

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7  
1285 Fisher Avenue, Cortland, NY 13045-1012  
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[www.dec.ny.gov](http://www.dec.ny.gov)

March 6, 2018

Barbara B. Beall, PWS, LEED AP  
The Chazen Companies  
375 Bay Road  
Queensbury, New York 12804  
[bbeall@chazencompanies.com](mailto:bbeall@chazencompanies.com)

**RE: NYSDEC Jurisdictional Determination – Endangered Species Act  
Proposed solar facility located at 2243 Dryden Road (Tax Parcel ID # 47.-1-7.3)  
Town of Dryden, County of Tompkins, State of New York**

Dear Ms. Beall:

The New York State Department of Environmental Conservation (DEC) has determined that the Delaware River Solar, LLC proposal for a 2W solar photovoltaic facility at 2243 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 proposed preliminary site plans and SEQR Full EAF received by DEC on September 5, 2017.

DEC Wildlife staff has determined that the actual occurrence of Northern Harrier was some distance away from the location of this project, and this 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: Ray Burger, Director of Planning, Town of Dryden  
Donald M. Harner, T. G. Miller, P.C.  
U.S. Army Corps of Engineers-Buffalo District  
DEP-Cortland

