aconitum noveboracense</i>	T	Ulster, Sullivan, and Delaware Counties
Pogonia, small whorled	<i>Isotria medeoloides</i>	T	Entire state
Swamp pink	<i>Helonias bullata</i>	T	Staten Island - presumed extirpated
Gerardia, sandplain	<i>Agalinis acuta</i>	E	Nassau and Suffolk Counties
Fern, American hart's-tongue	<i>Asplenium scolopendrium</i> var. <i>americana</i>	T	Onondaga and Madison Counties
Orchid, eastern prairie fringed	<i>Platanthera leucophea</i>	T	Not relocated in New York
Bulrush, northeastern	<i>Scirpus ancistrochaetus</i>	E	Not relocated in New York
Roseroot, Leedy's	<i>Sedum integrifolium</i> ssp. <i>Leedyi</i>	T	West shore of Seneca Lake
Amaranth, seabeach	<i>Amaranthus pumilus</i>	T	Atlantic coastal plain beaches
Goldenrod, Houghton's	<i>Solidago houghtonii</i>	T	Genesee County

E=endangered    T=threatened    P=proposed

# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

TEL: 212/696-0670

FAX: 212/447-5546

March 6, 2000

Ms. Diane Rusanowsky  
National Marine Fisheries Service  
Habitat Conservation Division  
212 Rogers Avenue  
Milford, CT 06460

RE: East Side Access Project EIS

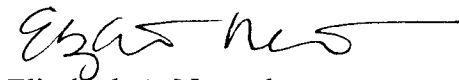
Dear Ms. Rusanowsky:

I am writing to request information from your files concerning endangered and threatened marine species for the above-referenced project. The East Side Access study includes seven study areas located in Nassau and Suffolk Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the appropriate New York USGS topographical quadrangles and are labeled as follows:

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7. Ronkonkoma- Patchogue Quadrangle

We would appreciate a review of all Federally listed threatened and endangered species within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Elizabeth A. Nemeth  
Environmental Analyst

cc. ESA File  
Julie Cowing, AKRF

# AKRF, Inc.

ENVIRONMENTAL CONSULTANTS  
117 East 29th Street • New York, NY 10016-8022

TEL: 212/696-0670

FAX: 212/447-5546

March 6, 2000

Ms. Jean Petrusiak  
Information Services  
New York Natural Heritage Program  
Wildlife Resources Center  
700 Troy-Schenectady Road  
Latham, NY 12110-2400

RE: East Side Access Project EIS

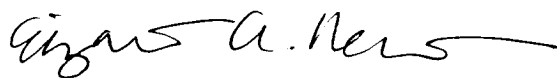
Dear Ms. Petrusiak:

I am writing to request information from your files concerning rare plants, rare animals, and significant ecological communities for the above-referenced project. The East Side Access study includes seven study areas located in Suffolk and Nassau Counties, New York that may be affected by the proposed project. The study areas are depicted on the enclosed applicable portions of the appropriate New York USGS topographical quadrangles and are labeled as follows:

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We would appreciate a review of all rare plants, rare animals, and significant ecological communities within the study areas that are identified on the enclosed maps. Locations that may contain rare species or significant ecological communities will be identified and mitigation measures will be suggested for any impacts the project may have on sensitive areas.

Sincerely,  
AKRF, INC.



Elizabeth A. Nemeth  
Environmental Analyst

cc. ESA File  
Julie Cowing, AKRF



## DEPARTMENT OF STATE

George E. Pataki  
*Governor*  
Alexander F. Treadwell  
*Secretary of State*

*Division of*  
**Coastal Resources**  
41 State Street  
Albany, NY 12231-0001

December 7, 2000

Ms. Julie Cowing  
AKRF, Inc.  
117 East 29<sup>th</sup> Street  
New York, New York 10016

Re: MTA LIRR Project Sites  
Towns of Babylon, Brookhaven, Riverhead  
Suffolk County

Dear Ms. Cowing:

I have reviewed the information provided to Ms. Nancy Rucks regarding the locations of three project sites relative to New York's coastal boundary, and have determined that two of the three sites identified lie within the coastal zone. The Babylon site and the Riverhead site are situated within the coastal boundary; the Brookhaven site is not.

If a project is located in New York State's coastal area and requires a federal license, permit or other authorization, or if the project involves federal financial assistance or the direct involvement of a federal agency, the project would be reviewed by the Department of State for its consistency with the New York State Coastal Management Program (CMP). In that case, a copy of the federal application (and in the case of a federal permit, a completed Federal Consistency Assessment Form) should be submitted to the Department together with any supporting information.

If you have any questions, please contact me at (518) 486-7670 or Steven C. Resler at (518) 473-2470.

Sincerely,

Christine Nelson  
Coastal Resources Specialist  
Consistency Review and Analysis

CN/vb