

Mill Seat Landfill Expansion

Facility ID No. 8-2648-00014

Town of Riga, New York

Draft Supplemental Environmental Impact Statement Attachment E

Threatened and Endangered Species Correspondence



Bog Turtle Habitat Survey

PHASE 1 BOG TURTLE HABITAT SURVEY

MILL SEAT LANDFILL

**TOWN OF RIGA,
MONROE COUNTY, NEW YORK**

Prepared For:

**BARTON & LOGUIDICE, D.P.C.
290 Elwood Davis Road
Box 3107
Syracuse, New York 13220**

Prepared By:

**TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.
23 County Route 6, Suite A
Phoenix, New York 13135**

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1.0 INTRODUCTION

As requested by Barton & Loguidice, D.P.C. (B&L), Terrestrial Environmental Specialists, Inc. (TES) conducted a Phase 1 bog turtle (*Glyptemys muhlenbergii*) habitat survey. The assessment was conducted within wetland areas surrounding the existing Mill Seat Landfill in the area proposed for landfill expansion and a parcel proposed for wetland mitigation. The TES study area was defined by the survey limits which were provided by B&L. The study area, or site, was approximately 663 acres and located in the Town of Riga, Monroe County, New York. The site is located on and around Brew Road, north and south of Bovee Road in the southwest corner of Monroe County (Figure 1). TES staff were familiar with the site having previously conducted wetland delineations at the Mill Seat Landfill (TES 1990, TES 2002). During this assessment, wetlands located within the study area were evaluated for their potential as suitable bog turtle habitat.

A variety of figures are included after the text of this report. The U.S. Fish and Wildlife Service (USFWS) website was reviewed to determine what federally-listed species and candidate species are known from or likely to occur in the vicinity of the site. The website listed bog turtle as a species with potential to occur on-site. Because the species has the potential to occur in wetlands present in the study area, a Phase 1 bog turtle survey (i.e., habitat assessment) was conducted on December 23, 2013 and January 13, 2014.

This report describes the Phase 1 bog turtle survey, including a description of the species' natural history, an explanation of survey protocol, the results of the survey, and a summary of our conclusions. Photographs and habitat evaluation field forms are provided in Appendix A and Appendix B, respectively.

2.0 PROJECT OVERVIEW

Monroe County is proposing to expand the Mill Seat Landfill located in the Town of Riga, Monroe County, NY. As part of the ongoing design services and agency coordination efforts, and in order to continue the SEQRA process for this project, B&L retained TES's services to complete a Phase 1 bog turtle habitat assessment in the proposed expansion area. The survey limits (hereafter referred to as the study area or site) include the proposed expansion area as well as the surrounding lands and a mitigation parcel located south of Bovee Road (see Figure 1).

NYSDEC wetland (RG-6) is within the proposed landfill expansion area (see Figure 4). In the process of securing permits to perform the landfill expansion, endangered and threatened species must be addressed. Bog turtle, a federally threatened species, was indicated as a species with potential to occur at this site. Therefore the wetlands on site must be assessed for their potential suitability to serve as habitat for bog turtle. Bog turtle natural history and survey methods for the habitat assessment are provided in the following sections.

3.0 BOG TURTLE NATURAL HISTORY

The bog turtle is a small and elusive semi-aquatic turtle that spends much of its life underground or hidden in vegetation. These turtles reach a maximum length of 4.5 inches and can be easily identified by their small size and the presence of large yellow or orange blotches on both sides of the neck.

Bog turtles exhibit a seasonal pattern of activity. They are most active during the spring and early summer months, while the fall and winter months are spent in hibernation. The turtles emerge from hibernation in late March or early April, and commence foraging and mating activities. Nesting occurs in mid-June, and during the later summer months, turtles often aestivate, or enter a period of inactivity.

Bog turtles have specific habitat requirements that include open-canopy wetlands with shallow, slow-moving water, deep mucky soils, and low growing herbaceous or moss (*Sphagnum* spp.) covered hummocks. These wetlands are typically fed by springs or seeps and are often associated with a stream system that is bordered by woods. Other indicators of bog turtle habitat are shallow, slow-moving rivulets and tussock-forming vegetation. A diversity of microhabitats within these wetlands provides areas that the turtles require for basking, foraging, nesting, and hibernation. Typical bog turtle habitats could include fens, bogs, swamps, marshes, and wet meadows (Ernst *et al.* 1994, Gibbs *et al.* 2007; NYSDEC Bog Turtle Fact Sheet 2013, USFWS 2001).

In New York State, the bog turtle range occurs in two separate regions; the Hudson Valley Region and the Lake Plain Region along the southern and eastern shores of Lake Ontario. The study area is located entirely within the Prairie Peninsula/Lake Plain Recovery Unit (PPLPRU). TES biologists have visited several and are familiar with extant and historically known bog turtle population locations and habitats within the PPLPRU. Bog turtle populations in this recovery unit have more narrow and specific habitat requirements than the bog turtle population in general. The USFWS has established that the current concept of suitable bog turtle habitats in the lake plain are open canopy, medium to rich fens, often with floating mats of sedge dominated vegetation (USFWS 2006). They are often a transition zone as part of larger wetland complexes with open water and red maple swamp components (Olivero 2001).

A nearby swamp, Byron-Bergen Swamp, has historic records of a bog turtle population. Bog turtles living in this swamp were found in an open marl fen habitat type. The senior TES biologist has visited Byron-Bergen swamp and is familiar with the habitat types at this location. Therefore, the study area was also assessed for the presence of this type of habitat or other cedar/stream/marl ecotones that could indicate suitable bog turtle habitat (Collins 1989).

4.0 SURVEY METHODS

A Phase 1 bog turtle survey is an evaluation of the wetlands on a site for their potential as suitable bog turtle habitat. In the lake plain, the survey is completed by assessing the presence and suitability of the main key habitat criterion; vegetation. In the PPLPRU, open canopy,

medium to rich graminoid fens are a prerequisite of suitable bog turtle habitat. Suitable hydrology and soils are considered to be secondary determinants of suitable bog turtle habitat in the lake plain (USFWS 2006). In addition, marl fen habitats have been known to have bog turtle populations. The habitat assessment in the study area also looked for this type of habitat which is characterized by marl substrate and often contains a vegetated component of northern white cedar (*Thuja occidentalis*) (Collins 1989).

According to the USFWS, the current concept of suitable bog turtle sites in the PPLPRU includes an open canopy medium or rich fen with:

- surface waters within the fen community having a pH of 5.0 or greater
- waters of any bordering pond or stream having a pH consistently higher than that of the fen itself
- a cover of predominately graminoid plants (usually sedges) with
- sphagnum mosses restricted to hummocks or other localized areas
- scattered raised hummocks usually associated with shrubs and-or small (stunted) trees
- narrow channels of open water (rivulets or game trails) that remain flooded well into or throughout the summer
- In addition, confirmed, historic, and possible sites usually have a drainage outlet and probably a significant input of ground water (USFWS 2006).

Suitable hydrology is identified by the presence of greater than 5.0 pH surface waters, year-round saturated soils, shallow surface water that may be narrow open water channels, pockets, or game trails.

Suitable soils are generically described as mucky or a mixed peat substrate. The term “mucky” does not refer to a technical soil type; rather, mucky soils are described as soft and penetrable (to a depth of at least 3 to 5 inches). During a Phase 1 survey, soils can be probed with a blunt-ended pole to determine depth of muck. Sinking to your ankles or deeper can also be a sign of suitable soils (USFWS 2001, 2006).

Fen habitats are the suitable habitats for bog turtles in the lake plain. Some representative plant species associated with rich graminoid fens and medium fens are described in the following paragraphs.

Rich graminoid fens contain low growing herbaceous species, primarily sedges, grasses, and rushes. Characteristic species include spike muhly (*Muhlenbergia glomerata*), swamp goldenrod (*Solidago uliginosa*), a variety of sedges (*Carex flava*, *C. lasiocarpa*, *C. sterilis*, *C. aquatilis*, *C. prairea*, and *C. hystericina*), bog rush (*Cladium mariscoides*), and sundew (*Drosera rotundifolia*) (Edinger *et al.* 2002, Olivero 2001).

The usual dominant plants in medium fens include slender sedge (*Carex lasiocarpa*), sweet-gale (*Myrica gale*), leatherleaf (*Chamaedaphne calyculata*), bog rosemary (*Andromeda glaucophylla*), speckled alder (*Alnus incana* ssp. *rugosa*), cranberry (*Vaccinium macrocarpon*)

and red maple (*Acer rubrum*). Some other typical herbaceous species present in medium fens are; St. John's wort (*Triadenum virginicum*), pitcher-plant (*Sarracenia purpurea*), milfoil bladderwort (*Utricularia intermedia*), sundew, and white beakrush (*Rhynchospora alba*) (Edinger *et al.* 2002).

Wetland communities were classified according to the Cowardin classification system into four potential groups; palustrine emergent (PEM), palustrine shrub swamp (PSS), palustrine forested (PFO), and palustrine open water (POW) (Cowardin 1979). Fen cover types are characterized according to *Ecological Communities of New York State* (Edinger *et al.* 2002) and *Classification and Mapping of New York's Calcareous Fen Communities* (Olivero 2001). Scientific nomenclature for each plant species were determined using the *National Wetland Plant List* (Lichvar 2013) and *A Checklist of New York State Plants* (Mitchell and Tucker 1997). Plant species were primarily identified using the *Manual of Vascular Plants of Northeastern United States and Adjacent Canada* (Gleason and Cronquist 1991), *New Britton and Brown Illustrated Flora* (Gleason 1952), and *Gray's Manual of Botany* (Fernald 1950).

Wetland boundaries were identified using the mapping provided by B&L (Figure 4). Wetlands within the study area were walked by TES during field efforts performed on December 23, 2013 and January 13, 2014. Observations were made within each wetland sufficient to characterize the wetland and assess each for its overall suitability for bog turtles. Habitat evaluation field forms (data sheets) for Phase 1 bog turtle surveys were developed by the USFWS in conjunction with the Pennsylvania Fish and Boat Commission (PFBC). In 2009, the field forms were modified by TES bog turtle surveyors to reflect Prairie Peninsula/Lake Plain field conditions. One data sheet was completed for each section of wetland TES deemed appropriate to characterize the habitat accurately, and representative photographs were taken. The photographs and data sheets are provided in Appendix A and B, respectively.

5.0 SURVEY RESULTS

TES assessed habitat in four NYSDEC wetlands (RG-5, RG-6, RG-7, and RG-33) and five additional delineated wetlands present within the study area (Figure 4). Data was collected throughout all the wetlands within the study area and some wetlands were large enough to warrant multiple data sheets. Surveys were performed outside of the growing season and therefore, the number of species present was significantly lower than they would be at other times of the year. A total of 18 data sheets were completed and can be found in Appendix B. None of the wetlands within the study area displayed characteristics indicating the potential for bog turtle habitat.

Wetlands within the study area were mostly large deciduous forest wetlands. Other cover types present included; open water, emergent wetland, scrub shrub wetland, and wet meadow.

Deciduous Forest Wetland

Deciduous forest wetlands present on-site were dominated by silver maple (*Acer saccharinum*) and green ash (*Fraxinus pennsylvanica*) in the overstory. Dominant plants in the

mid and understory included; sensitive fern (*Onoclea sensibilis*), winterberry holly (*Ilex verticillata*), and green ash.

Scrub-Shrub/Emergent Wetland

The site contained many areas of scrub-shrub and emergent wetland as well, especially along stream corridors. Dominant herbaceous species in these areas included cattail (*Typha latifolia*), common reed (*Phragmites australis*), and rushes (*Juncus torreyi* and *J. canadensis*). Dominant shrub species present included; multiflora rose (*Rosa multiflora*), silky dogwood (*Cornus amomum*), and red-osier dogwood (*Cornus sericea*).

Open Water

There were two ponds within the study area. One was a man-made pond located within NYSDEC wetland RG-7 in the northeast corner of the study area. Vegetation present on the periphery of this pond included cattail and common reed. The other man-made pond was located on the west side of the study area in NYSDEC wetland RG-5. This pond had common reed and button bush (*Cephalanthus occidentalis*) growing along the pond's edge.

Wet Meadow

One area of wetland, located at the west end of NYSDEC wetland RG-33, was dominated by low growing vegetation and lacked canopy cover. This area had pockets of standing water interspersed with hummocks which were vegetated with variegated horsetail (*Equisetum variegatum*) and rushes. Other species present in this area were dogwoods, sedges, and cattail. While this area shows characteristics of bog turtle habitat in other regions of the state, it is not a fen. Therefore, in the lake plain, it is not potential bog turtle habitat.

No marl fen habitat types were observed during the assessment.

Soils could not be reliably assessed due to the time of year in which the survey was performed. Soils were mostly frozen. It is TES's opinion based on our professional experience with wetland delineations, and bog turtle habitat assessments, that soils present were not indicative of suitable bog turtle habitat in the PPLPRU.

Assessments of the hydrology of the wetlands were also affected by the time of year and weather during this survey. The survey was performed during winter thaws to allow mostly snow-free conditions. That meant there was an excess of melt water present in the wetlands. The forested portions of the wetlands were flooded with frozen water. However, it is the opinion of TES that the hydrology present in the assessed wetlands is also not indicative of suitable bog turtle habitat.

None of the wetlands within the study area could be classified as fens. Most of the area of wetland was made up of a forested cover type. With the exception of the area of wet meadow at the west end of NYSDEC wetland RG-33, the typical open canopy, hummocky habitat indicative

of bog turtle habitat was absent from the study area. Many of the wetlands continue off the study area to the east, west, and south. TES biologists were unable to make observations in the off-site portions of these wetlands.

6.0 SUMMARY

As requested by B&L, TES conducted a Phase 1 bog turtle habitat survey. The bog turtle is listed as a federally-threatened species under the Endangered Species Act. The assessment was conducted around the existing Mill Seat Landfill. The study area is located within the Town of Riga, New York, north and south of Bovee Road in the southwest corner of Monroe County. During this assessment, wetlands located within the study area were evaluated for their potential as suitable bog turtle habitat. The study area consisted of an evaluation of portions of NYSDEC wetlands (RG-5, RG-6, RG-7, & RG-33) and five additional delineated wetlands.

Monroe County is proposing to expand the Mill Seat Landfill. Since the USFWS website indicates that bog turtles could be found within the expansion area, a phase 1 bog turtle survey was conducted on December 23, 2013 and January 13, 2014. The survey was completed by assessing the presence or absence of fen habitats within the study area.

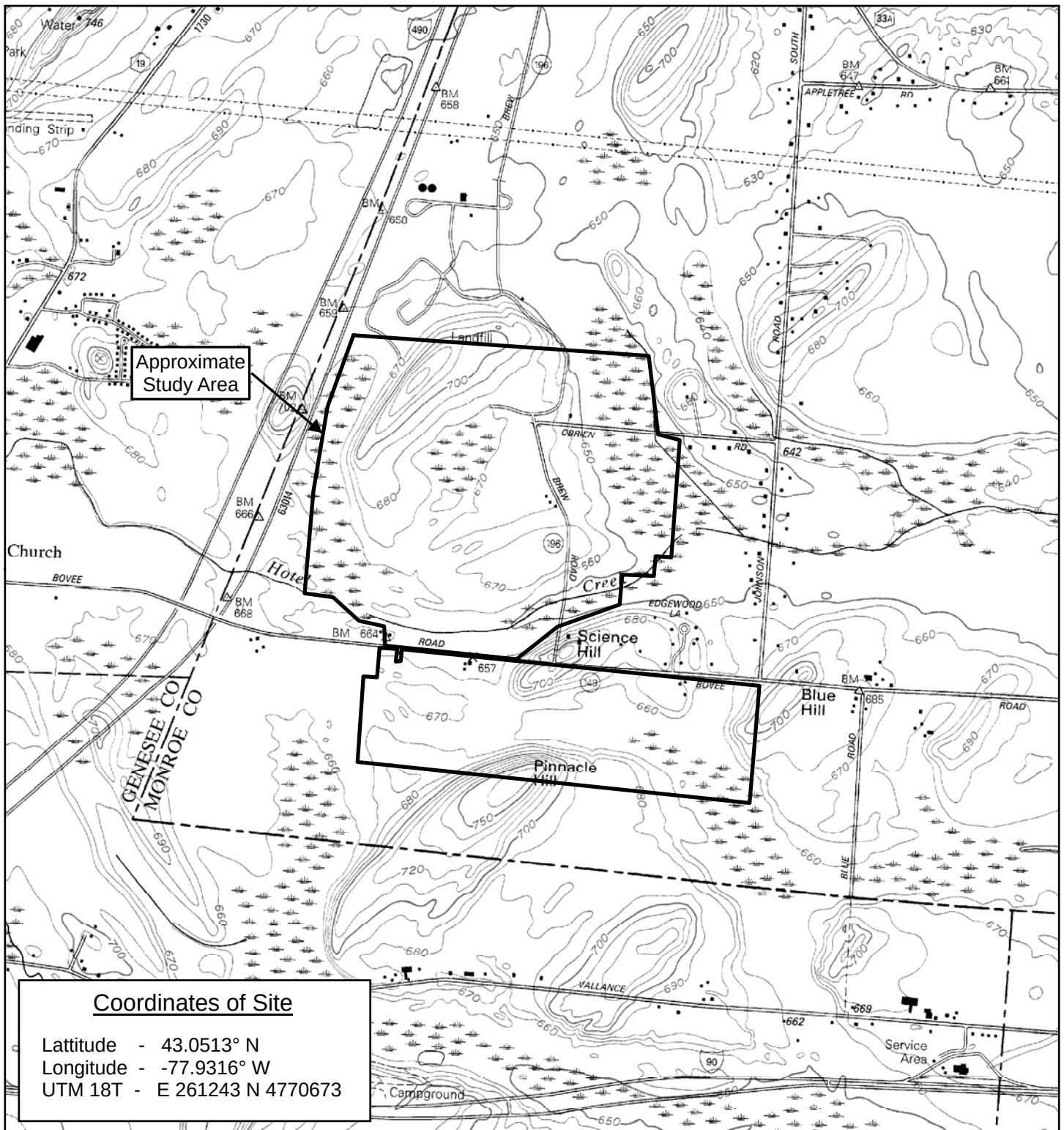
Typical habitats for bog turtles in the Prairie Peninsula/Lake Plain Recovery Unit are rich graminoid fens, medium fens, and historically within marl fens. TES collected data for 18 separate locations. Wetland habitats within the study area were dominated by deciduous forest wetlands. Scrub-shrub wetlands and emergent wetlands were associated with Hotel creek. One open canopy wet meadow was noted within RG-33. Two ponds also occurred within the wetland complexes. No fens or fen like habitat was found within the study area. Wetlands present within the study area did not contain any areas of suitable habitat for bog turtles.

7.0 REFERENCES

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Figures



Coordinates of Site

Latitude - 43.0513° N
 Longitude - -77.9316° W
 UTM 18T - E 261243 N 4770673



0 2,000
 1 inch = 2,000 feet



Figure 1. Study Area Location Map

NYS DOT Topographic Map

Churchville
 1997



Figure 2. NYS Freshwater Wetlands Map

NYS Department of
Environmental Conservation
cugir.mannlib.cornell.edu

Monroe County
2008



0 2,000
1 inch = 2,000 feet



Soil Legend for Figure 3

Soil Legend	
BcB -	Benson channery loam, 0 to 8 percent slopes
BrA -	Brockport silty clay loam, 0 to 2 percent slopes
Ca -	Canandaigua silt loam
CeB -	Cayuga silt loam, 2 to 6 percent slopes
ChA -	Churchville silt loam, 0 to 2 percent slopes
Ed -	Edwards muck
Fw -	Fresh water marsh
HlA -	Hilton loam, 0 to 2 percent slopes
HlB -	Hilton loam, 2 to 8 percent slopes
HnB -	Honeoye silt loam, 3 to 8 percent slopes
HnC -	Honeoye silt loam, 8 to 15 percent slopes
HoB -	Honeoye silt loam, limestone substratum, 3 to 8 percent slopes
Le -	Lakemont silt loam
Lk -	Lakemont silt loam, loamy subsoil variant
LnA -	Lima silt loam, 0 to 3 percent slopes
LnB -	Lima silt loam, 3 to 8 percent slopes
LoB -	Lima and Cazenovia silt loams, limestone substratum, 0 to 6 percent slopes
Lp -	Lockport silty clay loam
Ms -	Muck, shallow
OfB -	Ontario fine sandy loam, 3 to 8 percent slopes
OfC -	Ontario fine sandy loam, 8 to 15 percent slopes
OnB -	Ontario loam, 3 to 8 percent slopes
OnC -	Ontario loam, 8 to 15 percent slopes
OnC3 -	Ontario loam, 8 to 15 percent slopes, eroded
OnD3 -	Ontario loam, 15 to 25 percent slopes, eroded
OnF -	Ontario loam, 25 to 60 percent slopes
PaB -	Palmyra gravelly fine sandy loam, 3 to 8 percent slopes
Pu -	Pits and quarries
RgB -	Riga silt loam, 2 to 8 percent slopes
St -	Sun loam, moderately shallow variant
WcB -	Wampsville cobbly loam, 3 to 8 percent slopes
WcC -	Wampsville cobbly loam, 8 to 15 percent slopes
Wg -	Wayland soils complex, 0 to 3 percent slopes, frequently flooded



Legend

- Study Area
- Wetland Boundaries
- Proposed Landfill Expansion

N

0 800

Feet

1 inch = 800 feet

Aerial Photograph Obtained
from NYS GIS Clearinghouse
2012

Figure Prepared by
Terrestrial Environmental
Specialists, Inc.

Figure 4.
**Aerial Photograph
of Study Area
with Wetlands
and Proposed Landfill
Expansion Area**

APPENDIX A - Photographs



Representative Photo of Deciduous Forest Wetland



Representative Photo of Deciduous Forest Wetland



Representative Photo of Deciduous Forest Wetland



Representative Photo of Deciduous Forest Wetland



Representative Photo of Scrub-Shrub Wetland



Representative Photo of Scrub-Shrub Wetland



Representative Photo of Emergent Wetland



Representative Photo of Emergent Wetland

APPENDIX B – Phase 1 Bog Turtle Survey Datasheets

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>	Town: <u>Riga</u>
County: <u>Monroe County</u>	Recovery Unit: <u>PP/LP</u>
Wetland ID: <u>RG-5 (North)</u>	Photos <u>26-29</u>
Date: <u>12/23/13</u>	Primary Surveyor Initials: <u>PRR</u>
Weather: <u>mostly cloudy, 30°</u>	Secondary Surveyor Initials: <u>BPC</u>
WETLAND COVER TYPE	
Fen ☒ EW WM SSW ☒ DFW	
If fen, what type: _____	
SOILS	
Mucky soils present? Yes ☒ No Peaty soils present? Yes ☒ No	
HYDROLOGY	
Saturated soils? ☒ Yes ☒ No Springs present? Yes ☒ No	
Rivulets present? Yes ☒ No	
VEGETATION: List dominant species	
<u>T. latifolia, Carex sp., F. pennsylvanica, A. rubrum,</u> <u>Ilex verticillata, C. alba, Cephalanthus occidentalis</u>	
Fen indicator species present? Yes ☒ No	
Investigator Opinion: Potential bog turtle habitat? Yes ☒ No	
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat</u>	
Primary Investigator Signature: <u>Phil Bryn</u> <u>BR</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: BAL-3929 Town: Riga
 County: Monroe County Recovery Unit: PP/LP

Wetland ID: R65 - Pond

Date: 12/23/13

Primary Surveyor Initials: PRR

Weather: Mostly Cloudy, 30°

Secondary Surveyor Initials: BPC

WETLAND COVER TYPE

Fen

EW

WM

SSW

DFW

OW

If fen, what type: _____

SOILS

Mucky soils present?

Yes

No

Peaty soils present?

Yes

No

HYDROLOGY

Saturated soils?

Yes

No

Springs present?

Yes

No

Rivulets present?

Yes

No

VEGETATION: List dominant species

Acer rubrum, Cephalanthus occidentalis, Cornus amomum,
Cornus alba, Onoclea sensibilis, Phragmites australis

Fen indicator species present?

Yes

No

Investigator Opinion: Potential bog turtle habitat?

Yes

No

Justification: Wetland is not a fen and lacks other characteristics
of bog turtle habitat

Primary Investigator Signature:

Phil Bryza

BK

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>RG-5 (South)</u>		Photos <u>18-26</u>	
Date: <u>12/23/13</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Mostly Cloudy, 30°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW
			<u>DFW</u>
If fen, what type: _____			
SOILS			
Mucky soils present?	Yes	<u>No</u>	Peaty soils present?
			Yes <u>No</u>
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present?
			Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>A. rubrum, F. pennsylvanica, Toxicodendron radicans</u>			
Fen indicator species present? Yes <u>No</u>			
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>			
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat</u>			
Primary Investigator Signature: <u>Phil Rizza</u>		<u>BR</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: BAL-3923 Town: Riga
 County: Monroe County Recovery Unit: PP/LP
 Wetland ID: RG5 - East Photos 49-51
 Date: 12/23/13 Primary Surveyor Initials: PRR
 Weather: Mostly Cloudy, 30° Secondary Surveyor Initials: BPC

WETLAND COVER TYPE

Fen

EW

WM

SSW

DFW

If fen, what type: _____

SOILS

Mucky soils present?

Yes

No

Peaty soils present?

Yes

No

HYDROLOGY

Saturated soils?

Yes

No

Springs present?

Yes

No

Rivulets present?

Yes

No

VEGETATION: List dominant species

T. latifolia, C. amomum, Acer rubrum, F. pennsylvanica

Fen indicator species present?

Yes

No

Investigator Opinion: Potential bog turtle habitat?

Yes

No

Justification: Wetland is not a fen and lacks other characteristics of bog turtle habitat.

Primary Investigator Signature:

Phil Arizya

BPC

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>RG-6</u>		Photos <u>1-8</u>	
Date: <u>12/23/13</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Mostly cloudy, 30°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW
			<u>DFW</u>
If fen, what type: _____			
SOILS			
Mucky soils present?	Yes	<u>No</u>	Peaty soils present?
			Yes <u>No</u>
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present?
			Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>Quercus bicolor, Acer rubrum, F. pennsylvanica, O. sensibilis,</u>			
<u>P. australis, Alnus incana, Salix sp.</u>			
Fen indicator species present? Yes <u>No</u>			
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>			
Justification: <u>Wetland is not a fen and lacks other characteristics</u>			
<u>of bog turtle habitat.</u>			
Primary Investigator Signature: <u>Phil Pinney</u>		<u>BPC</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>RG 7-Plot 1</u>		Photos <u>40-43</u>	
Date: <u>12/23/13</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Mostly Cloudy, 30°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW ☒
If fen, what type: _____			
SOILS			
Mucky soils present?	Yes	No ☒	Peaty soils present? Yes ☒ No ☒
HYDROLOGY			
Saturated soils?	Yes ☒	No ☒	Springs present? Yes ☒ No ☒
Rivulets present?	Yes	No ☒	
VEGETATION: List dominant species			
<u>T. latifolia, Rosa multiflora, C. amomum, F. pennsylvanica</u>			
Fen indicator species present?	Yes	No ☒	
Investigator Opinion: Potential bog turtle habitat?		Yes	No ☒
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat</u>			
Primary Investigator Signature:		<u>Phil Birge</u> <u>BR</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>R67-plot 2</u>		Photo <u>44</u>	
Date: <u>12/23/13</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>mostly cloudy, 30°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW
			<u>DFW</u>
If fen, what type: _____			
SOILS			
Mucky soils present?	Yes	<u>No</u>	Peaty soils present?
			Yes <u>No</u>
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present?
			Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>A. rubrum, A. saccharinum, Salix nigra, F. pennsylvanica</u>			
<u>Lonicera morrowii</u>			
Fen indicator species present? Yes <u>No</u>			
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>			
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat</u>			
Primary Investigator Signature: <u>Phil Rijya</u>		<u>BPC</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: BAL-3923 Town: Riga
 County: Monroe County Recovery Unit: PP/LP

Wetland ID: RG5/7 Photos 62+63

Date: 1/13/14 Primary Surveyor Initials: PRR
 Weather: Partly Cloudy, 35° Secondary Surveyor Initials: BPC

WETLAND COVER TYPE

Fen EW WM SSW DFW

If fen, what type: _____

SOILS - Frozen

Mucky soils present? Yes N/A No Peaty soils present? Yes No

HYDROLOGY

Saturated soils? Yes No Springs present? Yes No

Rivulets present? Yes No

VEGETATION: List dominant species

T. latifolia, Eutrochium maculatum, Solidago altissima,
Cornus amomum, F. pennsylvanica

Fen indicator species present? Yes No

Investigator Opinion: Potential bog turtle habitat? Yes No

Justification: Wetland is not a fen and lacks other characteristics
of bog turtle habitat.

Primary Investigator Signature: Phil Ringler

BR

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>RG7-Road</u>		Photos <u>60+61</u>	
Date: <u>1/13/14</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Partly Cloudy, 35°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	☒ EW	WM	☒ SSW ☒ DFW
If fen, what type: _____			
SOILS - Frozen			
Mucky soils present?	Yes <u>N/A</u>	No	Peaty soils present? Yes ☒ No
HYDROLOGY			
Saturated soils?	☒ Yes	☒ No	Springs present? Yes ☒ No
Rivulets present?	Yes	☒ No	
VEGETATION: List dominant species			
<u>T. latifolia, F. pennsylvanica, C. amomum, Salix sp.</u>			
Fen indicator species present? Yes ☒ No			
Investigator Opinion: Potential bog turtle habitat? Yes ☒ No			
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat.</u>			
Primary Investigator Signature: <u>Phil Priggen</u>		<u>BR</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>	Town: <u>Riga</u>
County: <u>Monroe County</u>	Recovery Unit: <u>PP/LP</u>
Wetland ID: <u>RG7-North (Pond)</u>	
Date: <u>1/13/14</u>	Primary Surveyor Initials: <u>PRR</u>
Weather: <u>Partly Cloudy, 35°</u>	Secondary Surveyor Initials: <u>BPC</u>
WETLAND COVER TYPE	
Fen	EW WM SSW DFW <u>(OW)</u>
If fen, what type: _____	
SOILS - Frozen	
Mucky soils present?	Yes <u>N/A</u> No Peaty soils present? Yes <u>N/A</u> No
HYDROLOGY	
Saturated soils?	<u>Yes</u> No Springs present? Yes <u>No</u>
Rivulets present?	Yes <u>No</u>
VEGETATION: List dominant species	
<u>T. latifolia, Phragmites australis</u>	
Fen indicator species present? Yes <u>No</u>	
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>	
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat. Wetland is a man-made settling pond.</u>	
Primary Investigator Signature: <u>Phil Prigya</u> <u>BR</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>RG7-North</u>		Photos <u>56+57</u>	
Date: <u>1/13/14</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Partly cloudy, 35°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	<u>EW</u>	WM	<u>SSW</u>
If fen, what type: _____			
SOILS - Frozen			
Mucky soils present?	Yes <u>N/A</u>	No	Peaty soils present? Yes <u>No</u>
HYDROLOGY			
Saturated soils?	Yes <u>Yes</u>	No	Springs present? Yes <u>No</u>
Rivulets present?	Yes <u>Yes</u>	No	
VEGETATION: List dominant species			
<u>T. latifolia, C. amomum, Viburnum dentatum, F</u>			
<u>F. pennsylvanica, Carex lacustris, E. maculatum</u>			
Fen indicator species present? Yes <u>No</u>			
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>			
Justification: <u>Wetland is not a fen and lacks other characteristics</u>			
<u>of bog turtle habitat</u>			
Primary Investigator Signature: <u>Phil Brzyza</u> <u>RE</u>			

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>	Town: <u>Riga</u>
County: <u>Monroe County</u>	Recovery Unit: <u>PP/LP</u>
Wetland ID: <u>A</u>	Photos <u>64</u>
Date: <u>1/13/14</u>	Primary Surveyor Initials: <u>PRR</u>
Weather: <u>Partly cloudy, 35°</u>	Secondary Surveyor Initials: <u>BPC</u>
WETLAND COVER TYPE	
Fen	☒ EW
WM	SSW
DFW	
If fen, what type: _____	
SOILS	
Mucky soils present?	Yes ☐ No ☒
Peaty soils present?	Yes ☐ No ☒
HYDROLOGY	
Saturated soils?	Yes ☒ No ☐
Springs present?	Yes ☐ No ☒
Rivulets present?	Yes ☐ No ☒
VEGETATION: List dominant species	
<u>T. latifolia, C. amomum, F. pennsylvanica, J. canadensis</u>	
Fen indicator species present?	Yes ☐ No ☒
Investigator Opinion: Potential bog turtle habitat?	Yes ☐ No ☒
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat</u>	
Primary Investigator Signature:	<u>Phil Rizzo</u> <u>BPC</u>

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>B</u>		Photos <u>67-69</u>	
Date: <u>1/13/14</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Partly cloudy, 35°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW <u>DFW</u>
If fen, what type: _____			
SOILS - Frozen			
Mucky soils present?	Yes	<u>N/A</u>	No
Peaty soils present?	Yes	<u>No</u>	
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present? Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>A. saccharinum, F. pennsylvanica, Carex sp.</u>			
Fen indicator species present?	Yes	<u>No</u>	
Investigator Opinion: Potential bog turtle habitat?		Yes	<u>No</u>
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat. Wetland is a woodland pool.</u>			
Primary Investigator Signature:		<u>Phil Rizzo</u> <u>BR</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>C</u>		Photos <u>70 + 71</u>	
Date: <u>1/13/14</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Partly Cloudy, 35°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW <u>DFW</u>
If fen, what type: _____			
SOILS - Frozen			
Mucky soils present?	Yes <u>N/A</u>	No	Peaty soils present? Yes <u>No</u>
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present? Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>A. saccharinum, F. pennsylvanica</u>			
Fen indicator species present?	Yes	<u>No</u>	
Investigator Opinion: Potential bog turtle habitat?		Yes	<u>No</u>
Justification: <u>Wetland is not a fen and lacks other characteristics of bog turtle habitat. Wetland is a woodland pool.</u>			
Primary Investigator Signature:		<u>Phil Briggs</u> <u>BPC</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: BAL-3923 Town: Riga
 County: Monroe County Recovery Unit: PP/LP

Wetland ID: E

Photos 72 + 73

Date: 1/13/14

Primary Surveyor Initials: PRR

Weather: Partly Cloudy, 35°

Secondary Surveyor Initials: BPC

WETLAND COVER TYPE

Fen

EW

WM

SSW

DFW

If fen, what type: _____

SOILS - Frozen

Mucky soils present?

Yes

N/A

No

Peaty soils present?

Yes

No

HYDROLOGY

Saturated soils?

Yes

No

Springs present?

Yes

No

Rivulets present?

Yes

No

VEGETATION: List dominant species

A. saccharinum, F. pennsylvanica

Fen indicator species present?

Yes

No

Investigator Opinion: Potential bog turtle habitat?

Yes

No

Justification: Wetland is not a fen and lacks other characteristics of bog turtle habitat. Wetland is a woodland pool.

Primary Investigator Signature:

Phil Briggs

BPC

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>F</u>		Photos <u>65 + 66</u>	
Date: <u>1/13/14</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Partly Cloudy, 35°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	<u>WM</u>	<u>SSW</u> DFW
If fen, what type: _____			
SOILS - Frozen			
Mucky soils present?	Yes	<u>N/A</u> No	Peaty soils present? Yes <u>No</u>
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present? Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>Typha latifolia, Juncus effusus, Fraxinus pennsylvanica,</u>			
<u>Carex sp.</u>			
Fen indicator species present? Yes <u>No</u>			
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>			
Justification: <u>Wetland is not a fen and lacks other characteristics</u>			
<u>of bog turtle habitat. Wetland is a pool in an agricultural</u>			
<u>field.</u>			
Primary Investigator Signature: <u>Phil Priggen</u>		<u>BPC</u>	

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>	Town: <u>Riga</u>
County: <u>Monroe County</u>	Recovery Unit: <u>PP/LP</u>
Wetland ID: <u>RG-33 (west)</u>	Photos <u>74-78</u>
Date: <u>1/13/14</u>	Primary Surveyor Initials: <u>PRR</u>
Weather: <u>Partly Cloudy, 35°</u>	Secondary Surveyor Initials: <u>BPC</u>
WETLAND COVER TYPE	
Fen ☒ EW ☒ WM ☒ SSW ☐ DFW	
If fen, what type: _____	
SOILS	
Mucky soils present? ☒ Yes ☐ No	Peaty soils present? ☐ Yes ☒ No
HYDROLOGY - Frozen	
Saturated soils? ☒ Yes ☐ No	Springs present? ☐ Yes ☒ No
Rivulets present? ☐ Yes ☒ No	
VEGETATION: List dominant species	
<u>T. latifolia, C. amomum, Carex sp., Cornus sericea,</u>	
<u>Juncus torreyi, Juncus canadensis, Equisetum variegatum</u>	
<u>Carex lacustris</u>	
Fen indicator species present? ☐ Yes ☒ No	
Investigator Opinion: Potential bog turtle habitat? ☐ Yes ☒ No	
Justification: <u>Wetland has small pockets of low growing sedges,</u>	
<u>horsetails, and rushes. however, it is not a fen and does not</u>	
<u>have any other characteristics of bog turtle habitat.</u>	
Primary Investigator Signature: <u>Phil Birge</u>	<u>BR</u>

PHASE 1 BOG TURTLE SURVEY DATASHEET

Project Name: <u>BAL-3923</u>		Town: <u>Riga</u>	
County: <u>Monroe County</u>		Recovery Unit: <u>PP/LP</u>	
Wetland ID: <u>RG-33 (East)</u>		Photos <u>79-88</u>	
Date: <u>1/13/14</u>		Primary Surveyor Initials: <u>PRR</u>	
Weather: <u>Partly Cloudy, 35°</u>		Secondary Surveyor Initials: <u>BPC</u>	
WETLAND COVER TYPE			
Fen	EW	WM	SSW <u>DFW</u>
If fen, what type: _____			
SOILS - Frozen			
Mucky soils present?	Yes <u>N/A</u>	No	Peaty soils present? Yes <u>No</u>
HYDROLOGY			
Saturated soils?	<u>Yes</u>	No	Springs present? Yes <u>No</u>
Rivulets present?	Yes	<u>No</u>	
VEGETATION: List dominant species			
<u>F. pennsylvanica, Ulmus americana, Acer saccharinum,</u>			
<u>Onoclea sensibilis</u>			
Fen indicator species present? Yes <u>No</u>			
Investigator Opinion: Potential bog turtle habitat? Yes <u>No</u>			
Justification: <u>Wetland is not a fen and lacks other characteristics</u>			
<u>of bog turtle habitat</u>			
Primary Investigator Signature:		<u>Phil Prigga</u> <u>BPC</u>	

Correspondence with Natural Heritage Program

June 3, 2013

Information Services
Natural Heritage Program
New York State Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, New York 12233-4757

Subj: Information Request
Re: Mill Seat Landfill – Proposed Expansion
File: 1242.022.013

Dear Information Services:

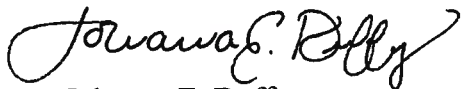
Barton & Loguidice, P.C. has been retained by Waste Management of New York, LLC (WMNY) to complete design services and coordination efforts for a proposed expansion of their existing Mill Seat Landfill, located in the Town of Riga, Monroe County, New York. We are currently conducting an environmental assessment of the project site and would like to know whether there are any State-listed (or proposed for listing) endangered or threatened species reportedly located within or adjacent to the Mill Seat Landfill. The funding for this project is private; however, federal and state permits are anticipated for the proposed project.

The location of the survey limits are indicated on the enclosed Figure 1 as highlighted tax parcel boundaries. This area can also be located on the USGS 7½-minute Churchville quadrangle, with a center point at the following coordinates: 43° 3' 13.9" north and 77° 55' 53.4" west (UTM NAD 83).

Thank you for your assistance with this project.

Sincerely,

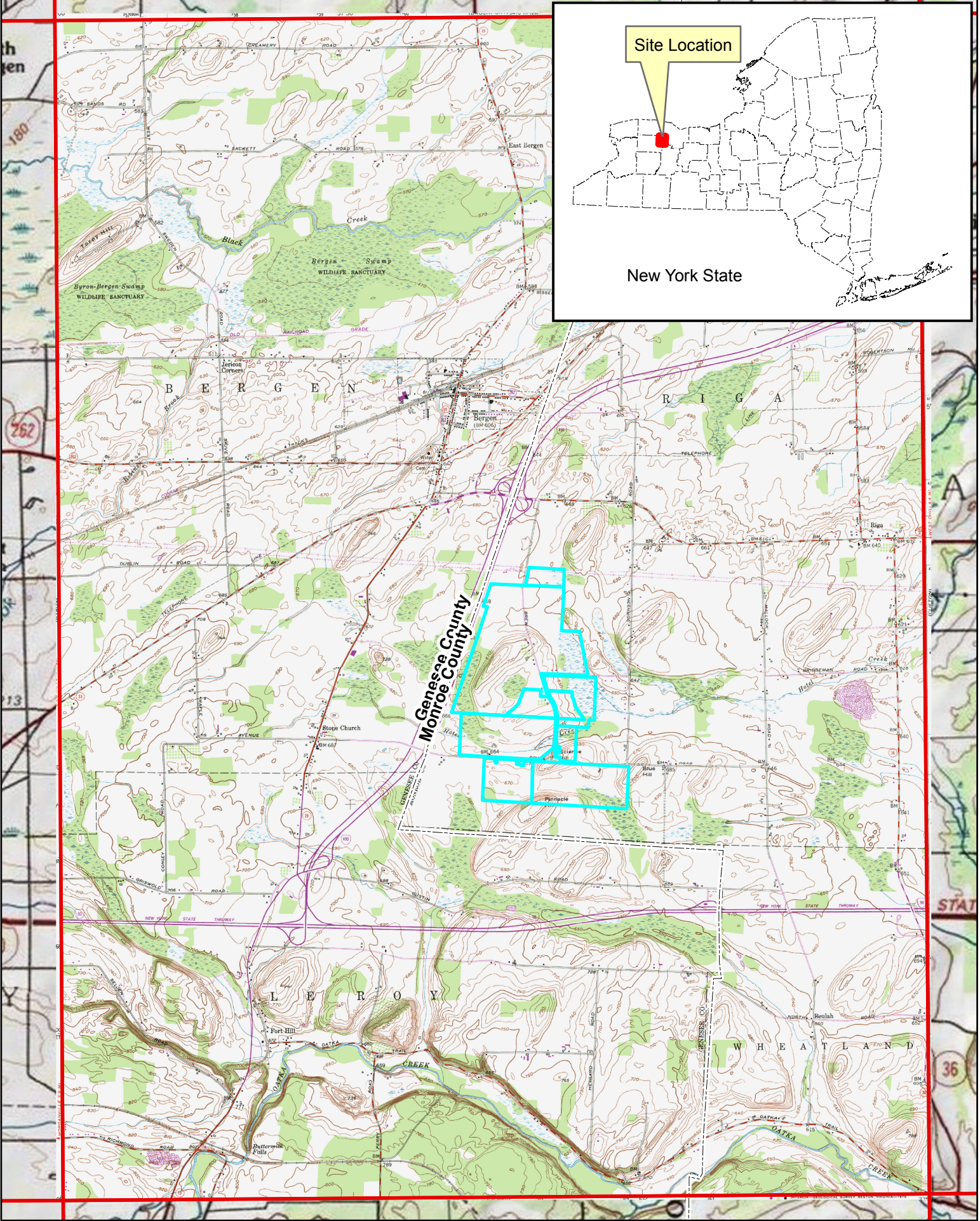
BARTON & LOGUIDICE, P.C.



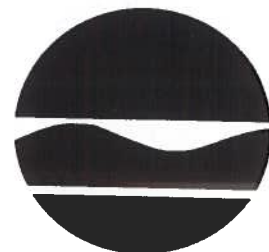
Johanna E. Duffy
Senior Project Environmental Scientist

JED/akg
Enclosure





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

June 10, 2013

Johanna Duffy
Barton & Loguidice
290 Elwood Davis Rd, Bx 3107
Syracuse, NY 13220

RECEIVED

JUN 14 2013

BARTON & LOGUIDICE

Dear Ms. Duffy:

In response to your recent request, we have reviewed the New York Natural Heritage Database with respect to an Environmental Assessment for the Proposed Expansion - Mill Seat Landfill - Project 1242.022.013, area as indicated on the map you enclosed, located in the Town of Riga, Monroe County.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities, which our database indicates occur, or may occur, on your site or in the immediate vicinity of your site. 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 as to 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.

The enclosed report may be included in documents that will be available to the public. However, any maps displaying locations of rare species are considered sensitive information, and should not be included in any document that will be made available to the public, without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and 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.

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.

Sincerely,


Jean Pietrusiak, Information Services
NYS Department Environmental Conservation

547

Enc.
cc: Reg. 8, Wildlife Mgr.



**The following rare plants, rare animals, and significant natural communities
have been documented at your project site, or in its vicinity.**

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
-------------	-----------------	------------------	------------------------------

Wetland/Aquatic Communities

Silver Maple-Ash Swamp

High Quality Occurrence of Uncommon Community Type

Hotel Creek Wetlands: This is a moderate size example that is a combination of mature forest and springs. The swamp appears pristine, with no disturbances and very few exotics (e.g., *Solanum dulcamara*).

9877

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.



**The following rare plants and rare animals have
historical records
at your project site, or in its vicinity.**

The following rare plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, and/or there is uncertainty regarding their continued presence. There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown.

If suitable habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there. We recommend that any field surveys to the site should include a search for these species, particularly for sites that are currently undeveloped and may still contain suitable habitat.

COMMON NAME	SCIENTIFIC NAME	NYS LISTING	HERITAGE CONSERVATION STATUS
Vascular Plants			
Log Fern	<i>Dryopteris celsa</i>	Endangered	Critically Imperiled in NYS
1964-04-18: Riga Swamp. A thickly wooded swamp.			

8853

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Threatened and Endangered Species Correspondence



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Tracking Number: 05E1NY00-2014-SLI-0551

March 26, 2014

Project Name: Mill Seat Landfill Proposed Expansion

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects

should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Mill Seat Landfill Proposed Expansion

Official Species List

Provided by:

New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Consultation Tracking Number: 05E1NY00-2014-SLI-0551

Project Type: Landfill

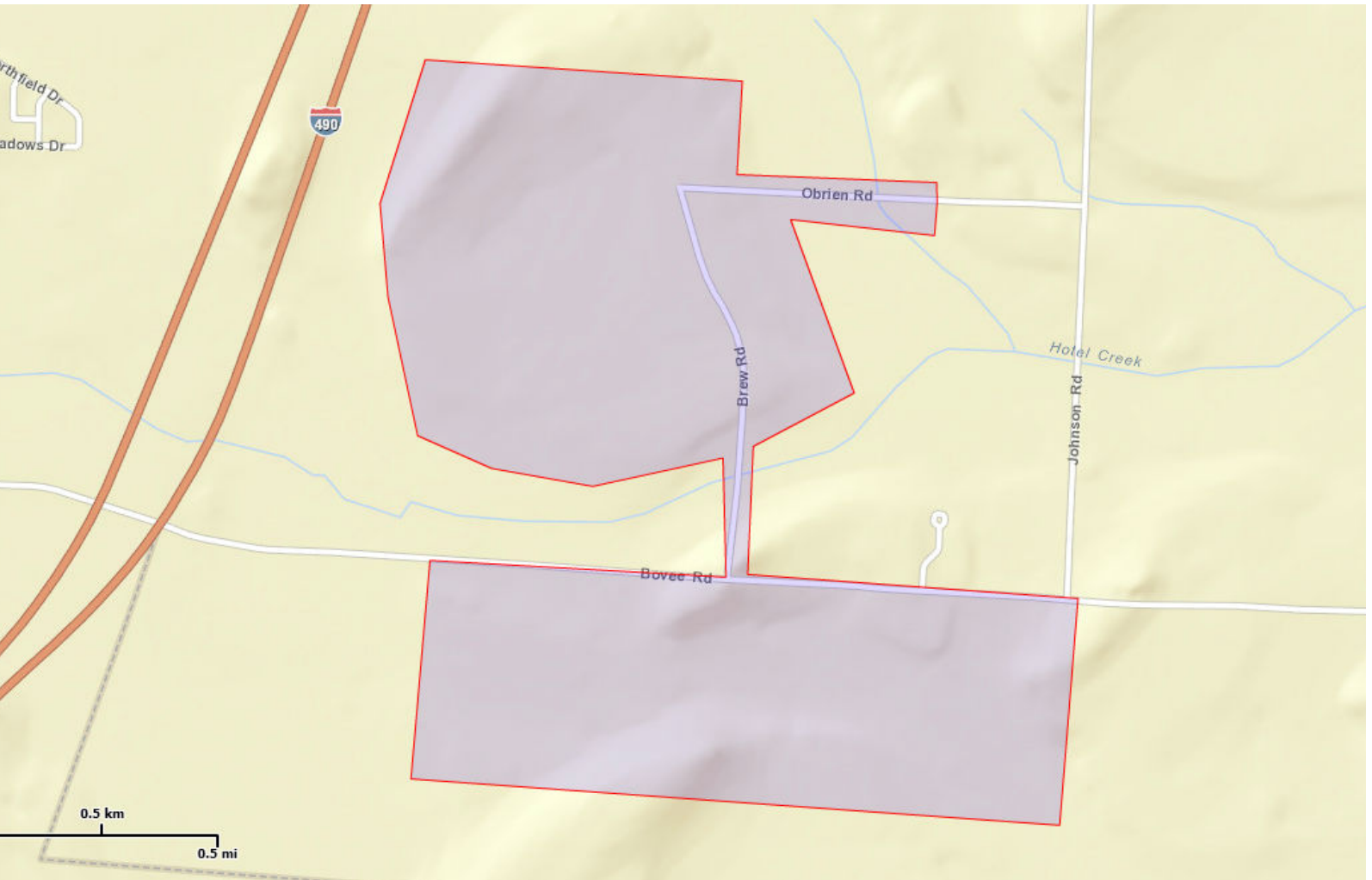
Project Description: Proposed southern expansion of Mill Seat Landfill in Riga, NY. Landfill footprint expansion approx. 118 acres. Ancillary facilities, perimeter road, wetland mitigation, etc. on additional areas surrounding proposed footprint. Expansion proposed south of existing permitted area.



United States Department of Interior
Fish and Wildlife Service

Project name: Mill Seat Landfill Proposed Expansion

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-77.9222818 43.0548786, -77.9223676 43.054126, -77.9270025 43.0545023, -77.9249468 43.0504256, -77.9282041 43.0491712, -77.9283801 43.0461604, -77.9177413 43.0455959, -77.9183336 43.0402639, -77.9392291 43.0413555, -77.9386154 43.0464928, -77.9290796 43.0460977, -77.9291826 43.0489014, -77.9333711 43.0482303, -77.936637 43.04866, -77.9390188 43.049422, -77.9399672 43.0526835, -77.940229 43.0548786, -77.9387699 43.0582621, -77.928556 43.0577604, -77.9287277 43.0555654, -77.9222904 43.0553772, -77.9222818 43.0548786)))



United States Department of Interior
Fish and Wildlife Service

Project name: Mill Seat Landfill Proposed Expansion

Project Counties: Monroe, NY



United States Department of Interior
Fish and Wildlife Service

Project name: Mill Seat Landfill Proposed Expansion

Endangered Species Act Species List

There are a total of 2 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed on the **Has Critical Habitat** lines may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Bog Turtle (*Clemmys muhlenbergii*)

Population: northern

Listing Status: Threatened

northern long-eared Bat (*Myotis septentrionalis*)

Listing Status: Proposed Endangered



United States Department of Interior
Fish and Wildlife Service

Project name: Mill Seat Landfill Proposed Expansion

Critical habitats that lie within your project area

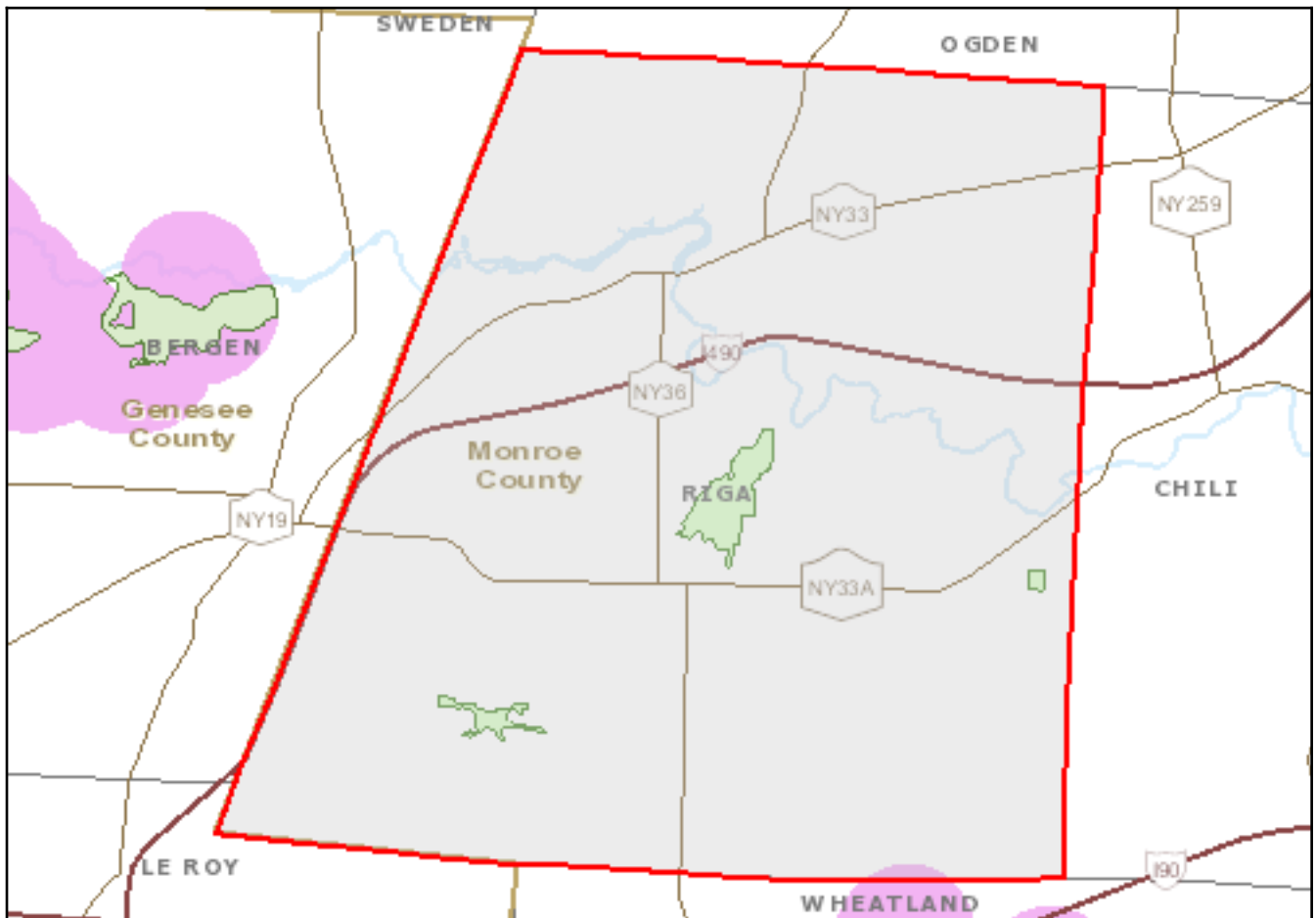
There are no critical habitats within your project area.

NYSDEC Nature Explorer Results

New York Nature Explorer

Town Results Report

Criteria: Town: Riga



Common Name	Subgroup	Distribution Status	Year Last Documente	Protection Status State	Protection Status Federal	Conservation Rank State	Conservation Rank Global
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Town: Riga

Animal: Fish

Blackchin Shiner	Minnows, Shiners, Suckers	Historically Confirmed	1948			S1	G5
<i>Notropis heterodon</i>							

Plant: Ferns and Fern Allies

Log Fern	Ferns	Historically Confirmed	1964	Endangered		S1	G4
<i>Dryopteris celsa</i>							

Natural Community: Freshwater Nontidal Wetlands

New York Nature Explorer

Common Name	Subgroup	Distribution Status	Year Last Documente	Protection Status		Conservation Rank	
				State	Federal	State	Global
Northern White Cedar Swamp	Forested Peatlands	Recently Confirmed	1991			S2S3	G4
<i>Northern white cedar swamp</i>							
Silver Maple-Ash Swamp	Forested Mineral Soil Wetlands	Recently Confirmed	1990			S3	G4
<i>Silver maple-ash swamp</i>							

Note: Restricted plants and animals may also have also been documented in one or more of these Towns or Cities, but are not listed in these results. This application does not provide information at the level of Town or City on state-listed animals and on other sensitive animals and plants. A list of the restricted animals and plants documented in the corresponding county (or counties) can be obtained via the County link(s) on the original Town Search Results page. Any individual plant or animal on this county's restricted list may or may not occur in this particular Town or City.

This list only includes records of rare species and significant natural communities from the databases of the NY Natural Heritage Program. This list is not a definitive statement about the presence or absence of all plants and animals, including rare or state-listed species, or of all significant natural communities. For most areas, comprehensive field surveys have not been conducted, and this list should not be considered a substitute for on-site surveys.