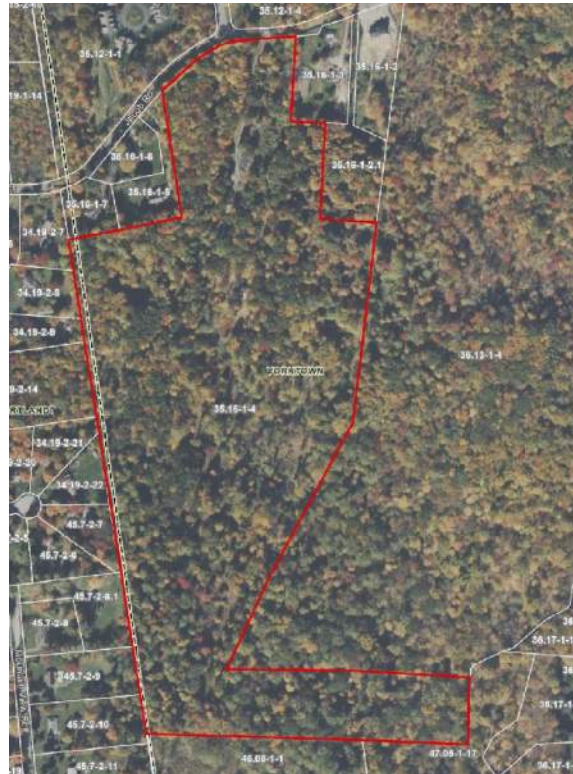




Full Environmental Assessment Form

Jacob Solar 2344 LLC
1805 Jacob Road

Town of Yorktown
Westchester County, New York



Issued: February 23, 2024
Revised: April 30, 2024

Prepared for:
Jacob Solar 2344 LLC
100 Fillmore Street, 5th Floor
Denver, Colorado 80206

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LaBella Project No. 2231869

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PLANNING DEPARTMENT
MAY - 3 2024
TOWN OF YORKTOWN

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FULL ENVIRONMENTAL ASSESSMENT FORM, PART 1

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- Attachment A - United States Fish and Wildlife Service (USFWS) Informal IPaC Report
- Attachment B - NYSOPRHP Letter of No Effect

Site Plan and Solar Decommissioning Plan will be submitted separately.

1.0 PROJECT DESCRIPTION

1.1 Introduction

The Applicant, Jacob Solar 2344 NY LLC is seeking special use permit approval and site plan approval by the Town of Yorktown's Planning Board, to develop a 3.125 mega-watt (MW) AC large-scale solar project on a 24.2-acre project area within a 52.23-acre parcel, located at 1805 Jacob Road (Tax Parcel ID 35.16-1-4) in the Town of Yorktown, Westchester County, NY. The Applicant will lease approximately 15 acres of the 52.23-acre property to develop the solar facility; the Applicant has received permission from the landowner to lease this land. The proposed solar array area (within the fence) will be approximately 11.5 acres. This action also includes battery energy storage devices. The current project site is vacant, undeveloped, and wooded. The project site is located within the Town's R1-160 zoning district. See Figures 1 and 2.

The proposed large-scale solar energy system will result in approximately 20.8 acres of disturbance; therefore, the Applicant will require coverage under NYSDEC GP-0-20-001. In addition to the 11.5-acre proposed solar array, an additional 4.6 acres will be cleared for shade mitigation and access. Much of the 52.23-acre property, approximately 27.4 acres, will remain wooded, but the rest of the property, 7.1 acres, will be subdivided into residential lots.

The facility is proposed to operate 24 hours a day, every day of the week including holidays. The facility will not have any employees on-site on a regular basis, therefore, no water, wastewater or solid waste during operation will be generated. Additionally, the project will not generate traffic.

1.2 Approvals, Consultations and Referrals

The following approvals are required for the implementation of the Proposed Project:

1. Town of Yorktown Planning Board - Special Use Permit, Site Plan Approval, Wetland Buffer Permit and Tree Removal Permit
2. Town of Yorktown Highway Department – Driveway/Road Permit
3. Westchester County Planning Board – GML 239-m referral
4. NYS Department of Environmental Conservation (NYSDEC) – State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-20-001
5. NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) – SHPO Consult Completed (Received Letter of No Effect on 4/26/23)
6. United States Fish and Wildlife Service – Indiana Bat Coordination (underway)

2.0 ENVIRONMENTAL ASSESSMENT

2.1 Land Use, Zoning and Public Policy

2.1.1 Land Use

The Project Site is not located on agriculturally farmed land but is within Westchester County's Agricultural District (WEST001). The land uses located within 1,000 feet of the Project Site are characterized by residential, commercial, community services, agricultural and vacant (see Figure 3).

The proposed use as a 'large-scale solar energy system' is permitted through the issuance of a special use permit and subject to site plan approval by the Town Planning Board.

The Proposed Project will support renewable energy development that is context-sensitive and that increases the resiliency of energy generation and delivery.

2.1.2 Zoning

The project site is located within the Town's R1-160 zoning district. According to Zoning Section (ZS) 300-81.4(E)(1), a large-scale solar energy system is defined as a solar energy system that exceeds 25 kilowatts (kW) DC as rated by its nameplate capacity. The maximum system capacity and the maximum area of land upon which the system shall be erected are as follows: up to one megawatt AC on an area of land no larger than 10 acres, excluding any easement for accessing the parcel; or over one but not to exceed 5-megawatt AC on an area of land no larger than 20 acres, excluding any easement for accessing the parcel. The solar energy system itself is defined as an electrical generating system composed of a combination of both solar panels and solar energy equipment.

Per ZS 300-81.4(F)(1), Large-scale solar energy systems are permitted through the issuance of a special use permit within all zoning districts, subject to site plan approval by the Town of Yorktown's Planning Board. Large-scale solar energy systems are permitted as a sole, principal use on properties within residential zones. Additionally, where a solar energy system will require a tree removal permit, the application shall be referred to the Tree Conservation Advisory Commission.

Per ZS 300-81.4(F)(3)(g), Special use permit standards, landscape screening and buffering shall be required. A landscape plan shall be submitted and approved by the Planning Board. Large-scale solar energy systems shall be fully screened from adjacent residential properties, streets, or roads on which it fronts or is visible from, and any other views, which the Planning Board determines is necessary.

Per ZS 300-81.4(G), Abandonment and decommissioning, solar energy systems that have been abandoned and/or not producing electricity for a period of one year shall be removed from the property. If the large-scale solar energy system is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and impose a lien on the property to cover the costs to the municipality. A decommissioning plan, signed by the owner and/or operator of the solar energy system will be submitted during the special use permit and site plan approval process.

The Proposed Project will comply with all of the general and permitting requirements, special use permit standards and safety standards included in ZS 300-81.4(A) through ZS 300-81.4(L).

2.1.3 Public Policy

The Town of Yorktown's 2010 Comprehensive Plan does not specifically speak about energy and climate resiliency through solar, and other renewable energy initiatives.

However, according to ZS 300-81.4(A) and (B), the Town of Yorktown adopted zoning provisions that advance and protect the health, safety, and welfare of the community, and accommodate solar energy systems and equipment and access to sunlight. The Town's e-code states that solar energy is an abundant and nonpolluting energy resource that reduces fossil fuel emissions, reduces dependence on the electrical power grid that generates power from nonrenewable and nuclear sources of fuel, reduces impacts to residential and commercial property resulting from power interruptions resulting from man-made or natural events, and reduces the Town's energy load. The Town of Yorktown permits and regulates solar energy systems and the requisite provision of, and access to, adequate sunlight; to mitigate the potential impacts to neighboring properties, while promoting the use of solar energy systems in residential districts.

Thus, the use of solar energy to provide electrical power for the needs of the Town's residents and businesses is consistent with the Town of Yorktown's commitment to green infrastructure and practices, and consistent with its goal of promoting long-term sustainability. The proposed solar facility is situated in a manner such that it will provide the least impact to natural resources. The Proposed Project's design is anticipated to comply with the Town of Yorktown's Zoning Code.

2.2 Utilities

The Proposed Project will involve greater than one acre of ground disturbance; therefore, coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities will be sought. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared in conformance with the most current New York State Stormwater Management Design Manual and New York State Standards and Specifications for Erosion and Sediment Control. There are no water or wastewater utility connections proposed as part of the Proposed Project.

2.3 Noise

The proposed construction activities may result in temporary noise that exceeds local ambient noise levels. These activities will be limited to the hours of 7AM to 11PM Mondays through Thursdays, 7AM to 10PM on Fridays, 8AM to 10PM Saturdays, 8AM to 11PM on Sundays, and except Holidays, which complies with ZS Section 216-2 of the Town Code. Therefore, the Proposed Project is not expected to result in any adverse impacts with regard to noise.

2.4 Soils and Surface Water Resources

2.4.1 Soils

The following table provides the soil characteristics for each soil type expected to be found on the Project Site, according to the USDA Natural Resources Conservation Service website (see Figure 4).

Table 1: Characteristics of Anticipated Soil Types within Project Site

% of SITE	SOIL SYMBOL	SOIL TYPE	FARMLAND CLASSIFICATION	SLOPES	DRAINAGE	DEPTH TO WATER TABLE	DEPTH TO BEDROCK
0.6	Ff	Fluvaquents -Udfluvents complex	Not prime farmland	0-3%	Poorly drained & Well drained	~0 to 72 inches	More than 80 inches
20.2	PnB	Paxton fine sandy loam	All areas are prime farmland	3-8%	Well drained	~18 to 37 inches	18 to 39 inches
23.2	PnC	Paxton fine sandy loam	Farmland of statewide importance	8-15%	Well drained	~18 to 37 inches	20 to 39 inches
36.2	PnD	Paxton fine sandy loam	Not prime farmland	15-25%	Well drained	~18 to 37 inches	20 to 39 inches
3.6	PoC	Paxton fine sandy loam	Not prime farmland	8-15%	Well drained	~18 to 37 inches	20 to 43 inches
1.2	PoD	Paxton fine sandy loam	Not prime farmland	15-25%	Well drained	~18 to 37 inches	20 to 43 inches
6.5	RdA	Ridgebury complex	Farmland of statewide importance	0-3%	Poorly drained	~0 to 18 inches	15 to 35 inches
0.9	RdB	Ridgebury complex	Farmland of statewide importance	3-8%	Poorly drained	~0 to 18 inches	15 to 35 inches
7.6	WdC	Woodbridge loam	Farmland of statewide importance	8-15%	Moderately well drained	~18 to 30 inches	20 to 39 inches

The Proposed Project is only expected to encounter high groundwater when digging trenches for the proposed electrical wiring. Any groundwater encountered will be pumped from the open excavations and discharged to approved sediment trapping devices in accordance with NYSDEC guidelines.

2.4.2 Surface Water Resources and Floodplains

A wetland and stream delineation report was completed by LaBella Associates in May of 2023. According to the report, five wetlands including three palustrine forested (PFO) wetlands and two palustrine emergent (PEM) wetlands were delineated within the 52.23-acre Study Area. In addition, one perennial stream, and three intermittent streams were also delineated within the Study Area (see Figure 5).

Of the five wetlands, Wetland 1, Wetland 2, Wetland 4, and all four streams delineated within the Study Area are considered jurisdictional WOUS under the CWA due to their connection with downstream Traditional Navigable Water (TNW). Surface waters from these aquatic resources flows offsite into Hunter Brook which then flows south towards New Croton Reservoir. Water eventually flows into the Croton River, a tributary to the Hudson River, a TNW. Wetland 3 and Wetland 5 appear to be hydrologically isolated. The two wetlands are surrounded on all sides by upland forest and no inlet or outlets were observed. Based on the report, it was determined that there are no federally regulated wetlands or wetland buffers were located within the area of ground disturbance for the Proposed Project. Additionally, the streams were delineated and determined to be outside the area of disturbance.

A portion of the Project Site (Tax Parcel 35.16-1-4) is located within Special Flood Hazard Zone A; however, the solar facility will not be located within this area and is primarily located in Zone X, an area of minimal flood hazard. Therefore, it is anticipated that the Proposed Project will not result in any adverse impacts to wetlands or streams.

2.5 Agriculture

According to the Westchester County Agricultural Soil Survey, 11.5 acres of agricultural lands consisting of highly productive soils are currently present on the Project Site, however the Project Site is wooded and undeveloped, and not used for agriculture. In the future, with the proposed project, 11.5 acres would be developed with the solar facility. The remaining areas of the project site would either be wooded, access drives, or residential lots.

2.6 Vegetation and Wildlife

According to the NYSDEC Environmental Resource Mapper, there are no known NYS DEC-regulated endangered, threatened, or rare species, on or in the vicinity of the project site (see Figure 6).

According to the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), the report indicated the potential presence of the Northern Long-eared Bat (endangered), Indiana Bat (endangered), and Bog Turtle (threatened), on the project site. Additionally, the Monarch Butterfly, a candidate species, may be found on the Project Site; however, candidate species are not regulated by the USFWS or carry any project implications associated with it (See Attachment A).

A habitat survey report (the "report") was completed by LaBella Associates in June of 2023. The 52.23-acre study area was reviewed by LaBella during the site visit to determine the potential presence of suitable habitat for listed species within the vicinity the Study Area.

2.6.1 Northern Long-eared Bat

According to the report, the nearest known NLEB hibernacula is located in the Town of Woodbury, approximately 10 miles northwest of the Study Area. With respect to potential summer NLEB occurrences or known maternity roost trees, there was no record of summer occurrences in the Town of Yorktown, which includes the Study Area. The majority of the Study Area contains trees larger than 3 inches DBH, with several trees containing suitable roosting habitat for the NLEB. Thus, an NLEB determination key was completed through the IPaC.

Based on the IPaC's NLEB determination key, and a September 19, 2023 consistency letter, USFWS determined that the proposed project is not reasonably certain to cause incidental take of the NLEB. Unless contacted by USFWS within 15 days of the date of the consistency letter, stating that the IPaC-assisted determination was incorrect, USFWS stated that the proposed project is not likely to result in authorized take of the NLEB and coordination with USFWS is complete. Therefore, it is anticipated that the Proposed Project will not result in any adverse impacts to the NLEB.

As a courtesy, it is still recommended that any forest clearing take place between October 30 and March 31, as during this time, the bats would be in hibernation and not present on the project site.

2.6.2 Indiana Bat

According to the report, the nearest known hibernacula for the Indiana bat is located 10.5 miles north of the Study Area, associated with the Sunk Mine in Putnam Valley, New York. There are several dead, mature trees with peeling or exfoliating bark that could be utilized as roost trees by Indiana bats within the Study Area, specifically along the streams and within the forested wetland. Suitable roosting habitat for the Indiana bat is present, along with foraging habitat along the stream corridors. Thus, a Northeast Endangered Species determination key was completed through the IPaC.

Based on the IPaC's Northeast Endangered Species determination key and its September 19, 2023 consistency letter, USFWS stated a 'may effect' determination for the Indiana bat. Further consultation or coordination with USFWS is underway. As approximately 20.06 acres of tree clearing will occur onsite, it is recommended that any forest clearing take place between October 30 and March 31, as during this time, the bats would be in hibernation and not present on the project site.

2.6.3 Bog Turtle

According to the report, the wetlands found within the Study Area do not contain suitable habitat for bog turtles. The wetlands within the Study Area do not contain mucky soils, which are required for bog turtles. The emergent wetlands onsite do have some of the plant species found within bog turtle wetlands; however, these species are also commonly found in many typical wetland habitats in New York. It is LaBella's opinion that the proposed Project will have no effect on bog turtles.

Based on the IPaC's Northeast Endangered Species determination key and its September 19, 2023 consistency letter, USFWS stated a 'no effect' determination for the Bog turtle.

Therefore, it is anticipated that the Proposed Project will not result in any adverse impacts to the Bog turtle.

2.7 Historic and Archaeological Resources

According to the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) Cultural Resource Information System (CRIS) mapping, there are no National or State Historic Register sites on the Project Site (see Figure 7). Furthermore, there are no eligible or listed resources that are substantially contiguous to the Project Site. An April 26, 2023, letter from the NYSOPRHP states that "no historic properties, including archaeological and/or historic resources, will be affected (see Attachment B).

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FULL ENVIRONMENTAL ASSESSMENT FORM PART 1

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Jacob Solar 2344 NY, LLC		
Project Location (describe, and attach a general location map): 1805 Jacob Road, Yorktown, Westchester County, New York 10567; Tax Parcel ID 35.16-1-4		
Brief Description of Proposed Action (include purpose or need): The Applicant, Jacob Solar 2344 NY LLC is seeking special use permit approval and site plan approval by the Town of Yorktown's Planning Board, to develop a 3.125 mega-watt (MW) AC large-scale solar project on a 20.8-acre project area within a 52.23-acre parcel, located at 1805 Jacob Road (Tax Parcel ID 35.16-1-4) in the Town of Yorktown, Westchester County, NY. The Applicant will lease approximately 15 acres of the 52.23-acre property to develop the solar facility; the Applicant has received permission from the landowner to lease this land. The proposed solar array area (within the fence) will be approximately 11.5 acres. This action also includes battery energy storage devices. The current project site is vacant, undeveloped, and wooded. The project site is located within the Town's R1-160 zoning district. The proposed large-scale solar energy system will result in approximately 20.8 acres of disturbance; therefore, the Applicant will require coverage under NYSDEC GP-0-20-001. In addition to the 11.5-acre proposed solar array, an additional 4.6 acres will be cleared for shade mitigation and access. Much of the 52.23-acre property, approximately 27.4 acres, will remain wooded, but the rest of the property, 7.1 acres, will be subdivided into residential lots. The facility is proposed to operate 24 hours a day, every day of the week including holidays. The facility will not have any employees on-site on a regular basis, therefore, no water, wastewater or solid waste during operation will be generated. Additionally, the project will not generate traffic.		
Name of Applicant/Sponsor: Jacob Solar 2344 LLC (Contact: Ryan Hutcherson)		Telephone: 303-345-1781 E-Mail: rhutcherson@freestonerenewables.com
Address: 100 Fillmore Street, 5th Floor		
City/PO: Denver	State: Colorado	Zip Code: 80206
Project Contact (if not same as sponsor; give name and title/role): Same as Sponsor		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Featherbed Properties, Inc. (Contact: John Colangelo)		Telephone: 347-231-6959 E-Mail: jc@rhamco.com
Address: 119 Pondfield Road, Suite 250		
City/PO: Bronxville	State: NY	Zip Code: 10708

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Yorktown PB - SUP, Site Plan Approval, Wetland Buffer Permit, Tree Removal Permit	Winter 2024
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Yorktown Highway Department - Driveway/Road Permit	Winter 2024
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Westchester Co. Planning - GML 239-m referral;	Winter 2024
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC - SPDES GP-0-20-001; NYSOPRHP - SHPO (Received Letter of No Effect on 4/26/23)	DEC - Summer/Fall 2024
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USFWS - Indiana Bat Coordination (underway)	Summer/Fall 2024
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

NYC Watershed Boundary, Hudson River Valley Greenway Compact Community (Westchester County Greenway Compact Plan)

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
One-Family Residential (R1-160)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No
The proposed use is allowed by a special use permit in the R1-160 zone.

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Yorktown Central School District

b. What police or other public protection forces serve the project site?
Yorktown Police Department

c. Which fire protection and emergency medical services serve the project site?
Lake Mohegan Fire District - Station 3

d. What parks serve the project site?
Hunter Brook Preserve

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? vacant, undeveloped, forested

b. a. Total acreage of the site of the proposed action? 20.8 acres
b. Total acreage to be physically disturbed? 20.8 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 52.23 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed?
iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: 5 months
ii. If Yes:
• Total number of phases anticipated
• Anticipated commencement date of phase 1 (including demolition) month year
• Anticipated completion date of final phase month year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes,

i. Total number of structures _____ 7 pad-mounted electrical components

ii. Dimensions (in feet) of largest proposed structure: _____ 10-ft height; _____ 6-ft width; and _____ 29-ft length

iii. Approximate extent of building space to be heated or cooled: _____ 0 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

If Yes: No; the only action within 100' of a wetland is tree clearing to create shade mitigation and access.

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes: _____

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes: _____

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes: _____

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes: _____

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes: _____

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes: _____

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes: _____

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 0.58 acres (impervious surface)
 _____ Square feet or 52.23 acres (parcel size)
- ii. Describe types of new point sources. Outlet from bioretention area.
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
Runoff will be directed to new stormwater management practices including swales and bioretention areas. Runoff ultimately flows offsite through existing drainage ditches to Hunter Brook.
 - If to surface waters, identify receiving water bodies or wetlands: _____
On-site drainage ditches.
 - Will stormwater runoff flow to adjacent properties? Runoff will follow existing flow patterns and discharge to neighboring properties to the northwest and east. Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
The proposed solar facility will not consume any energy, instead it will be generating power.

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7AM-11PM (M-Th); 7AM-10PM (F)</u> • Saturday: <u>8AM-10PM</u> • Sunday: <u>8AM-11PM</u> • Holidays: <u>None</u> 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24/7</u> • Saturday: <u>24/7</u> • Sunday: <u>24/7</u> • Holidays: <u>24/7</u>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
 The proposed construction activities may result in noise that exceeds local ambient noise levels. These activities are temporary and will be limited to the hours stated in subsection l above.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: Approximately 16.10 acres of trees will be removed from the interior of the site, but vegetation will remain around the perimeter.

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Construction waste may be recycled at the discretion of the contractor.

 • Operation: None

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Construction debris will be hauled away by a licensed solid waste hauler for disposal at a debris landfill or other licensed facility.

 • Operation: None

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.73	1.31	+0.58
• Forested	43.50	27.40	-16.10
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	6.75	22.28	+15.53
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.13	0.13	0
• Wetlands (freshwater or tidal)	0.99	0.99	0
• Non-vegetated (bare rock, earth or fill)	0.13	0.12	-0.01
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
Walter Panas High School, Yorktown Assisted Living Residence, Yorktown Rehabilitation & Nursing Center

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes: The NYSDEC Spill Incident Database recorded a spill on Jacobs Road, but it does not specify where along the road. However, the spill was closed in 1989.
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
NA _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 1.25 to >6 feet

b. Are there bedrock outcroppings on the project site? Yes No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Paxton fine sandy loam 15-25% PnD	36.2 %
Paxton fine sandy loam 8-15% PnC	23.2 %
Paxton fine sandy loam 3-8% PnB	20.2 %

d. What is the average depth to the water table on the project site? Average: _____ 0 to 6 feet

e. Drainage status of project site soils: Well Drained: _____ 84.7 % of site
 Moderately Well Drained: _____ 7.6 % of site
 Poorly Drained _____ 7.7 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 45.4 % of site
 10-15%: _____ 17.2 % of site
 15% or greater: _____ 37.4 % of site

g. Are there any unique geologic features on the project site? Yes No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 864-91 Classification B(TS)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name NYS Wetland, Federal Waters, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) A-37

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No
Only a small portion (southeast) of the project site is within Flood Zone A, a Special Flood Hazard Area. However, the proposed solar facility will be located in Zone X, an area of minimal flood hazard.

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
If Yes:
i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Wildlife native to Westchester County _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 NYSDEC: None; USFWS: Indiana Bat - Coordination with USFWS is underway; Northern Long-eared Bat - USFWS determined that the project is not likely to result in authorized take of the NLEB & therefore, consult is complete; Bog Turtle - According to LaBella's habitat assessment report, the wetlands found within the Study Area do not contain suitable habitat for bog turtles, and USFWS stated a 'no effect' determination for the Bog turtle.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: WEST001

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? 11.5 acres
 ii. Source(s) of soil rating(s): Westchester County Agricultural Soils

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <i>Varies</i>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <i>Varies</i>	
<i>iii.</i> Distance between project and resource: _____ 0-5 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Ryan Hutcherson, Jacob Solar 2344 LLC Date 04/30/2024

Signature  Title Managing Member



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

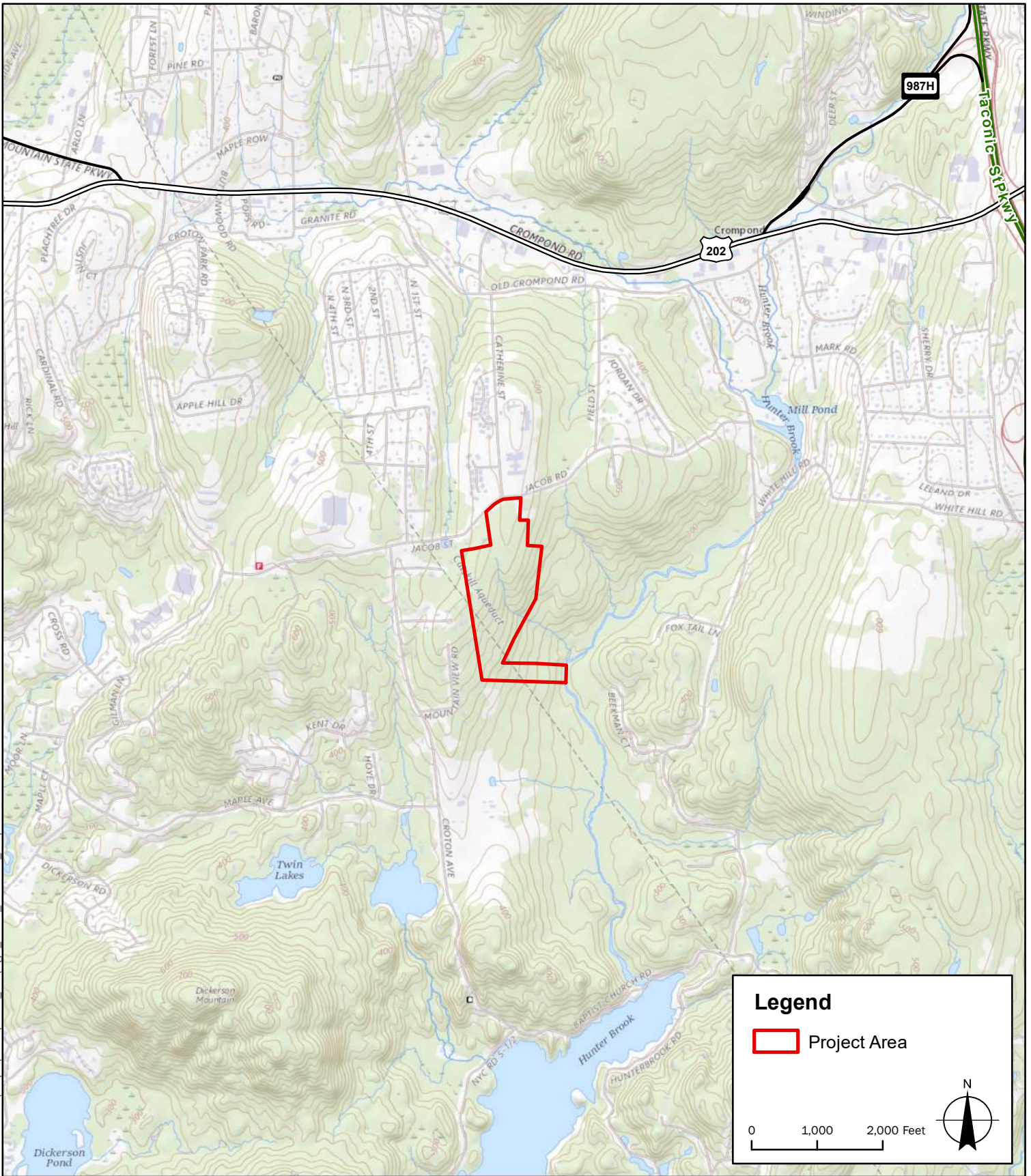


B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYC Watershed Boundary
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	864-91
E.2.h.iv [Surface Water Features - Stream Classification]	B(TS)
E.2.h.iv [Surface Water Features - Wetlands Name]	NYS Wetland, Federal Waters
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):63.2
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	A-37

E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	WEST001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

FIGURES

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- Sources:
1. Project Area: LaBella 2023; Regrid 2023
 2. Streets: NYS GIS Program Office 2022
 3. Basemap: USGS Topo Map



1805 Jacob Road,
Town of Yorktown,
Westchester Co., NY 10567

Jacob Road
Solar

LaBella Project No: 2231869
Date: 6/20/2023

**USGS Location
Map**

FIGURE 1



- Sources:
1. Project Area: LaBella 2023
 2. Tax Parcels: Regrid 2023
 3. Streets: NYS GIS Program Office 2022
 4. Basemap: Bing Maps

LaBella
 Powered by partnership.

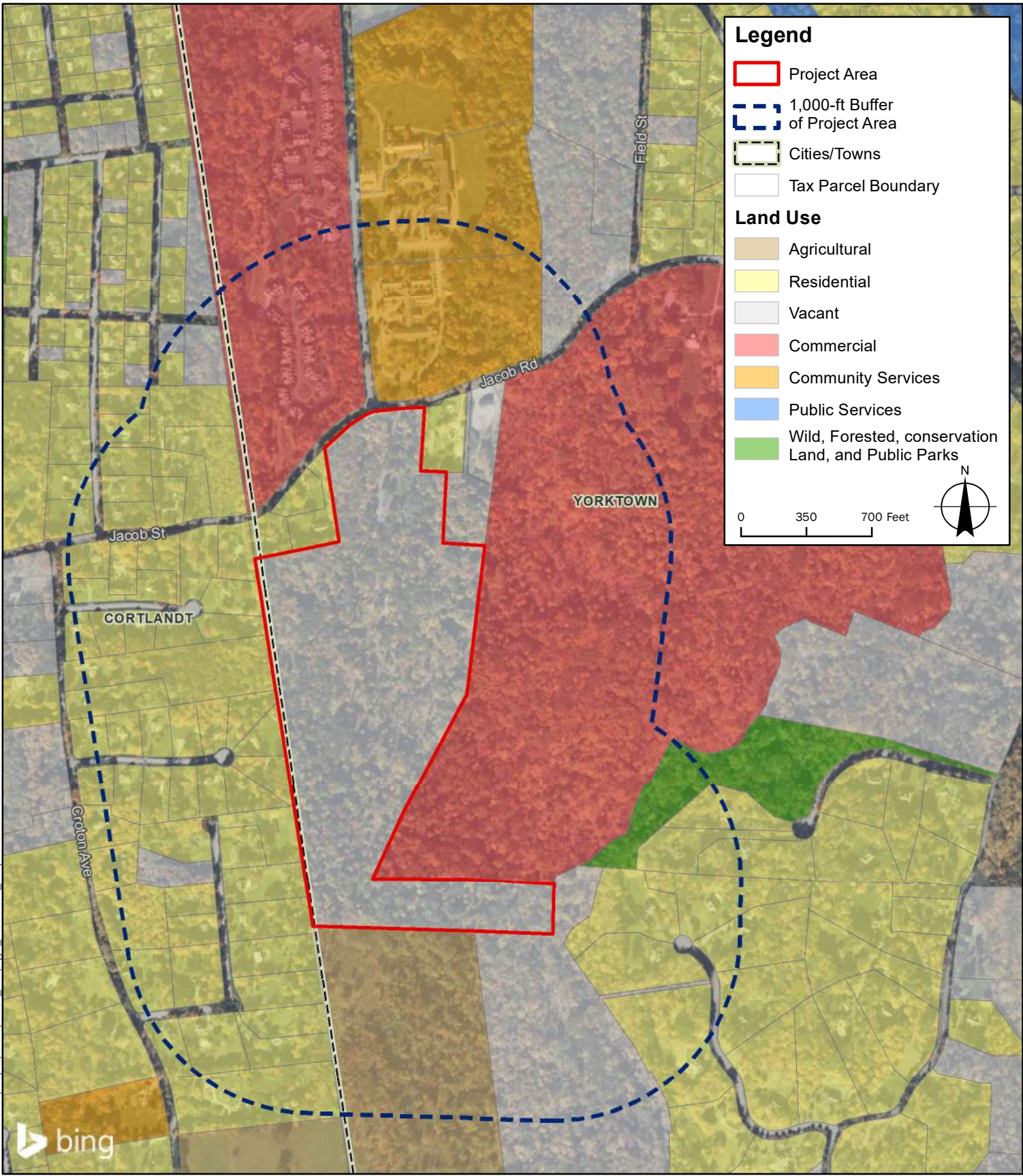
1805 Jacob Road,
 Town of Yorktown,
 Westchester Co., NY 10567

Jacob Road
 Solar

LaBella Project No: 2231869
 Date: 6/20/2023

Orthophoto
 Tax Map

FIGURE 2



- Sources:
1. Project Area: LaBella, 2023
 2. Tax Parcels: Regrid, 2023
 3. Land Use: Regrid, 2023
 4. Streets: NYS GIS Program Office, 2022
 5. Basemap: Bing Maps



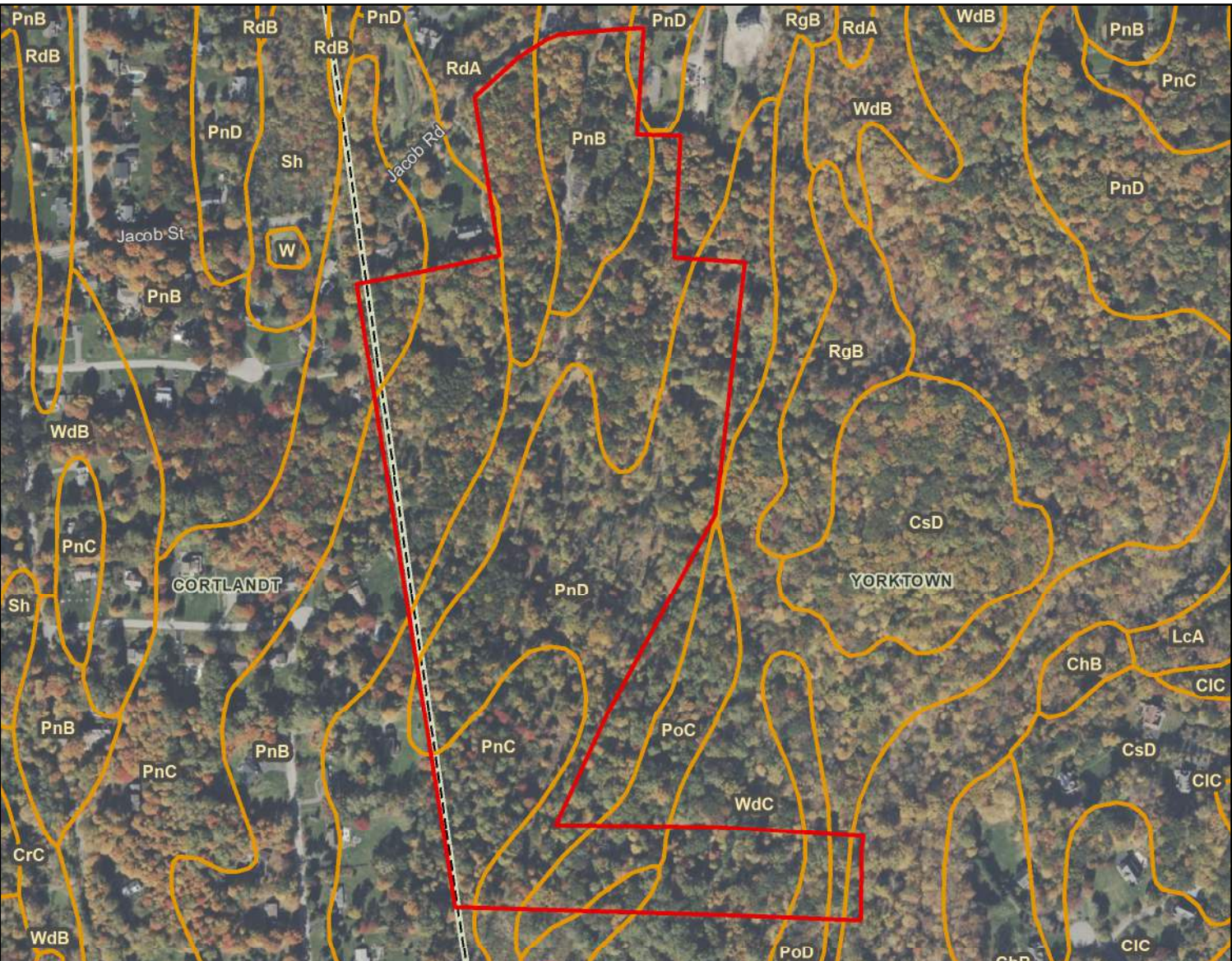
1805 Jacob Road,
Town of Yorktown,
Westchester Co., NY 10567

Jacob Road
Solar

LaBella Project No: 2231869
Date: 6/20/2023

Land Use
Map

FIGURE 3



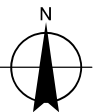
Legend

- Project Area
- Cities/Towns

Soil Map Unit

- | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ChB- Charlton fine sandy loam, 3 to 8 percent slopes | CrC- Charlton-Chatfield complex, 0 to 15 percent slopes, very rocky | PnB- Paxton fine sandy loam, 3 to 8 percent slopes | RdA- Ridgebury complex, 0 to 3 percent slopes |
| ChC- Charlton fine sandy loam, 8 to 15 percent slopes | CsD- Chatfield-Charlton complex, 15 to 35 percent slopes, very rocky | PnC- Paxton fine sandy loam, 8 to 15 percent slopes | RdB- Ridgebury complex, 3 to 8 percent slopes |
| ChD- Charlton fine sandy loam, 15 to 25 percent slopes | Ff- Fluvaquents-Udifluents complex, frequently flooded | PnD- Paxton fine sandy loam, 15 to 25 percent slopes | RgB- Ridgebury complex, 0 to 8 percent slopes, very stony |
| CIC- Charlton fine sandy loam, 8 to 15 percent slopes, very stony | LcA- Leicester loam, 0 to 3 percent slopes, stony | PoC- Paxton fine sandy loam, 8 to 15 percent slopes, very stony | Sh- Sun loam |
| | LcB- Leicester loam, 3 to 8 percent slopes, stony | PoD- Paxton fine sandy loam, 15 to 25 percent slopes, very stony | W- Water |
| | | Ra- Raynham silt loam | WdB- Woodbridge loam, 3 to 8 percent slopes |
| | | | WdC- Woodbridge loam, 8 to 15 percent slopes |

0 250 500 Feet



- Sources:
1. Project Area: LaBella 2023
 2. Soil Map Unit: USDA/NRCS 2021
 3. Streets: NYS GIS Program Office 2022
 4. Basemap: Bing Maps



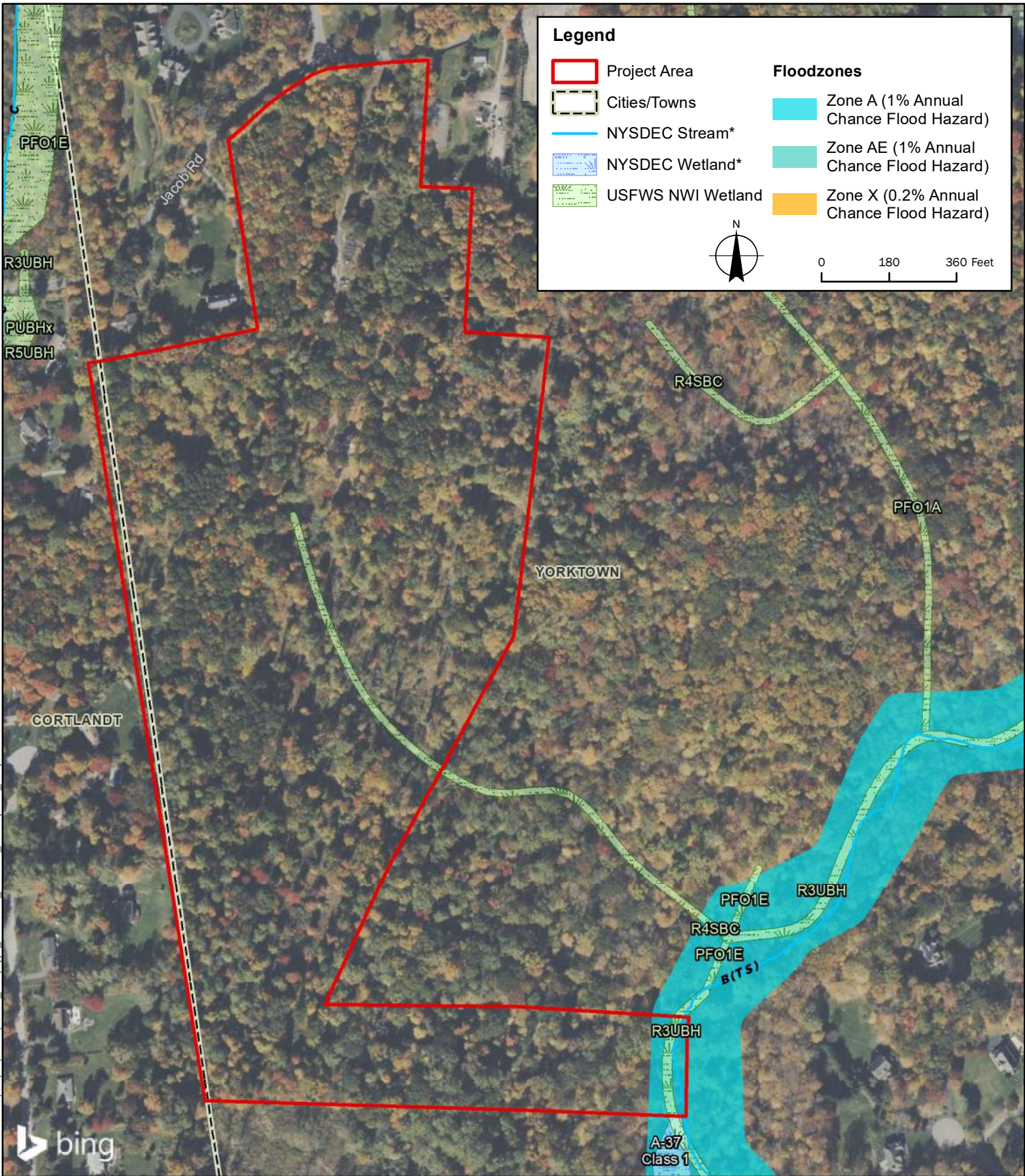
1805 Jacob Road,
Town of Yorktown,
Westchester Co., NY 10567

Jacob Road
Solar

LaBella Project No: 2231869
Date: 6/20/2023

Soils
Map

FIGURE 4



- Sources:
1. Project Area: LaBella 2023; Regrid 2023
 2. NYSDEC Streams: NYSDEC 2021
 3. NYSDEC Wetlands: NYSDEC 2006
 4. NWI Wetlands: USFWS 2022
 5. Flood Zones: FEMA 2021
 6. Streets: NYS GIS Program Office 2022
 7. Basemap: Bing Maps

LaBella
 Powered by partnership.

1805 Jacob Road,
 Town of Yorktown,
 Westchester Co., NY 10567

Jacob Road
 Solar

LaBella Project No: 2231869
 Date: 6/20/2023

**Wetland, Stream,
 and Floodplain
 Map**

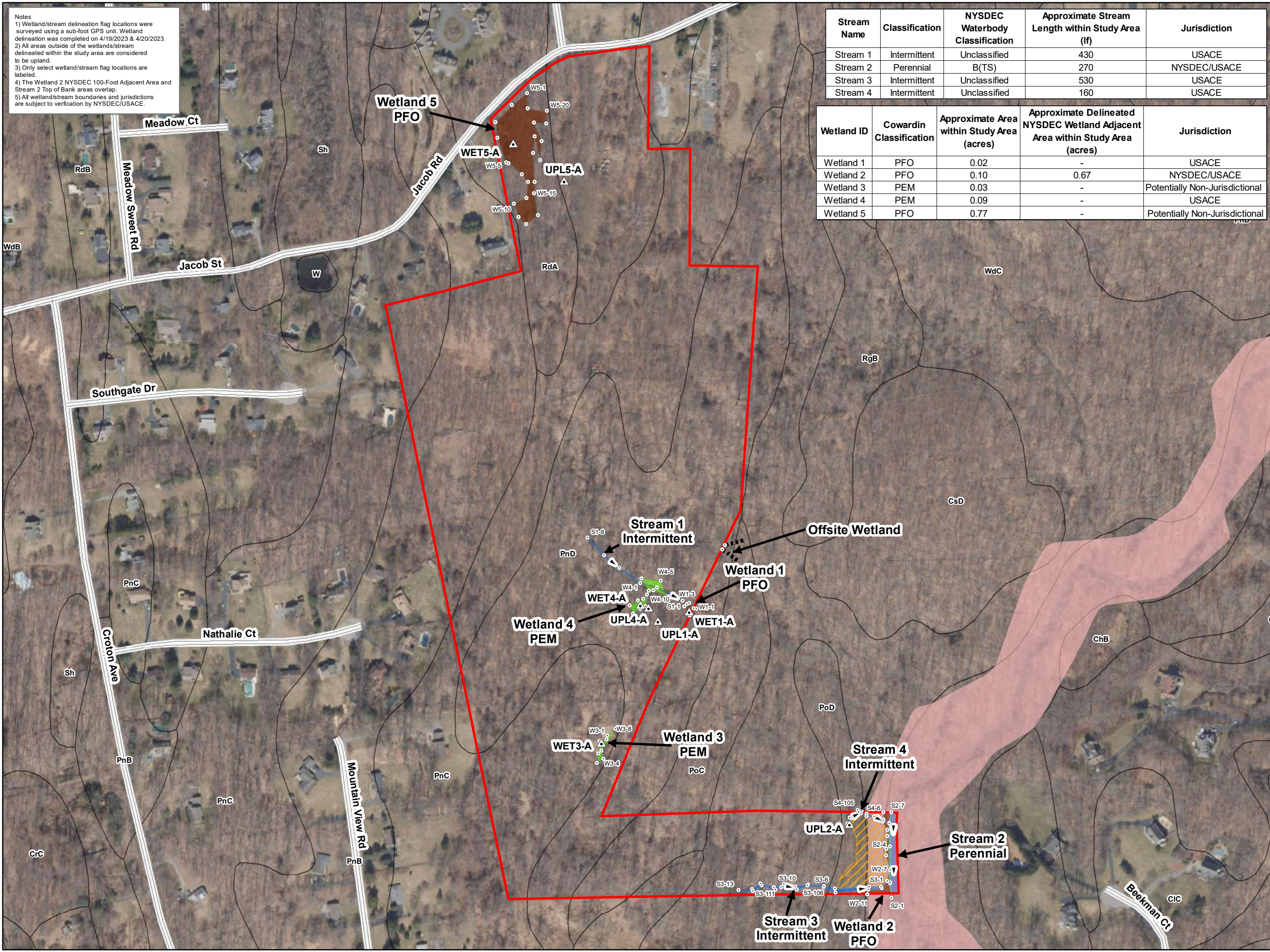
FIGURE 5

Path: B:\GLOBAL\Projects\Freestone Renewables LLC\2231869 - Jacob Rd Solar Yorktown NY\06_Drawings\Environmental\Wetland Delineation\Figure 5 - Wetland and Stream Delineation Survey.mxd
 Creator: JR Reviewer: AS

Notes
 1) Wetland/stream delineation flag locations were surveyed using a sub-foot GPS unit. Wetland delineation was completed on 4/19/2023 & 4/20/2023.
 2) All areas outside of the wetlands/stream delineated within the study area are considered to be upland.
 3) Only select wetland/stream flag locations are labeled.
 4) The Wetland 2 NYSDEC 100-Foot Adjacent Area and Stream 2 Top of Bank areas overlap.
 5) All wetland/stream boundaries and jurisdictions are subject to verification by NYSDEC/USACE.

Stream Name	Classification	NYSDEC Waterbody Classification	Approximate Stream Length within Study Area (lf)	Jurisdiction
Stream 1	Intermittent	Unclassified	430	USACE
Stream 2	Perennial	B(TS)	270	NYSDEC/USACE
Stream 3	Intermittent	Unclassified	530	USACE
Stream 4	Intermittent	Unclassified	160	USACE

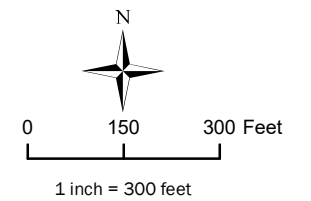
Wetland ID	Cowardin Classification	Approximate Area within Study Area (acres)	Approximate Delineated NYSDEC Wetland Adjacent Area within Study Area (acres)	Jurisdiction
Wetland 1	PFO	0.02	-	USACE
Wetland 2	PFO	0.10	0.67	NYSDEC/USACE
Wetland 3	PEM	0.03	-	Potentially Non-Jurisdictional
Wetland 4	PEM	0.09	-	USACE
Wetland 5	PFO	0.77	-	Potentially Non-Jurisdictional



Freestone Renewables LLC

Wetland and Stream Delineation Report

**1805 Jacob Road
Yorktown, NY**

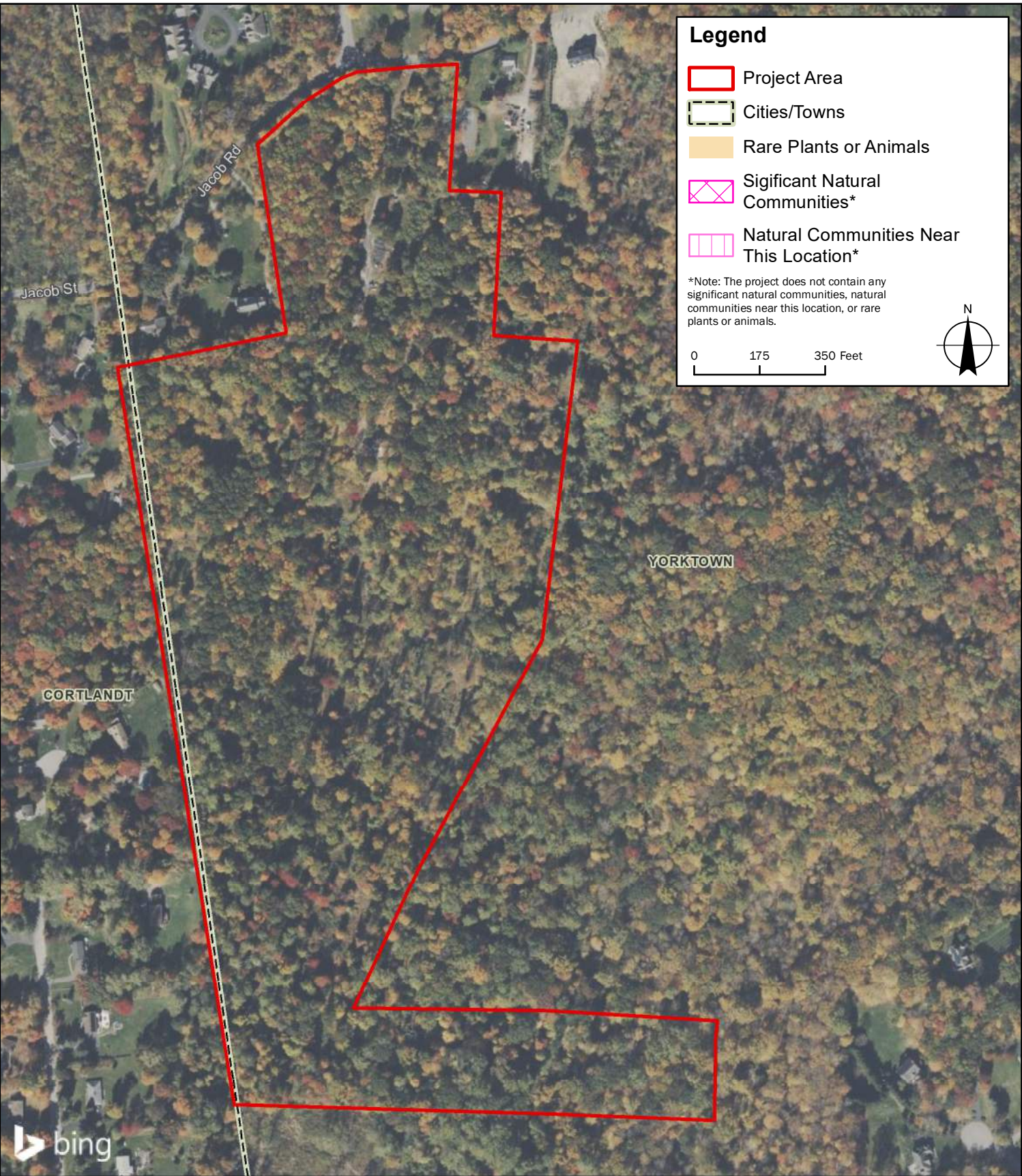


- Legend**
- Study
 - Data Point Location
 - Wetland/Stream Flag Location
 - Forested Wetland (PFO)
 - Emergent Wetland (PEM)
 - Perennial Stream
 - Perennial Stream (Top of Bank)
 - Intermittent Stream
 - Delineated NYSDEC 100Foot Adjacent Area
 - 100-Year FEMA Flood Zone
 - Approximate Offsite Wetland/Stream Boundary
 - Stream Flow Direction
 - Road
 - Soil

Sources:
 1. Study Area: Created by LaBella using information provided by the client.
 2. Basemap: Esri, DigitalGlobe, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and GIS User Community, 2021.
 3. Mapped soil data were obtained from the NRCS Online Soil Data Mart (soildatamart.nrcs.usda.gov).
 4. FEMA Flood Zone: FIRM Panel 36119C0038F (effective 9/28/2007) & FIRM Panel 36119C0039F (effective 9/28/2007).

Wetland and Stream Delineation Survey

FIGURE 5



Sources:

1. Project Area: LaBella 2023, Regrid 2023
2. Rare Plants or Animals and Significant Natural Communities: NYSDEC Environmental Resource Mapper (ERM) 2023
3. NYSDEC Wetlands: NYSDEC 2006
4. Streets: NYS GIS Program Office 2022
5. Basemap: Bing Maps



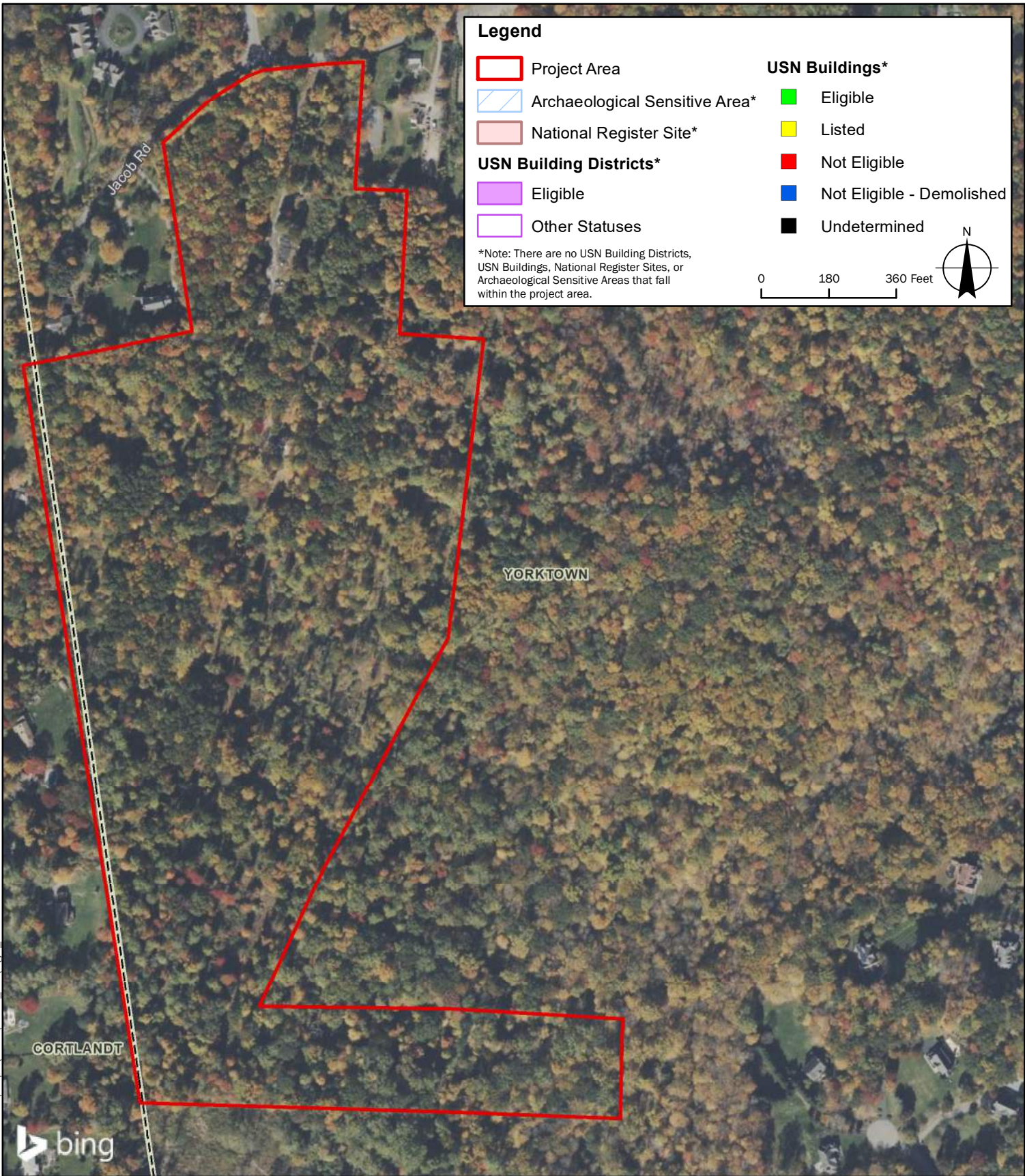
1805 Jacob Road,
Town of Yorktown,
Westchester Co., NY 10567

Jacob Road
Solar

LaBella Project No: 2231869
Date: 6/20/2023

**NYSDEC
Environmental
Resource Map**

FIGURE 6



Sources:
 1. Project Area: LaBella, 2023
 2. Archaeologically Sensitive Areas/National Register Sites: NYSOPRHP Cultural Resource Information System (CRIS), 2023
 3. Streets: NYS GIS Program Office, 2022
 4. Basemap: Bing Maps

LaBella
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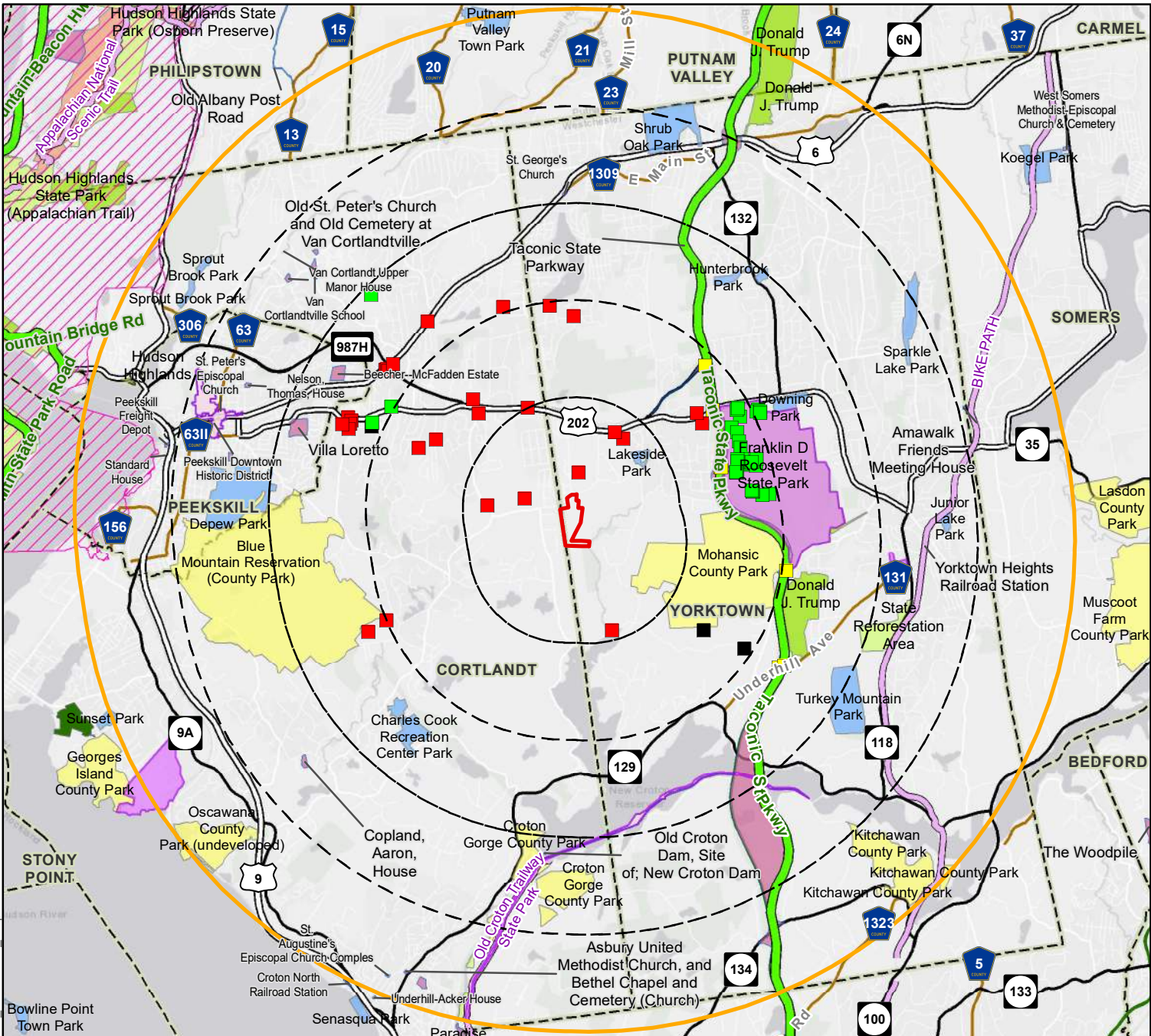
1805 Jacob Road,
 Town of Yorktown,
 Westchester Co., NY 10567

Jacob Road
 Solar

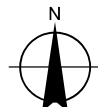
LaBella Project No: 2231869
 Date: 6/20/2023

**NYSOPRHP
 Cultural Resource
 Information System
 (CRIS) Map**

FIGURE 7



Project Area	Scenic Areas of Statewide Significance	State Parks And Historic Sites	USN Buildings*
5-Mile Buffer of Project Area	State Forest Land	State And National Register Listed Site	Eligible
1-Mile Buffers of Project Area	Federal Recreation	USN Building Districts	Listed
NYS Scenic Byway	State Recreation	Eligible	Not Eligible - Demolished
Scenic Trail	County Recreation	Other Statuses	Not Eligible
	Municipal Recreation		Undetermined



Sources:
 1. Project Area: LaBella 2023
 2. Streets: NYS GIS Program Office 2022
 3. Scenic Resources: NYS GIS Program Office; NYSDEC; NYSDOT; NYSOPRHP; CRIS 2023
 4. Basemap: Bing

1805 Jacob Road,
 Town of Yorktown,
 Westchester Co., NY 10567

Jacob Road Solar
 LaBella Project No: 2231869
 Date: 6/20/2023

Publicly Accessible
 Federal, State, or Local
 Scenic or Aesthetic
 Resources Map
FIGURE 8

*Note: USN Buildings within 2-Miles of the project area were digitized. There may be USN Buildings that fall within the rest of the 5-Mile Buffer area, but they are not shown on this map.

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Attachment A
United States Fish and Wildlife Service
(USFWS) Informal Species List

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IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Westchester County, New York



Local offices

Long Island Ecological Services Field Office

☎ (631) 286-0485

🏠 (631) 286-4003

340 Smith Road

310 Luker Road
Shirley, NY 11967-2258

New York Ecological Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

✉ fw5es_nyfo@fws.gov

3817 Luker Road
Cortland, NY 13045-9385

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045	Endangered

Reptiles

NAME	STATUS
Bog Turtle <i>Glyptemys muhlenbergii</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6962	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the [Bald and Golden Eagle Protection Act](#) and the [Migratory Bird Treaty Act](#).

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON

Bald Eagle *Haliaeetus leucocephalus*

Breeds Sep 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Golden Eagle *Aquila chrysaetos*

Breeds elsewhere

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

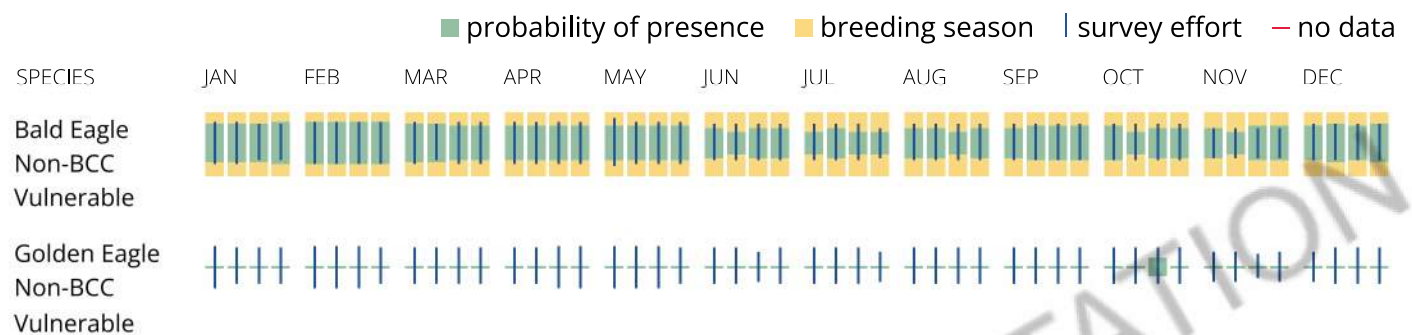
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p>	Breeds Sep 1 to Aug 31
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Black-capped Chickadee <i>Poecile atricapillus praticus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Apr 10 to Jul 31
<p>Bobolink <i>Dolichonyx oryzivorus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Jul 31
<p>Canada Warbler <i>Cardellina canadensis</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Aug 10
<p>Cerulean Warbler <i>Dendroica cerulea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974</p>	Breeds Apr 27 to Jul 20
<p>Chimney Swift <i>Chaetura pelagica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Mar 15 to Aug 25
<p>Golden Eagle <i>Aquila chrysaetos</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680</p>	Breeds elsewhere

Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Northern Saw-whet Owl <i>Aegolius acadicus acadicus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 1 to Jul 31
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey

effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

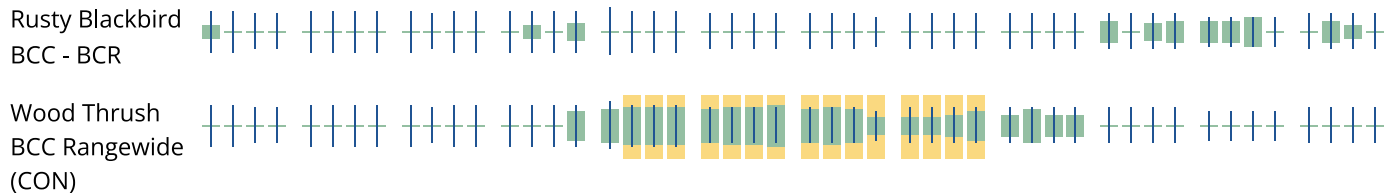
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird

on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key

component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R3UBH](#)

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Attachment B
NYSOPRHP Letter of No Effect

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**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

April 26, 2023

Krithika Prabhakaran
Environmental Analyst
LaBella Associates, D.P.C.
1 North Broadway
Suite 803
White Plains, NY 10601

Re: USACE
Jacob Road PV Array / 2.5 MW / 12.5 of 54 acres
Jacob Road, Yorktown, NY
23PR03342

Dear Krithika Prabhakaran:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation

rev: B. Russell

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