

AMENDED FINAL DRAFT SCOPE

for

DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

for

EAGLES ROOST PROPOSED MULTIFAMILY DEVELOPMENT

TOWN OF SHAWANGUNK, ULSTER COUNTY, NEW YORK

Previously Adopted by the Town of Shawangunk Planning Board on October 4, 2022
Revisions dated October 15/21, 2025

Lead Agency: Town of Shawangunk Planning Board

SEQRA Classification: Type 1 Action

Property:

Tax Parcel No. 106.4-1-6.200
Buena Vista Avenue
Hamlet of Wallkill, Town of Shawangunk, Ulster County, NY

Property Owner:

The Lauren Investment Corporation
34 Mansion Ridge Boulevard
Monroe, NY 10950

Property Owner and The Applicant:

Lewis J. Donnelly

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I. PRELIMINARY INFORMATION

A. GENERAL GUIDELINES

1. The DEIS will cover all items in the Final Scope and will conform to the format outlined in the Final Scope.
2. The document should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of "the Applicant".
3. Narrative discussions should be accompanied by relevant charts, graphs, maps and diagrams whenever possible. If a particular subject matter can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.
4. Impacts should be described in terms which the layperson can readily understand (e.g., truckloads of fill and cubic yards rather than just cubic yards).
5. All discussions of mitigation measures will consider at least those measures identified in the Final Scope. Where reasonable and necessary, mitigation measures will be incorporated into the proposed action if they are not already included.
6. The DEIS may incorporate in the text or as appendices all or portions of other documents including studies and reports that contain information relevant to the Proposed Action.
7. The DEIS will discuss, where appropriate, all related short-term and long-term impacts, cumulative impacts and associated environmental impacts.

B. BRIEF DESCRIPTION OF THE PROPOSED ACTION

The project is a proposed multifamily dwelling rental development which would include ~~92-96~~ dwelling units within ~~eightsix~~ (68) buildings, and ~~one (1) caretaker dwelling unit within a~~ proposed maintenance building, ~~for a total of 93 dwelling units~~. The lot is 25.797 gross acres and is located in the H-1 Hamlet zoning district and is entirely within the Borden Historic Overlay (BH-O) and partially within the Aquifer Overlay (A-O) zoning district. The site proposes an on-site ~~trail-dog park~~ and playground for use by the ~~project~~ residents, and accessory parking, including parking and access to the Shawangunk Rail Trail. It is within and would connect to the Town of Shawangunk public sewer and water supply districts.

The project site is located in the Town of Shawangunk, Ulster County, NY, and the parcel is identified on the Town of Shawangunk tax maps as Map 106.004-1-6.2. It is generally located south of Buena Vista Avenue and east of the Shawangunk Rail Trail; lands to the

south and east are in agricultural use. The site would obtain access from ~~onetwo~~ new driveways connected to 3rd Street and an emergency access to Buena Vista Avenue ~~and Third Street~~, both Town roads.

Permits and approvals that are required include but are not limited to:

- Shawangunk Planning Board special use permit and site plan approval;
- Shawangunk Zoning Board of Appeals area variances (if necessary);
- Shawangunk Town Board approval of sewer and water district design and connections to the town systems;
- Shawangunk Highway Superintendent road access permit;
- Ulster County Health Department approval of the water/Water/sewer connections Main Extension;
- NYSDEC Freshwater Wetlands permit for any encroachments;
- NYSDEC Sewer Main Extension;
- NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-205-001 (PDF); and
- U.S. Army Corps of Engineers Nationwide Permit (if necessary).

C. SEQRA DETERMINATION OF SIGNIFICANCE - POSITIVE DECLARATION

On February 1, 2022, the Planning Board declared its intent to serve as Lead Agency for the SEQRA environmental review of the Proposed Action. A Notice of Intent to Establish Lead Agency was circulated to involved and interested agencies on March 4, 2022. After waiting the required 30 days and receiving no written objections from any agency, the Planning Board declared itself Lead Agency on May 3, 2022.

Pursuant to the rules and regulations of the State Environmental Quality Review Act (SEQRA, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617), the Planning Board, acting as Lead Agency adopted a Positive Declaration on June 7, 2022, thereby finding that the Proposed Action may potentially have a significant adverse impact on the environment and therefore requiring preparation of a DEIS.

The SEQRA Positive Declaration adopted by the Planning Board on June 7, 2022, found that the implementation of the Proposed Action, when compared with the SEQRA criteria of environmental effects listed in Section 617.7 of the SEQR regulations, may have potential significant adverse impacts on the environment and listed the following as reasons supporting its Determination of Significance (and other potential impacts identified further below):

- Extensive land disturbance
- Ecological habitat and wetland disturbances
- Community character – departure from existing single-family land uses and traditional gridded street layout
- Traffic generation and impacts to levels of service
- Community services and facilities, including schools and emergency services
- Fiscal impact to municipal and community service providers
- Water supply demand
- Stormwater runoff and impacts to surface waters
- Visual and historic resource impacts to the character of the BH-O district and the Wallkill Rail Trail
- Sewer design and demand
- Ambient noise level changes and increase in ambient light levels

II. SCOPE OF ENVIRONMENTAL IMPACT STATEMENT

Pursuant to Part 617.8, the Lead Agency ~~is~~has conducted scoping, the primary goals of which are to focus the DEIS on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or irrelevant. A public scoping session was held in the Town of Shawangunk Town Hall, on September 6, 2022, at 6:00 p.m. The purpose of the scoping session was to consider public and agency comments on the Draft Scope for the environmental review of the proposed Eagles Roost Proposed Multifamily Development.

Written public comments on the Draft Scope were accepted by the Planning Board until the close of business on September 16, 2022. A Final Scope was adopted on October 4, 2022.

The Applicant did not prepare or submit a DEIS as per the October 4, 2022 Scope. In 2025, the Applicant appeared before the Planning Board with a revised project design. The Planning Board determined it would be appropriate to amend the Scoping Document to reflect the project changes at its October 7, 2025 Planning Board meeting. A public scoping session will be held on November 5, 2025, at 7 PM to receive public comment on the Amended Scope. Written public comments on the Amended Scope will be accepted until 4 PM on November 14, 2025.

This Scoping Document has been prepared in accordance with Part 617.8(e) and sets forth the following:

- Brief Description of the Proposed Action.
- Potentially significant adverse impacts.
- Extent and quality of information needed to adequately address potentially significant adverse impacts as well as the methodologies required for obtaining this information.

- Initial identification of mitigation measures.
- Reasonable alternatives to be considered.
- Information that should be included in an appendix rather than the body of the DEIS.
- Issues raised during scoping and determined to be neither relevant nor environmentally significant or that have been adequately addressed in a prior environmental review.

Pursuant to the requirements of SEQRA, this Scoping Document includes an initial identification of mitigation measures. As the impact analyses have not yet been performed, it is not yet possible to identify other possibly needed mitigation measures. Discussions of mitigation measures will include an explanation of how those measures would be implemented, potential environmental impacts of such implementation, the time frame associated with such implementation, and the entity that would be responsible for implementing the mitigation. The discussion will indicate proposed improvements that have been incorporated into the Proposed Action.

A. COVER SHEET

The DEIS will begin with a cover sheet that identifies the following:

1. That it is a Draft Environmental Impact Statement.
2. Date submitted.
3. Name and location of the project including street address.
4. The Town of Shawangunk Planning Board as the SEQRA lead agency for the Project and the name, address and telephone number of a person at the agency to be contacted for further information.
5. The name, address and telephone number of the project sponsor or applicant, and the name, address and telephone number of a contact person representing the applicant.
6. The name, addresses, and telephone numbers of all consultants contributing to the preparation of the DEIS.
7. Date of acceptance of the DEIS (to be inserted at a later date).
8. Deadline by which comments on the DEIS are due (to be inserted at a later date).

B. TABLE OF CONTENTS

The DEIS will include a table of contents identifying the chapters and their page numbers. Table of contents must also include a list of figures, tables, and a list of appendices and any additional DEIS volumes if necessary.

C. EXECUTIVE SUMMARY

Chapter 1, Executive Summary, will only include information found elsewhere in the DEIS and at minimum should describe the proposed action and identify any significant adverse impacts, the proposed mitigation measures, and the alternatives analyzed in the DEIS. It will also include a list of all required reviews and approvals from Town, County, State and Federal agencies, including but not limited to:

- Town of Shawangunk Planning Board
- Town of Shawangunk Zoning Board of Appeals (if necessary)
- Town of Shawangunk Town Board (if necessary)
- Town of Shawangunk Building Department
- Town of Shawangunk Highway Superintendent
- ~~Ulster County Department of Public Works~~
- Ulster County Health Department
- Ulster County Planning Department
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
- New York State Department of Transportation
- United States Army Corps of Engineers (USACE) (if necessary)
- Town of Shawangunk Police Department
- Wallkill Volunteer Ambulance Corps
- Wallkill Fire Department

D. PROJECT DESCRIPTION

Chapter 2, Project Description, will include a description of the nature of the Proposed Action. The site plan will be included as an appendix to the DEIS.

1. Project Purpose, Needs and Benefits

- a. Introduction. The introduction will provide a brief description of the purpose of the DEIS and a brief statement of the steps in the SEQRA process as it relates to the project.
- b. Public need for the project.
- c. Objectives of the project sponsor.
- d. Benefits of the project: (a) economic; and (b) social.

2. Location

- a. Define geographic boundaries of the project.
- b. Description of access to the site.
- c. Description of existing zoning of site.
- d. Easements, fee ownership of any utility installation on the site, or private agreements that may affect the proposed use of the site.
- e. Define size, use and condition of adjoining parcels.

3. Design and Layout

- a. Total and net site area.
- b. Proposed impervious surface area (roofs, parking areas, roads).
- c. Amount of land to be cleared by type.
- d. Amount of open space.
- e. Area of site proposed for disturbance.
- f. Structures and improvements and any that are proposed to be offered for public dedication.
 - 1) Gross square footage.
 - 2) Layout of buildings.
 - 3) Site plans, floor plans, and architectural plans/building elevations. Indicate whether sprinklers and elevators are included in the design.
 - 4) Drainage plan including stormwater facilities.
 - 5) Underground utilities.
 - 6) Fire protection measures including fire apparatus access and need for sprinklers.
 - 7) Sewage disposal.
 - 8) Water supply.
 - 9) Retaining walls, fences and other similar structures
- g. Internal circulation and parking.
 - 1) Pavement area.
 - 2) Number of parking spaces by type (e.g., resident, guest) and layout.

Provide parking calculation.

- 3) Vehicle, pedestrian and bicycle circulation and connections; trail system.
- 4) Road access to proposed development and driveway design.
- 5) Landscaping plan.
- 6) Lighting plan.
- 7) Snow storage locations.

4. Construction.

- a. Project phasing. Describe any proposed phasing of project construction and related impacts.
- b. Schedule of construction including hours of operation and days of week, the duration of construction to build the project, and when the project is anticipated to be completed and occupied.
- c. Route for construction traffic and effect on neighborhood.
- d. Limitations imposed by potential bald eagle or other species presence.

5. Summary and Comparison of Alternatives

Provide summary matrix of the impacts associated with each alternative compared to the proposed action.

6. Permits and Approvals

Approval/Permit/Review	Agency
Town of Shawangunk	
Site Plan Approval	Planning Board
Special Use Permit	Planning Board
Building Permits and Certificates of Occupancy	Building Inspector
Driveway Access; Road Access; Utility Connections	Town Highway Department
Water and Sewer Design and Connection	Town Board, Wallkill Sewer District, Wallkill Water District
Town MS4 Acceptance	Town Stormwater Officer
Area Variances – if needed	Zoning Board of Appeals
County/State/Federal	

General SPDES Permit for Stormwater Discharges Associated with Construction Activities	Department of Environmental Conservation (NYSDEC)
Utility Connections	NYS DOT
SPDES Sanitary Discharge Permit (Sewer Main Extension)	NYSDEC
Article 24 Freshwater Wetlands Permit	NYSDEC
401 Water Quality Certificate	NYSDEC
Nationwide Wetland Permit (if needed)	USACE
Cultural Resources No Impact Letter	NYS SHPO
239-m review	Ulster County Planning Department

E. EXISTING CONDITIONS/ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

Chapter 3 of the DEIS will describe existing conditions, potential impacts and proposed mitigation measures. The general framework for each impact is to: (1) study and describe the existing conditions/environmental setting on the site or in the area; (2) assess potential impacts of the proposed Project; and (3) present and evaluate potential mitigation measures to mitigate any adverse impacts.

Information for each of the subject areas shall be provided in individual chapters describing existing conditions, conditions in the future without the Proposed Action (the “No Build” / “No Action” condition), potential impacts of the Proposed Action and future potential phases, and mitigation measures for potential significant adverse impacts identified. Each chapter shall include a brief introduction identifying the major topics to be considered, relevant methodology to be used, and thresholds for determining if potential significant adverse impacts exist.

The current conditions on the Project Site shall be considered the existing condition for the technical analyses. The “build year” for the Proposed Action shall be the expected first year of full occupancy and operation (202420278). The analysis of the future without the Proposed Action (the No Build/No Action condition) will be based on conditions projected in the build year for the Proposed Action.

1. Geology

Existing Conditions

- a. Composition and thickness of subsurface material.
- b. Depth to, and nature of, bedrock formations.
- c. Usefulness of underlying material for construction.
- d. Depth to seasonal high water table.

Potential Impacts

- a. Blasting. Describe whether or not blasting may be required. If required, discuss noise impacts and monitoring.

- b. Depths and volumes of cuts and fills.
- c. Anticipated vehicle trips related to material surplus or deficit.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

- a. A blasting plan (if necessary) to be approved by the Town, including seismic monitoring and noise impact mitigation measures.
- b. Alternative grading scenarios.

2. Soils

Existing Conditions

- a. List of soil types using the USDA Soil Survey of Ulster County, NY, and map the distribution of soil types at the project site.
- b. Discussion of soil characteristics.
 - Physical properties (permeability, seasonal high groundwater table, rock outcrops (if any), agricultural soils, hydric soils, etc).
 - Engineering properties (soil bearing capacity, safe angle of repose).
- c. Suitability for various uses/construction limitations.
- d. Possible equalization of cuts and fills to eliminate movement of soil offsite.
- e. History of potential contamination and discussion of any Environmental Site Assessments prepared.
- f. Proposed open space areas.
- g. Describe results of any soil testing performed which is used to assess the stability of the soils to support the proposed construction of the project.

Potential Impacts

Potential for soil erosion, loss of agricultural or hydric soil if present, and uses. Potential for the spread of soil contamination if applicable.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

- a. Use topsoil stockpiled during construction for restoration and landscaping.
- b. Minimize disturbance to non-construction part of site.
- c. Design and implement phased soil erosion control plan in accordance with applicable NYSDEC stormwater regulations and any Town Enhanced Erosion and Sediment Control Guidelines. Grading plan with phases identified to limit

disturbed areas will be evaluated. Erosion and sediment control plan for each phase.

- d. Potential mitigation for any significant adverse impacts to onsite soils, agricultural soils, hydric soils or lands will be described.
- e. A Conservation Easement to preserve open space in perpetuity.

3. Topography

This section will describe geological features of the site, potential impacts to these features, and proposed mitigation.

Existing Conditions

- a. Description of topography at project site. Slopes will be mapped by slope range using 2-foot contours.
- b. Describe and map any prominent or unique features.
- c. Description of topography of surrounding area.

Potential Impacts

- a. Grading. Provide data on the anticipated excavation and fill to be moved around the site. A preliminary grading plan showing existing and proposed grading on the site will be included. Removal or importation of fill to and from the site will be discussed if necessary.
- b. Provide cut and fill map and discuss any need for retaining walls.
- c. Identify changes in local drainage patterns due to proposed grading.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

- a. Design adequate soil erosion devices to protect sloped areas using Town Enhanced Erosion and Sediment Control Guidelines.
- b. Aesthetics of proposed retaining walls if any including materials and heights.
- c. Discuss the preparation of an Erosion and Sediment Control Measures (E&SC) Plan and Best Management Practices in accordance with NYSDEC and Town of Shawangunk regulations to mitigate impacts from construction.
- d. Provide a Phasing Plan during construction.

4. Groundwater Resources

Existing Conditions

- a. Location and description of aquifer and recharge areas. Identify where the site is included in the Aquifer Overlay zoning district.
- b. Identification of present uses and level of use of groundwater around site (if any).
- c. Identify where the site is in relation to the Wallkill Public Water Supply Critical Environmental Area and its function.
- d. Discuss how the Water Quality Volume (WQv) and Runoff Reduction Practices (RRv) will be addressed in accordance with the Requirements of the NYS Stormwater Design Manual.

Potential Impacts

This development will connect to the municipal water supply system and is not expected to use groundwater on the project site for the project's water needs. Potential impacts to be discussed include proposed groundwater sources and proposed drainage facilities and treatment methods to be used to treat runoff and long-term maintenance and ownership of proposed drainage facilities. The DEIS will discuss methods to treat ice/snow from all parking areas and the measures to keep contaminants/soils from dispersing off site and into groundwater.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

- a. Implementation of a stormwater pollution prevention plan ("SWPPP") in accordance with NYSDEC and Town regulations to treat stormwater runoff prior to recharge of groundwater. The SWPPP will be included as an appendix to the DEIS.
- b. Maintain permeable areas on the site.
- c. Identify any on-site recharge areas and identify measures to protect.
- d. Where possible, use low impact development techniques.
- e. Opportunity to use salt substitutes and other snow/ice control measures per modern best management practices.

5. Surface Water and Wetlands

Existing Conditions

- a. Location and description of surface waters and wetlands and wetland regulated

areas (NYSDEC) located on the project site or those that may be influenced by the project. Include a description of any wetlands eligible to be a NYSDEC wetland together with the regulated 100-foot adjacent area. Water quality classifications will be provided. The National Wetland Inventory (NWI) maps, NYSDEC freshwater wetland maps, and associated surface water maps will be included in this section. A discussion of the character of the wetlands and related surface water features, and any known connections to other surface waters and their classification will be included. A wetland delineation report, field data sheets, and maps, prepared by the project sponsor will be attached as an appendix to the DEIS. This section will also include the NYSDEC wetland boundary validation and USACE jurisdictional determination.

- b. Identification of uses and level of use of all surface waters.
- c. Pre-development drainage analysis including a description of existing drainage areas, patterns, and channels.
- d. Identification of floodplains and location, discussion of potential for flooding.
- e. Identification of wetland drainage areas before and after construction.
- f. Describe status of NYSDEC Article 24 permitting process

Potential Impacts

Potential impacts to existing wetlands, wetland adjacent areas and other surface waters will be discussed. Wetland disturbances will be quantified, and impact to wetland function evaluated. Post-development drainage characteristics will be described. Address the existence of small wetland pockets/poor drainage area on the site, proximity to adjoining properties, and whether the proposed project will exacerbate off-site drainage conditions. Identify any wetland related impacts that require NYSDEC and/or USACE permits. This section will identify the types of permits required, the status of any permit applications prepared and/or submitted to the agencies and the individual agency review status at the time of writing.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Mitigation measures may include but are not limited to the following:

- a. Implementation of a stormwater pollution prevention plan (“SWPPP”) in accordance with NYSDEC and Town regulations to treat stormwater runoff. The SWPPP will be included as an appendix.
- b. Restrict use of salt or sand for road and parking area snow removal if necessary in accordance with best management practices.
- c. Avoid direct discharges to surface water resources.
- d. Address changes to wetland hydrology which may be affected by new drainage systems.
- e. Proposed mitigation measures, to offset any significant impacts to wetlands,

surface waters or stormwater discharge, will be described in this section and will include a description of onsite compensatory wetland mitigation being proposed.

- f. Evaluate the proposed location of the road connections into the property, and whether it needs to be redesigned/relocated to mitigate drainage issues.
- g. Measures to protect wetlands and surface waters resources during construction and operation will also be identified in this section.

6. Flora and Fauna

This section will rely on field investigations to describe the existing flora and fauna resources on or near the project site, potential impacts and proposed mitigation.

Existing Conditions

- a. On-site investigations will be made by qualified biologists to generally identify all resident species and transient species. The results (subject to agency confidentiality requirements) of any species-specific studies conducted will be included as an appendix to the DEIS. The study will consider the potential species which could be present seasonally. Include migratory birds and amphibians.
- b. Description of the plants and animals that inhabit the Project Site and its immediate surroundings.
- c. Identification of any threatened or endangered species on or near the Project Site including existing or potential nesting habitat for the Bald Eagle.
- d. The New York State Natural Heritage Program, New York State Department of Environmental Conservation and US Fish & Wildlife Service will be contacted to determine the recorded presence of threatened, endangered, or unique and rare plant and animal species on or in close proximity to the site.
- e. Flora and fauna identified on the Site and species that may be present on the Site based on their known range in New York, existing on-site habitat and expected or observed seasonal occurrence will be provided. The NY Breeding Bird Atlas and NY Herp Atlas are some data sources that will be used to develop a list of potential on-site species. Site-wide flora and fauna and species habitat potentials will be described, relative to terrestrial and aquatic habitats (i.e. wetlands and other on-site water bodies). Species shall include amphibians and reptiles.

Potential Impacts

1. A description of potential primary and secondary impacts to plant and animal communities on or in the vicinity of the Site shall be discussed. The DEIS will describe the number of forested acres to be removed on the Project Site and the plan for removal of the timber and related woody material. Direct and indirect