

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7  
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May 11, 2017

Pat Green, Ecological Services Manager  
Tetra Tech, Inc.  
301 Ellicott Street  
Buffalo, New York 14203  
[pat.green@tetratech.com](mailto:pat.green@tetratech.com)

**RE: NYSDEC Jurisdictional Determination – Endangered Species Act  
SUN8 PDC, LLC Ellis Tracts and 2150 Dryden Road Projects  
Town of Dryden, County of Tompkins, State of New York**

Dear Mr. Green:

The Department of Environmental Conservation (DEC) has determined that your proposal to construct solar photovoltaic facilities located at Ellis Tracts and 2150 Dryden Road in the Town of Dryden is not likely to result in the “take” of a threatened or endangered species. This determination is based on the information submitted on March 22, 2017 that was included with the Request for Lead Agency Status from the Town of Dryden, and information submitted April 24, 2017 by Tetra Tech, Inc. Although Henslow’s Sparrow, Northern Harrier, Sedge Wren, and Northern Long-eared Bat are known to occur (or occurred) at or near the project locations, DEC Wildlife staff have determined that your proposed action will not result in a take. Therefore no permit is required at this time pursuant to the implementing regulations (6NYCRR Part 182) of the New York State Endangered Species Act (Article 11-0535).

Be advised that any changes in location, expansion of the footprint of the project, modifications of the scope, or changes in the timing of proposed actions that are not identified in materials previously submitted may trigger DEC authorization. Please reinstate contact with this office if such activities are contemplated.

Please note that this letter does not relieve you of the responsibility of obtaining any necessary permits or approvals from other agencies or local municipalities.

Sincerely,

Teri Phelps, Environmental Analyst 1  
Division of Environmental Permits-Cortland Office  
[teresa.phelps@dec.ny.gov](mailto:teresa.phelps@dec.ny.gov)

cc: David Sprout, (T) Dryden Code Enforcement Officer  
Ray Burger, (T) Dryden Director of Planning  
David Herrick, T. G. Miller, P.C.  
DFWMR-Cortland  
DEP-Cortland

