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TOWN OF STERLING

November 20, 2013

Mr. David Stillwell
Endangered Species Biologist
U.S. Fish & Wildlife Service
New York Field Office
3817 Luker Road
Cortland, NY 13045

Re: Town of Sterling, Cayuga County
Water District #1

Dear Mr. Stillwell:

With the help of Ms. Madeline Crowe of USDA, I was finally able to access your website on threatened and endangered species in Cayuga County. The website stated that in Cayuga County the following species are of concern: Indiana Bat, Bog Turtle, and Northern Long-eared Bat.

Project Background:

The above referenced project involves the installation of approximately 30,000 feet of 8" water distribution piping, hydrants, valves and 87 water service taps. The distribution mains will connect to existing water main at the Oswego/Cayuga County boundary (see attached wetland maps). Water will be supplied by the Onondaga County Water Authority (OCWA). NO water storage tank or pump station is required as part of this project. We envision installing all mains in the road rights-of-way, approximately 6 to 8 feet off the edge of pavement asphalt and in the road surface on gravel roads. All stream crossings are planned using directional drilling techniques. Due to the lack of ground water in this area, 71% of the property owners requested the pursuit of public water.

Review of County Species:

Indiana Bat: While Indiana Bats may be present in northern Cayuga County, we feel the proposed project will have no impacts on their habitat. Most all work will be done in existing rights-of-way which have previously been cleared. We do not anticipate any tree clearing as part of this project.

Northern Long-eared Bat: While Northern Long-eared Bats may be present in northern Cayuga County, we feel the proposed project will have no impacts on their habitat. Most all work will be done in existing rights-of-way which have previously been cleared.

Bog Turtle: Bog Turtle habitat is generally in low lying areas on scrub/shrub wetlands adjacent to wooded areas. In reviewing the attached wetland map of the project area, we see very few wetlands (state and federal) that are in the area of pipe installation. All crossings of streams will be completed using directional drilling methods to minimize disturbance of the stream and its banks. We do not feel the project will have any impact on Bog



Turtle habitat.

If at final design, any unanticipated tree cutting becomes necessary, it will be conducted during bat hibernation period, October 1 to March 31.

On August 29, 2013, we did receive a response from NYSDEC Fish and Wildlife. They stated they have no records of rare or state listed plants or animals, or significant natural communities at or near the project site. Copy attached.

Please review this information and should you have questions or comments, please contact our office.

Respectfully submitted,

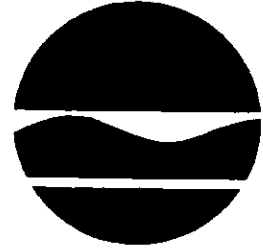
A handwritten signature in black ink, appearing to read 'Bob', with a stylized flourish at the end.

Robert F. Guminiak, P.E.
Business Development Manager

c: **Randall Lawrence, Town Supervisor**
Madeline Crowe, USDA Rural Development

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

August 29, 2013

Kevin L. Hickey
Capital Consultants Architecture and Engineering
70 Main Street
Canton, NY 13617

Re: Town of Sterling Water District No. 1 new water distribution system
Town/City: Sterling. County: Cayuga.

Dear Kevin L. Hickey :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities, at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program