New York

Ecological Services Field Office

Fact Sheet for Members of Congress

Represented by the following Members of Congress:
Senator Charles Schumer (D)

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Profile

Established:	1974
Staff:	20
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Off Shore Wind Energy Projects
Development of offshore wind energy projects in the Great Lakes is likely since proposals are currently being sought for Lakes Erie and Ontario. Along the eastern end of Lake Erie, as many as 500 wind turbines could be placed in near shore areas. These projects will have high public interest and exposure and require some work effort from our office.

Studies at most proposed sites indicate low wildlife use. However, no wind energy project has yet been built in an offshore environment in the United States. Further, no wind turbines have ever been placed in a freshwater lake. Therefore, we stress that adequate pre-construction studies are needed to make informed decisions regarding these projects. Recently, we met with representatives of the New York Power Authority to discuss their plans for a 1000 megawatt wind energy project in Lake Erie and/or Lake Ontario. We are currently working with this project sponsor to understand the scope of their project and provide recommendations to avoid wildlife impacts.

Wind Energy Projects
Wind energy has generated much interest from developers due to Federal tax incentives, a State renewable portfolio standard, and the desire for diverse energy sources. These projects have been greeted with mixed reactions by local residents and public officials. We regularly respond to requests for information on projects located within New York State.

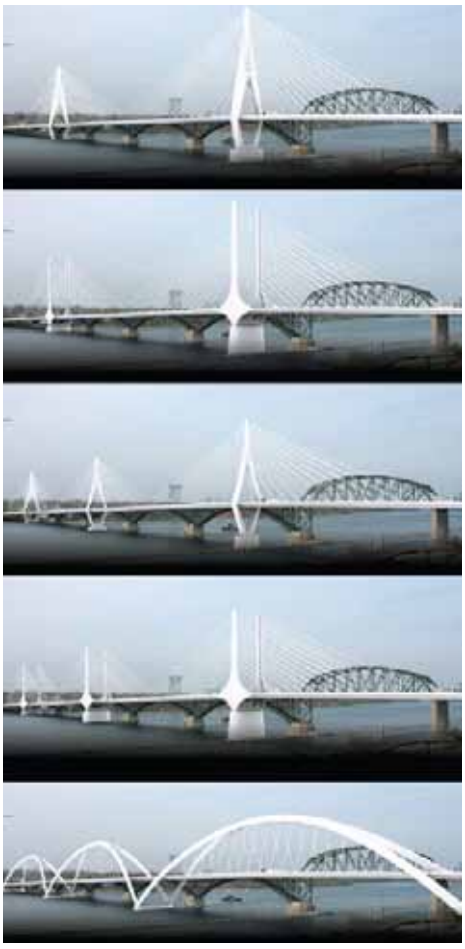
Studies at most of the sites indicate low wildlife use. A few sites, however, may be of concern due to the presence of listed species or concentrations of birds. One of those sites occurs along the Lake Erie Escarpment where thousands of raptors fly north during spring migration. We previously objected to wind turbines in this location and the project was cancelled. However, a different company is investigating the site. We are currently working with this project sponsor to understand the scope of their project and provide recommendations to avoid avian impacts.

In New York State, 13 wind power projects have been constructed having a total nameplate capacity of over 1000 megawatts. We are tracking the progress of wind power projects for at least 107 sites throughout the State.

Peace Bridge
A companion bridge span to the existing Peace Bridge has been proposed by the Buffalo and Fort Erie Public Bridge Authority (PBA) over the Niagara River, a Globally Important Bird Area. Recommendations by the New York Field Office (NYFO) were made to the PBA so avian collision risk of a tall bridge could be reduced. Five alternatives, all of them acceptable to the U.S. Fish and Wildlife Service (USFWS), have been reviewed by the NYFO. In January 2010, the NYFO,

NYFO

along with other agencies and the PBA, participated in public meetings to inform stakeholders of the potential impacts to natural resources found in the Niagara River corridor and measures considered to avoid and minimize impacts. Once a design is selected, the NYFO will work with the PBA to evaluate lighting options and monitoring efforts.



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Marcellus Shale

Marcellus shale gas well development requires about 20 times more water for hydraulic fracturing (hydrofracturing) than conventional gas wells; the drilling process itself requires large quantities of water and each hydraulic fracturing treatment may require up to 3 million gallons. The source of this water is usually local streams or rivers. Potential impacts of withdrawing such massive quantities of water include the dewatering of important aquatic habitat, entrainment or impingement of aquatic organisms by the intake pipe, and reductions in stream water quantity necessary to provide dilution for regulated discharges. In some cases, an estimated 20 to 40 percent of the injected water remains underground.

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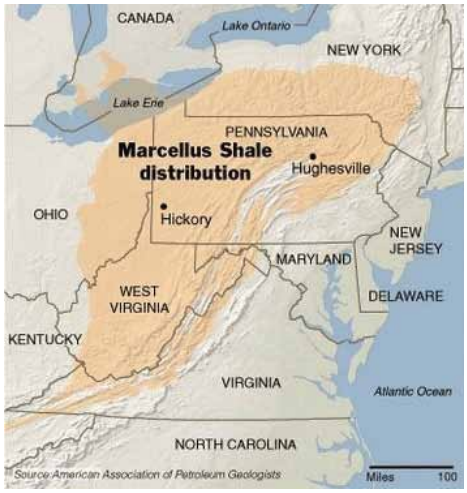
Disposal of the hydrofracturing water, which must be removed before gas can flow back to the well, as well as the brines produced throughout the life of the well, is a major environmental concern. Drillers commonly add proprietary chemicals to increase the viscosity of the hydrofracturing water, facilitating the transport of the gas. In addition to these chemicals, recovered hydrofracturing water is typically characterized by high total dissolved solids, chlorides, metals, and sulfates; the toxicity of such mixtures to aquatic life may need to be determined on a case-by-case basis. The retrieved drilling fluids may also contain trace naturally-occurring radioactive materials such as uranium, thorium, and radium. Properly treating and disposing of these fluids and the chemical components poses a major challenge for local and state governments, as has been the case in Pennsylvania.

The NYFO provided input to the New York State Department of Environmental Conservation on the Environmental Impact Statement and will continue to advise them on fish and wildlife issues in New York State.



USFWS

Bog turtle

Bog Turtle Initiative

The bog turtle is a small wetland-dependent turtle that occurs in two areas in New York – the lower Hudson Valley and in several counties bordering Lake Ontario. While the USFWS has been actively engaged in bog turtle recovery efforts since its listing, there is a new rangewide initiative to focus our efforts on this species. There is a high level of interest within and outside the USFWS in this species right now. For example, the National Fish and Wildlife Foundation developed a business plan that is intended to support increased funding of bog turtle conservation projects. One of the primary threats to this species is habitat loss and degradation. Invasive species are crowding out the habitats needed by the bog turtle to successfully nest. The USFWS has partnered with state and Federal agencies to conduct habitat restoration for private landowners at multiple sites and we plan to increase the number of sites involved over the next several years.

White-nose Syndrome

Key Points:

- White-nose syndrome (WNS) poses a significant threat to bat populations in northeastern, southeastern, and midwestern states.
- To date, WNS has been confirmed in Connecticut, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Tennessee Vermont, Virginia, West Virginia, and Ontario, Canada. The rapid spread of WNS is expected to continue.
- WNS may result in economic impacts to gardeners, farmers, and foresters as a result of increased insect pest populations. WNS may result in localized tourism and recreational impacts from cave closures.
- The New York State Department of Environmental Conservation and the USFWS, NYFO, have taken leadership roles in a cooperative effort to investigate the cause(s) and effects of WNS. We have over 100 partners in the investigation and include state wildlife biologists from nearly all 50 states, several Federal agencies, international partners (Canada and Europe), nongovernmental organizations, and many universities.

Background:

- WNS was first named in the winter of 2006-2007 after observations of bats with white fungus on their nose, unusual bat behaviors and/or large numbers of dead or dying bats were observed in 4 sites near Albany, New York.
- By the winter of 2007-2008, 38 sites were known to be affected by WNS in New York, Connecticut, Vermont, and Massachusetts. Additional sites in Pennsylvania were suspect.

Marvin Moriarty/USFWS

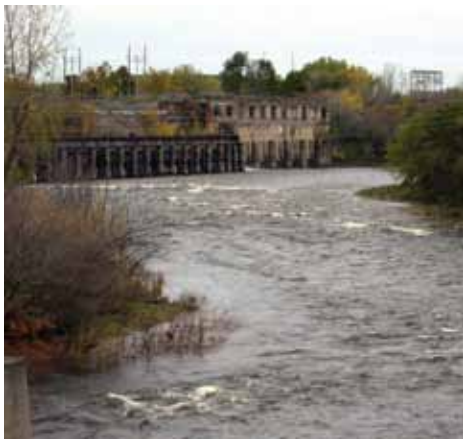
- In the winter of 2008-2009, the number of known sites increased to 81 in nine states.
- In the winter of 2009-2010, ~110 sites are now confirmed in 11 states and Ontario, Canada.
- To date, over one million bats have died in the Northeast as a result of WNS.
- Winter counts of bats in many New York counties have declined by 95% or more, with declines at several hibernacula of 99%.
- All six species of cave bats that winter in New York have been documented with WNS, including the Federally-listed endangered Indiana bat.
- All but one Indiana bat hibernacula in New York are confirmed to be affected. Approximately 10% of the rangewide Indiana bat population is affected to some degree.
- WNS has been confirmed in caves and mines used by 2 additional Federally-listed species, the Virginia big-eared bat and the gray bat, but these species have yet to be documented with the fungal infection that is characteristic of the syndrome.
- The USFWS has received petitions to list 2 currently affected bat species, the eastern small-footed and the tri-colored bat, and additional petitions are likely.
- Researchers from State and Federal agencies and academic institutions are investigating the potential cause(s) of WNS; unfortunately, there are few answers to date. We believe that investigations will likely parallel the approach to investigating the honey bee colony collapse disorder.
- Bats appear to be starving to death. Afflicted bats are often underweight and found leaving winter hibernacula too early to find insect prey.

Current Status:

- The USFWS is leading the effort to develop a National Plan for responding to WNS.
- State and Federal agencies, academic institutions, and non-governmental organizations will be meeting in May 2010 to discuss future research and monitoring needs, as well as management options. Ensuring adequate resources to target the origin and cause(s) of WNS, modes of transmission, its persistence on the landscape, and methods to manage the spread of WNS is essential.

Buffalo River Natural Resource Damage Assessment

The Buffalo River natural resource trustee agencies – USFWS, Tuscarora Nation, and State of New York – have reviewed the contaminant information on the Buffalo River and have determined that conducting a Natural Resource Damage Assessment is warranted. The trustees are working cooperatively with Honeywell International and Exxon Mobil to restore natural resources that have been injured by releases of polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), metals, and other contaminants.



NYFO

Massena-Grasse River Hydroelectric Project

The Massena Electric Department is proposing to build a new dam and powerhouse on the Grasse River in Massena. The project will produce 2.5 MW of power. The dam is also proposed to be used as an ice control structure in the event that the U.S. Environmental Protection Agency (EPA) determines that ice control is a requisite part of the PCB remediation at ALCOA's Grasse River Superfund site.

The proposed dam will block upstream and downstream migration for a variety of fish species, including the state-listed threatened lake sturgeon and the declining American eel. Proposed fish passage systems will not be effective enough to mitigate for losses. Fish migrate from international waters in the St. Lawrence River up the Grasse River. Thirty-five miles of river are currently open to migration. Sturgeon are protected in Canada and eel may soon be added to the list.

The dam will also inundate one of only two rapids sections found in this 35-mile stretch of the river. These

rapids are key to walleye and lake sturgeon spawning and for benthic macroinvertebrate production. The Grasse River is also listed as Significant Coastal Habitat by the New York State Department of State. Environmental impacts of this project far outweigh the minimal energy production.

Great Lakes Research Initiative

NYFO environmental contaminant specialists will work with USFWS offices, USGS, State, and local partners to identify emerging contaminants of concern and prioritize biological sampling in selected areas, including the nearshore and tributary areas within the Rochester Embayment Area of Concern. The NYFO will coordinate with the United States and Canadian Niagara River AOC Remedial Action Committees to assess the status of the "Fish Tumors and Other Deformities" beneficial use impairment (BUI). The NYFO will also participate with the Great Lakes National Program Office (GLNPO) and associated New York State and local partners to review habitat documents related to New York Great Lakes Legacy Act (GLLA) funded projects.

Funding is also available to gather data needed to make informed decisions regarding offshore wind energy development in the Great Lakes. The money will be used to conduct studies to ensure that offshore wind energy is wildlife-friendly. In FY 2010, one million dollars will be used to purchase equipment and perform field work to answer critical questions regarding project siting. Studies may be conducted in Congressional Districts 23, 25, 27, and/or 28.

Conservation Field Days

For the Cortland County Soil and Water Conservation District's 2009 Conservation Field Days, NYFO biologists led an activity on bird migration called "Risky Business". While playing the part of birds, students explored the challenges faced by migrating birds and learned what they can do to help protect birds.

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FEMRF - FERC Mitigation Funds Facilitate Collaborative Conservation Strategy

A $24 million Fish Enhancement, Mitigation and Research Fund (FEMRF) was established in 2003 by a Federal Energy Regulatory Commission (FERC) Relicensing Settlement Agreement for the St. Lawrence-FDR Power Project to benefit aquatic resources in the Lake Ontario/St. Lawrence River Basin. The Agreement also established the FEMRF Fisheries Advisory Committee (FAC), a collaborative conservation group comprised of Federal, state, and Canadian resource agencies, the St. Regis Mohawk Tribe, the New York Power Authority, and St. Lawrence County. The FAC first convened in August 2005.

USFWS conducts wetland restoration project at Perch River, Jefferson County, New York.

The collaboration developed a conservation strategy to benefit the recovery of the native fish species historically found in the St. Lawrence River. These species were impacted by the power project and are also targeted for recovery in 18 comprehensive plans developed by international conservation groups on both sides of Lake Ontario and the St. Lawrence River. From 2006-2009, the FEMRF contributed approximately $3.4 million ($1 million in 2009) to conservation efforts. Funded projects include wetland restorations, fish passage improvements, land acquisitions, fisheries surveys, and lake sturgeon recovery. The FAC is seeking proposals from restoration ecologists, the academic community, tribes, non-profits, and other interested parties in the Lake Ontario/St. Lawrence River Basin. The USFWS anticipates that $500k-$1 million of the FEMRF will be awarded to collaborative conservation groups in FY2010. More information can be found on our website at: http://www.fws.gov/northeast/nyfo/fwc/femrf.htm

Hudson River PCBs – Remediation and Restoration

Polychlorinated biphenyls (PCBs) have polluted the Hudson River environment since the late 1940s. Two General Electric manufacturing facilities located in Fort Edward and Hudson Falls, New York, discharged over a million pounds of PCBs into the river. The PCBs are a major concern because they last in the environment for many decades, low concentrations pose health hazards to humans, birds, fish, and mammals, and they accumulate in living creatures over time.

The USFWS participates in remedial activities by providing technical expertise to the U.S. Environmental Protection Agency's (EPA) Biological Technical Assistance Group (BTAG). The goal of the process is to clean up or contain the PCBs to reduce present and future risks to human health and the environment. Dredging began in May 2009. Evaluation of that Phase 1 dredging is ongoing.

In a Natural Resource Damage Assessment (NRDA), the Federal and State trustee agencies are responsible for evaluating the injuries associated with PCB contamination of the natural resources of the Hudson River and determining appropriate actions to restore those resources. Ongoing injury assessment studies include work focused on adverse impacts to mink and birds on the Hudson River. Pilot studies on fish toxicity and sediment toxicity are also ongoing.

More information regarding the Hudson River NRDA is available at: http://www.fws.gov/contaminants/restorationplans/HudsonRiver/index.html

USFWS

Kathryn Jahn/USFWS NYFO

Linda Cullivan

New England Cottontail
The New England cottontail is currently a candidate for listing under the Endangered Species Act. As recently as 1960, New England cottontails were found east of the Hudson River in New York, across all of Connecticut, Rhode Island, and Massachusetts, north to southern Vermont and New Hampshire, and into southern Maine. Today, this rabbit's range has shrunk by more than 75 percent. In New York, the New England cottontail is documented at a few sites in Columbia, Dutchess, Putnam, and Westchester Counties.

The present and threatened destruction, modification, and curtailment of habitat and range are significant factors affecting this species. Habitat succession is considered to be the most important cause of habitat loss for the species. However, at a local or individual patch scale, loss or modification of habitat due to development is also significant.

In February 2007, a memorandum of understanding (MOU) between the Natural Resources Conservation Service, the USFWS, and the Association of Fish and Wildlife Agencies was finalized. The purpose of the MOU is to strengthen cooperation among the parties in identifying and creating opportunities to work collaboratively to conserve plant and animal species at-risk and their habitats. In addition, as part of its "Keystone Initiative" for New England cottontail, the National Fish and Wildlife Foundation has developed a business plan in coordination with Federal, State, and non-Government organization partners. The plan will establish goals, measures for assessing progress toward the goals, and actions necessary to achieve the goals. States within the New England cottontail range recently received a USFWS State Wildlife Grant to target lands for habitat restoration and protection. Over the next year, the USFWS will be assisting the New York State Department of Environmental Conservation with outreach to landowners to determine potential interest in participating in this program.

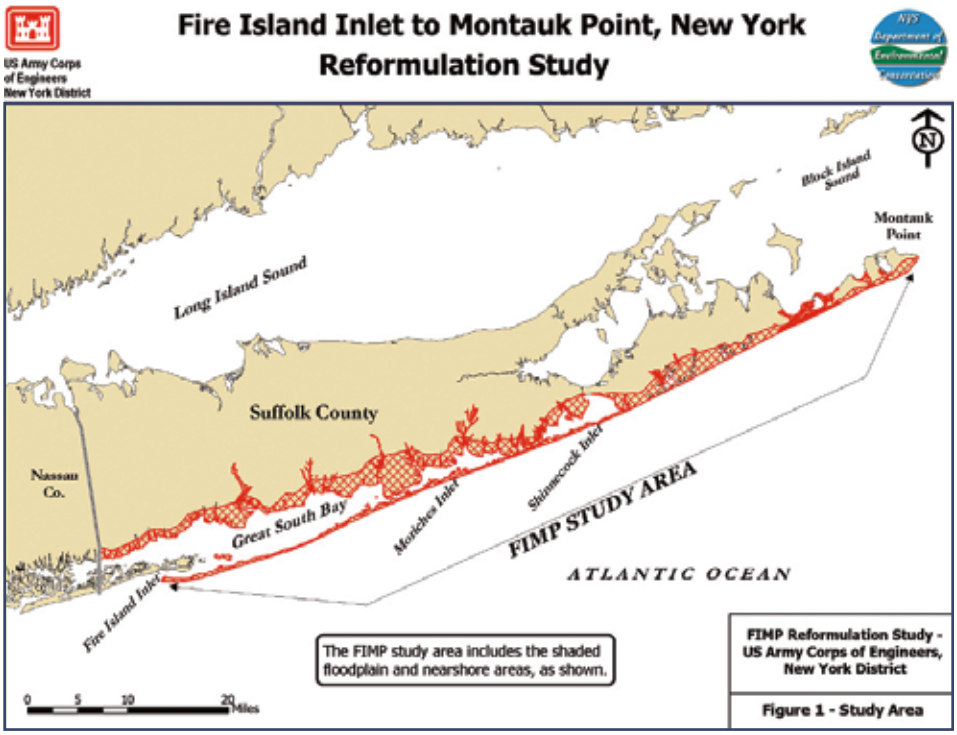
Onondaga Lake Superfund Site
Onondaga Lake is a 3,000 acre waterbody located near Syracuse, New York. The lake has been the recipient of over 100 years of Honeywell (formerly Allied Signal) related wastes, as well as industrial and municipal sewage discharges from the municipal sewer system and by combined sewer overflows (Metro facility). The lake is heavily contaminated with mercury (estimated release of 165,346 lbs) and other compounds from industrial activities. Onondaga Lake was placed on the National Priorities List (NPL) on December 16, 1994.

In September 2006, the USFWS completed a Preassessment Screen (PAS) for the Onondaga Lake Superfund Site, Onondaga County, New York, and determined it is appropriate to conduct a natural resource damage assessment for Onondaga Lake. The NYFO is currently working with the Onondaga Nation and New York State as co trustees to address natural resource injuries and restoration of Onondaga Lake.

St. Lawrence Natural Resource Damage Assessment
The natural resource trustee agencies – USFWS, St. Regis Mohawk Tribe, State of New York, and National Oceanic and Atmospheric Administration – have been working cooperatively with General Motors and ALCOA to restore natural resources in the Massena area that have been injured by releases of PCBs and other contaminants. We are currently selecting projects to restore habitat for species such as common tern, bald eagle, muskellunge, lake sturgeon, and Atlantic salmon. We are also jointly evaluating projects to improve recreational access for fishing and boating, particularly providing boating/fishing access and parking along the Raquette and Grasse Rivers. The companies have already provided funding for two projects at Akwesasne – the Thompson Island Youth Camp and funds to help support the Freedom School.

Fire Island Inlet to Montauk Point Reformulation (FIMP)
The Long Island Field Office (LIFO) continues to provide technical assistance in accordance with the Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, and Endangered Species Act regarding the potential impacts of the FIMP on fish and wildlife. In the period of time from January 2007 to the present, we provided formal input to the U.S. Army Corps of Engineers (Corps) regarding the Draft Executive Summary Formulation Report, which provided information on the alternatives the Corps proposed to advance; comments on an early draft long term management plan to protect listed species; a detailed report describing the current status of fish and wildlife and habitats within the project area; recommendations for types of compensatory mitigation we would like the Corps to further develop; and provided habitat restoration location options that we identified within the project area in close coordination and consultation with the landowners and managers.

FIMP - Issues in Need of Clarification
From the U.S. Fish and Wildlife Service's (USFWS) perspective, there are several issues still in need of further clarification. At this time it is unclear whether the non structural and structural components of this planning



effort represent the full and total sum of all plans for the 50 year planning period or whether additional impacts to fish and wildlife, including listed species, can be anticipated from locally sponsored beach fill/dune building, groin construction, jetty modifications, etc., (themselves requiring Corps permits). It is also unclear whether Federal Emergency Management Agency (FEMA)-funded storm damage mitigation will be provided that goes beyond what the FIMP comprehensive storm damage reduction plan calls for.

New Quarters

The Long Island Field Office, which has been housed in what will become a Long Island National Wildlife Refuge (LINWR) temporary employee quarters, will be co-located at last with the LINWR staff at their new $9 million facility. Plans now call for construction to begin this spring for occupancy late in 2011. We look forward to the opportunity to work closely with the LINWR staff on shared fish and wildlife conservation projects, including listed species recovery activities on the refuge and in adjacent areas. We also are very excited about the public outreach opportunities available in the visitor center that will increase what is now possible. We hope to work with refuge staff to strengthen our ability to convey trust species conservation messages. Listed species recovery on Long Island will only be achievable with strong public support and this beautiful new facility will go a long way towards helping us achieve our recovery goals.

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Piping plover

Piping Plover Conservation

Late in 2009, a five-year review of the status of the Atlantic Coast Population of piping plovers was completed. Enormous progress has been made towards species recovery since its listing 20 years ago. In New York, it is estimated that the overall population of piping plovers has grown from approximately 100 pairs in 1986 to approximately 450. However, all the major threats – habitat loss and degradation, predation, human disturbance, and inadequacy of non-ESA regulatory mechanisms – identified in the 1986 ESA listing and 1996 revised recovery plan remain persistent and pervasive across the species range. This progress has only been possible because of expensive labor-intensive management to minimize the effects of these continuing threats, implemented every year by a network of extremely dedicated governmental and private cooperators, including towns and villages, volunteer citizens, and NGOs in your District. In the next several years, we will place an emphasis on development of long-term agreements among cooperating agencies, landowners, and NGOs to ensure that gains in the status of the piping plover are not lost

Work with the Suffolk County Department of Public Works

The LIFO has been working closely with the New York District, Army Corp of Engineers Operations Branch Regulatory Program on streamlining Endangered Species Act section 7 consultation on the effects of non-Federal channel maintenance dredging projects on Federally listed species by the Suffolk County Department of Public Works. The District provides the information we need to understand

their determinations of the effects of their long term permit authorizations on listed species. Although the channel dredging operations themselves may have little potential for effects, the material placement activities may affect the Federally-listed piping plover *(Charadrius melodus)*. This happens if the "beneficial use" of the sand placement activity takes place during breeding season; if the project alters the composition or slope of documented breeding areas; if the placement disrupts the natural process of early successional habitat formation and maintenance; or if the beaches are widened sufficiently to attract greater amounts of human recreational activity beyond what may have occurred previously. By providing this information, we are able to respond and complete consultation in as timely a way as possible with current staffing levels.

Climate change and sea level rise

The low lying shorelines of Long Island have long been known to be vulnerable to the impacts of sea level rise (SLR). SLR will impact not just permanent residences, vacation homes, businesses, and public infrastructure, but the significant fish and wildlife and their habitat which are valued by Long Island residents and their families. Many wildlife species that occupy and/or nest on islands, beaches, and in salt marshes will be vulnerable to changes in sea level rise especially if natural barrier island migration landward, which creates and maintains their habitat, is stopped or negatively altered by human engineering. The challenge is to find solutions to protect human infrastructure and wildlife habitat within a geographically constrained area. USGS, NPS, and the USFWS are evaluating data needs and developing research proposals for informing our long-range species and habitat conservation activities in areas impacted by sea level rise and other aspects of climate change. There are large scale sea level rise models, however, we cannot wait until such information is downscaled to the local community and habitat scale to act. Agencies are engaged in "scenario planning" which involves looking at alternatives based on different assumptions for the degree of change. We are evaluating potential habitat restoration, enhancement, and creation techniques to provide habitat to species whose habitat may be lost or impaired by rapid changes in sea level. All of these considerations will be important in the analysis of the Fire Island to Montauk Point Hurricane protection project, among other coastal erosion protection efforts of the Federal, state, and local governments.

Roseate tern nesting habitat restoration

The Long Island Field Office (LIFO) is working this year with staff from the Long Island National Wildlife Refuge complex and the Town of Brookhaven to restore habitat on New Made Island for Federally-listed (endangered) roseate tern, common tern, and/or other colonial ground-nesting birds. The roseate tern, along with the black skimmer, were known to nest on the island in the past, using woody debris, rocks, shells, and clumps of dense vegetation to hide their nests. The island, located in Moriches Bay just north of Smith County Park, was originally constructed as a dredged material disposal site and has the potential, once suitable habitat is established, to support the colonial nesting roseate terns again. The Refuge staff floated an amphibious excavator to the island and are using it to remove dense stands of common reed (which provides little value to wildlife) and to provide appropriate elevations and contours for colonial nesters. The LIFO is providing roseate tern decoys which will be arranged on the island to attract common or roseate terns that may be in the area. We are also providing acoustic equipment which can be used to periodically broadcast tern vocalizations to increase the likelihood of success in attracting terns to the island. Finally, we are providing monitoring equipment for Brookhaven staff so that the site, once the habitat has been restored, can be regularly monitored to detect whether roseate terns, common terns, or black skimmers return.

U.S. Fish & Wildlife Service
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