

# T.G. MILLER, P.C.

ENGINEERS AND SURVEYORS

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May 25, 2017

Jason Leifer, Supervisor  
Town of Dryden  
93 East Main Street  
Dryden, New York 13053

Re: Solar Photovoltaic Plants  
2150 Dryden Road and Ellis Tract  
SUN8 PDC, LLC  
State Environmental Quality Review

Dear Supervisor Leifer,

We have reviewed additional information submitted subsequent to April 26, 2017 and are providing this update which identifies those items deemed complete or still outstanding. We continue to recommend the Town Board receive the outstanding documentation from the Applicant to supplement the Full Environmental Assessment Form and inform the determination of significance.

## 2150 Dryden Road

1. Provide a response from NYSOPRHP that the Phase 1 Archaeological Survey is deemed complete and no further resource investigations will be required.
  - ✓ *Letter from NYSOPRHP dated 5/17/2017 was provided stating “no impact on archaeological and/or historic resources.”. We consider this item be complete with no additional information required at this time.*
2. Provide a response from both USACE and NYSDEC that proposed disturbance impacts within or adjacent to the mapped and recently delineated wetlands are ‘non-jurisdictional’.
  - ✓ *NYSDEC issued a letter dated April 28, 2017 stating “No Official NYSDEC Wetlands are mapped at this location” therefore no Freshwater Wetland permit is required. No additional information from NYSDEC is required at this time.*
  - *Waiting on response from USACE.*
  - *Applicant to clarify temporary and permanent access requirements for the south east solar site. Will a stream crossing be required?*
3. Provide a response from USFWS for review of the project and concurrence for “incidental taking of wooded habitat” for the Northern Long Eared Bat. Confirm that submitted material to USFWS is consistent with the most recent revised site plans.
  - ✓ *NYSDEC issued a letter dated May 11, 2017 stating that the project “is not likely to result in the “take” of a threatened or endangered species” and that no permit is required. The letter also states NYSDEC to review any changes to the scope of the project for any changes that were not included in the original March 22, 2017 and April 24, 2017 submission to NYSDEC. We consider this item be complete with no additional information required at this time.*
  - ✓ *The applicant stated a self-imposed moratorium on tree clearing will be implemented therefor no “incidental taking” of habitat is proposed. No further response from USFWS is required at this time.*

David A. Herrick, P.E.  
Frank L Santelli, P.E.  
Andrew J. Sciarabba, P.E.

Steven R. Rowe, P.E.  
Dondi M. Harner, P.E.  
LEED A.P., C.P.E.S.C.

Lee Dresser, L.S.  
Darrin A. Brock, L.S.

4. The Habitat Assessment and Preliminary Impact Determination dated April 10, 2017 includes information specific to the Northern Long Eared Bat. Complete a field evaluation and submit an expanded Habitat Assessment and Preliminary Impact Determination Report to include any species of plant or animal that are listed by NYS as rare, or as species of special concern that have not previously been identified in NYSNHP records.
  - ✓ *On the evening of April 26, 2017 T.G. Miller was handed a copy of the Ecological Assessment Report dated March 2017 which included the field evaluation for the site. Upon review, it appears the New York Natural Heritage Program responded with a letter dated March 1, 2017 stating there were no rare or state-listed animals or plants, or significant natural communities at the site based on records in the Natural Heritage Database. The letter further explains that NYNHP cannot provide a definitive answer and recommends further on-site survey may be necessary. The Ecological Assessment Report states a field evaluation was performed on March 28, 2017 identifying the natural communities for the site. After reviewing the report, it appears there are inconsistencies with the mapped area in the report and the project boundaries shown on the April 12, 2017 drawings. Although there are inconsistencies, it appears the adjacent areas that were not identified in the report are similar to those that have been identified. Therefore, no additional information is necessary from the Applicant.*
5. Revise the site plans to incorporate alterations and modifications agreed upon by the Applicant as of April 26, 2017.
  - *This information must be provided to the Town and T.G. Miller on or before May 30, 2017 for the June 15th Town Board meeting.*
6. Update the FEAF to be consistent with the latest information submitted.
  - *This information must be provided to the Town and T.G. Miller on or before May 30, 2017 for the June 15th Town Board meeting.*
7. Provided a revised SWPPP narrative and run-off curve number calculation that is consistent with revised site plans.
  - *Waiting on response.*

#### Ellis Tract

1. Provide a response from NYSOPRHP that the Phase 1 Archaeological Survey is deemed complete and no further resource investigations will be required.
  - *Waiting on response.*
2. Provide a response from both USACE and NYSDEC that proposed disturbance and conversion impacts within the mapped and recently delineated wetlands are ‘non-jurisdictional’.
  - a. Quantify the total acreage of wetland footprint that will be utilized for solar panel installation.
    - ✓ *NYSDEC issued a letter dated April 28, 2017 stating “No Official NYSDEC Wetlands are mapped at this location” therefore no Freshwater Wetland permit is required. We consider this item be complete with no additional information required at this time.*
    - *Waiting on response from USACE.*
    - *Applicant to clarify temporary and permanent access requirements for the south east solar site S5. Will the existing stream crossing need to be improved?*
3. Provide a response from USFWS for review of the project and concurrence for “incidental taking of wooded habitat” for the Northern Long Eared Bat. Confirm that submitted material to USFWS is consistent with the most recent revised site plans.
  - ✓ *NYSDEC issued a letter dated May 11, 2017 stating that the project “is not likely to result in the “take” of a threatened or endangered species” and that no permit is required. The letter also states NYSDEC to review any changes to the scope of the project for any changes that were not included in the original March 22, 2017 and April 24, 2017 submission to NYSDEC. We consider this item be complete with no additional information required at this time.*

- ✓ *The applicant stated a self-imposed moratorium on tree clearing will be implemented therefor no “incidental taking” of habitat is proposed. No further response from USFWS is required at this time.*
- 4. The Habitat Assessment and Preliminary Impact Determination dated April 11, 2017 includes information specific to the Northern Long Eared Bat. Complete a field evaluation and submit an expanded Habitat Assessment and Preliminary Impact Determination Report to include any species of plant or animal that are listed by NYS as rare, or as species of special concern that have not previously been identified in NYSNHP records.
  - *Similar to the 2150 Dryden Road project, after reviewing the Ecological Assessment Report it appears there are inconsistencies with the mapped area in the report and the project boundaries shown on the April 12, 2017 drawings. These inconsistencies appear to encompass a majority of the wooded areas that are proposed to be removed. We recommend the Ecological Assessment Report be updated to include the full extent of the project boundaries and include updates to all flora and fauna present at this time of year.*
- 5. Based on the Tompkins County Scenic Resources Inventory the Ellis Tract is located within a Noteworthy View. Provide a view simulation depicting the solar panels and vegetative screening. Provide an official response from the Ithaca Tompkins Regional Airport relative to glare analysis for air traffic.
  - *Waiting on response.*
- 6. Revise the site plans to incorporate alterations and modifications agreed upon by the Applicant as of April 26, 2017.
  - *This information must be provided to the Town and T.G. Miller on or before May 30, 2017 for the June 15th Town Board meeting.*
- 7. Update the FEAF to be consistent with the latest information submitted.
  - *This information must be provided to the Town and T.G. Miller on or before May 30, 2017 for the June 15th Town Board meeting.*
- 8. Provided a revised SWPPP narrative and run-off curve number calculation that is consistent with revised site plans.
  - *Waiting on response.*

Feel free to contact me with any questions related to this recent review. Thank you.

Respectfully,



David A. Herrick, P.E.

Cc: Ray Burger, Director of Planning