

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Division of Fish, Wildlife & Marine Resources**  
**New York Natural Heritage Program**  
625 Broadway, 5<sup>th</sup> Floor, Albany, New York 12233-4757  
**Phone:** (518) 402-8935 • **Fax:** (518) 402-8925  
**Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



January 14, 2011

**EDR**

JAN 18 2011

**RECEIVED**

Eric M. Lockard  
E D R Companies  
217 Montgomery St, Suite 1000  
Syracuse, NY 13202

Dear Mr. Lockard:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Wind Energy Facility – Horse Creek Project, area as indicated on the map you provided, located in the Towns of Clayton, Brownville, and Orleans, Jefferson County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

**PLEASE NOTE:** This Project is ADJACENT to the Perch River Wildlife Management Area.

Please note that for wind energy projects, we screen for all records found within the project boundary, any avian records located within 10 miles of the project boundary, and any bat records located within 40 miles of the project boundary. We refer you to <http://www.dec.ny.gov/energy/40966.html> for information on environmental review of proposed wind energy projects and for the document *Guidelines for Conducting Bird and Bat Studies at Commercial Wind Energy Projects*.

The enclosed report may be included in documents that will be available to the public. However, any enclosed maps displaying locations of rare species are considered sensitive information, and are intended only for the internal use of the recipient; they should not be included in any document that will be made available to the public, without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g. regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at [www.dec.ny.gov/about/39381.html](http://www.dec.ny.gov/about/39381.html).

# 1396

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

  
Tara Salerno, Information Services  
New York Natural Heritage Program

Enc.

# 1396

cc: Region 6  
Brianna Gary, Bureau of Wildlife, Albany  
R. Edick, Environmental Permits, Albany  
Tom Lyons, NYS OPRHP, Empire State Plaza Bldg #1, Albany, 12238, 17<sup>th</sup> floor

[Type text]

# Natural Heritage Report on Rare Species



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,  
Albany, NY 12233-4757  
(518) 402-8935

-The information in this report includes only records entered into the NY Natural Heritage databases as of the date of the report. This report is not a definitive statement on the presence or absence of all rare species or significant natural communities at or in the vicinity of this site.  
-Refer to the User's Guide for explanations of codes, ranks and fields.  
-We do not provide maps for species most vulnerable to disturbance.

## Natural Heritage Report on Rare Species and Ecological Communities



### MAMMALS

#### *Myotis sodalis*

Indiana Bat

NY Legal Status: Endangered

NYS Rank: S1 - Critically imperiled

Office Use

11657

Maternity colony

Federal Listing: Endangered

Global Rank: G2 - Imperiled

ESU

USFWS

County: Jefferson

Town: Adams, Brownville, Clayton, Ellisburg, Hounsfield, Leray, Orleans, Pamela, Rodman, Water

Location: **The documented location is on or in very close proximity to the project site.**

For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.

1 Records Processed

More detailed information about many of the rare and listed animals in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.acris.nynhp.org](http://www.acris.nynhp.org), from NatureServe Explorer at <http://www.natureserve.org/explorer>, and from NYSDEC at <http://www.dec.ny.gov/animals/7494.html>.

## Natural Heritage Report on Rare Species and Ecological Communities

NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,  
Albany, NY 12233-4757  
(518) 402-8935



**These rare bat species and bat colonies have been documented within 40 miles of the project site.**  
~Refer to the User's Guide for explanations of codes, ranks and fields.

### Natural Heritage Report on Rare Species and Ecological Communities



	NY Protection Status	Federal Listing	NY Conservation Rank	Global Conservation Rank
<b>MAMMALS</b>				
Indiana Bat <i>Myotis sodalis</i> Bachelor colony	Endangered	Endangered	S1 - Critically imperiled	G2 - Imperiled
Indiana Bat <i>Myotis sodalis</i> Hibernaculum	Endangered	Endangered	S1 - Critically imperiled	G2 - Imperiled
<b>OTHER</b>				
Bat Colony Hibernaculum	Unlisted		SNR - Rank not assigned	GNR - Not ranked

3 Records Processed

More detailed information about many of the rare and listed animals in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.acris.nynhp.org](http://www.acris.nynhp.org), from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html>.

## Natural Heritage Report on Rare Species and Ecological Communities

NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,  
Albany, NY 12233-4757  
(518) 402-8935



**These rare bird species and bird concentration areas have been documented within 10 miles of the project site.**

~Refer to the User's Guide for explanations of codes, ranks and fields.

### Natural Heritage Report on Rare Species and Ecological Communities



BIRDS	NY Protection Status	Federal Listing	NY Conservation Rank	Global Conservation Rank
Bald Eagle <i>Haliaeetus leucocephalus</i> Nonbreeding	Threatened		S2S3B,S2N - Imperiled	G5 - Secure
Bald Eagle <i>Haliaeetus leucocephalus</i> Breeding	Threatened		S2S3B,S2N - Imperiled	G5 - Secure
Black Tern <i>Chlidonias niger</i> Breeding	Endangered		S2B - Imperiled	G4 - Apparently secure
Common Loon <i>Gavia immer</i> Breeding	Special Concern		S4 - Apparently secure	G5 - Secure
Common Tern <i>Sterna hirundo</i> Breeding	Threatened		S3B - Vulnerable	G5 - Secure
Great Blue Heron <i>Ardea herodias</i> Breeding	Protected Bird		S5 - Abundant and secure	G5 - Secure
Henslow's Sparrow <i>Ammodramus henslowii</i> Breeding	Threatened		S3B - Vulnerable	G4 - Apparently secure
Least Bittern <i>Ixobrychus exilis</i> Breeding	Threatened		S3B,S1N - Vulnerable	G5 - Secure
Loggerhead Shrike <i>Lanius ludovicianus</i> Breeding	Endangered		S1B - Critically imperiled	G4 - Apparently secure
Northern Harrier <i>Circus cyaneus</i> Breeding	Threatened		S3B,S3N - Vulnerable	G5 - Secure
Northern Harrier <i>Circus cyaneus</i> Nonbreeding	Threatened		S3B,S3N - Vulnerable	G5 - Secure
Pied-billed Grebe <i>Podilymbus podiceps</i> Breeding	Threatened		S3B,S1N - Vulnerable	G5 - Secure



	NY Protection Status	Federal Listing	NY Conservation Rank	Global Conservation Rank
<b>BIRDS</b>				
<b>Sedge Wren</b> <i>Cistothorus platensis</i> Breeding	Threatened		S3B - Vulnerable	G5 - Secure
<b>Short-eared Owl</b> <i>Asio flammeus</i> Breeding	Endangered		S2 - Imperiled	G5 - Secure
<b>Short-eared Owl</b> <i>Asio flammeus</i> Nonbreeding	Endangered		S2 - Imperiled	G5 - Secure
<b>Upland Sandpiper</b> <i>Bartramia longicauda</i> Breeding	Threatened		S3B - Vulnerable	G5 - Secure
<b>OTHER</b>				
<b>Raptor Winter Concentration Area</b>	Unlisted		SNR - Rank not assigned	GNR - Not ranked
<b>Waterfowl Winter Concentration Area</b>	Unlisted		S3S4 - Vulnerable	GNR - Not ranked

18 Records Processed

More detailed information about many of the rare and listed animals in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.acris.nynhp.org](http://www.acris.nynhp.org), from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html>.

These occurrences are within the project site or in close proximity.

## Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor, Albany, NY  
12233-4757  
(518) 402-8935

-The information in this report includes only records entered into the NY Natural Heritage databases as of the date of the report. This report is not a definitive statement on the presence or absence of all rare species or significant natural communities at or in the vicinity of this site.

-Refer to the User's Guide for explanations of codes, ranks and fields.

-Location maps for certain species and communities may not be provided 1) if the species is vulnerable to disturbance, 2) if the location and/or extent is not precisely known, 3) if the location and/or extent is too large to display, and/or 4) if the animal is listed as Endangered or Threatened by New York State.

## Natural Heritage Report on Rare Species and Ecological Communities



### BIRDS

#### *Ammodramus henslowii*

Henslow's Sparrow	NY Legal Status: Threatened	NYS Rank: S3B - Vulnerable	Office Use 2823
Breeding	Federal Listing:	Global Rank: G4 - Apparently secure	ESU
	Last Report: **	EO Rank: **	
	County: Jefferson		
	Town: Brownville, Clayton, Hounsfield, Leray, Orleans, Pamela, Theresa, Watertown - Town		
	Location: At, or in the vicinity of, the project site.		
	General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.		

#### *Asio flammeus*

Short-eared Owl	NY Legal Status: Endangered	NYS Rank: S2 - Imperiled	Office Use 12526
Breeding	Federal Listing:	Global Rank: G5 - Secure	ESU
	Last Report: **	EO Rank: **	
	County: Jefferson		
	Town: Clayton		
	Location: At, or in the vicinity of, the project site.		
	General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.		

#### *Bartramia longicauda*

Upland Sandpiper	NY Legal Status: Threatened	NYS Rank: S3B - Vulnerable	Office Use 10960
Breeding	Federal Listing:	Global Rank: G5 - Secure	ESU
	Last Report: **	EO Rank: **	
	County: Jefferson		
	Town: Clayton, Lyme		
	Location: At, or in the vicinity of, the project site.		
	General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.		



These occurrences are within the project site or in close proximity.

***Chlidonias niger***

<p>Black Tern Breeding</p>	<p>NY Legal Status: Endangered Federal Listing: Last Report: ** County: Jefferson Town: Brownville, Orleans, Pamela Location: At, or in the vicinity of, the project site. General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.</p>	<p>NYS Rank: S2B - Imperiled Global Rank: G4 - Apparently secure EO Rank: **</p>	<p>Office Use 76 ESU</p>
--------------------------------	---	--	----------------------------------

***Circus cyaneus***

<p>Northern Harrier Breeding</p>	<p>NY Legal Status: Threatened Federal Listing: Last Report: ** County: Jefferson Town: Clayton Location: At, or in the vicinity of, the project site. General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.</p>	<p>NYS Rank: S3B,S3N - Vulnerable Global Rank: G5 - Secure EO Rank: **</p>	<p>Office Use 9060 ESU</p>
--------------------------------------	---	--	------------------------------------

***Podilymbus podiceps***

<p>Pied-billed Grebe Breeding</p>	<p>NY Legal Status: Threatened Federal Listing: Last Report: ** County: Jefferson Town: Brownville, Orleans Location: At, or in the vicinity of, the project site. General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located.</p>	<p>NYS Rank: S3B,S1N - Vulnerable Global Rank: G5 - Secure EO Rank: **</p>	<p>Office Use 10664 ESU</p>
---------------------------------------	---	--	-------------------------------------

**COMMUNITIES**

**Limestone woodland**

This occurrence of Limestone Woodland is considered significant from a statewide perspective by the NY Natural Heritage Program. It is either an occurrence of a community type that is rare in the state or a high quality example of a more common community type. By meeting specific, documented significance criteria, the NY Natural Heritage Program considers this occurrence to have high ecological and conservation value.

<p>NY Legal Status: Unlisted Federal Listing: Last Report: 1997-08-21 County: Jefferson Town: Clayton, Lyme Location: Chaumont Barrens General Quality and Habitat: This is a large diverse area, with some portions a little disturbed, and other parts selectively logged. Open to dense canopy forests on thin soil over limestone bedrock. The forests are a mixture of conifers and hardwoods, with some areas predominantly conifers and other areas mostly hardwoods.</p>	<p>NYS Rank: S2S3 Global Rank: G3G4 EO Rank:</p>	<p>Office Use 839 S</p>
--	--	---------------------------------





These occurrences are within the project site or in close proximity.

**Calcareous pavement barrens**

This occurrence of Calcareous Pavement Barrens is considered significant from a statewide perspective by the NY Natural Heritage Program. It is either an occurrence of a community type that is rare in the state or a high quality example of a more common community type. By meeting specific, documented significance criteria, the NY Natural Heritage Program considers this occurrence to have high ecological and conservation value.

Office Use

<b>NY Legal Status:</b> Unlisted	<b>NYS Rank:</b> S1S2	9260
<b>Federal Listing:</b>	<b>Global Rank:</b> G3	
<b>Last Report:</b> 1997-08-21	<b>EO Rank:</b>	
<b>County:</b> Jefferson		S
<b>Town:</b> Clayton, Lyme		
<b>Location:</b> Chaumont Barrens		
<b>General Quality and Habitat:</b>	A very large and pristine example of this community. A mosaic of rock outcrops, dry meadows and shrubby thickets, with scattered trees, occurring on shallow soils over nearly level limestone bedrock.	

**MOTHS**

*Orthodes obscura*

A Notodontid Moth

<b>NY Legal Status:</b> Unlisted	<b>NYS Rank:</b> S1? - Critically imperiled	Office Use 7243
<b>Federal Listing:</b>	<b>Global Rank:</b> G4 - Apparently secure	
<b>Last Report:</b> 1996-06-18	<b>EO Rank:</b> Extant	
<b>County:</b> Jefferson		S
<b>Town:</b> Clayton, Lyme		
<b>Location:</b> Chaumont Barrens		
<b>General Quality and Habitat:</b>	The biology is too poorly understood to rank the occurrence. A limestone pavement barrens with exposed bedrock. Much of the area is sparsely vegetated with 60-70% cover. Vegetation is primarily shrubs including cedar, small birches, shrubby Cornus sp. and juniper. The herb layer is mostly absent, with some grasses and small flowering plants. The western part of the site is adjacent to a small grassland that is wetter and has more soil. The eastern part is more degraded pavement barrens.	

*Paectes abrostolella*

A Notodontid Moth

<b>NY Legal Status:</b> Unlisted	<b>NYS Rank:</b> S1 - Critically imperiled	Office Use 4075
<b>Federal Listing:</b>	<b>Global Rank:</b> G4 - Apparently secure	
<b>Last Report:</b> 1996-06-18	<b>EO Rank:</b> Extant	
<b>County:</b> Jefferson		S
<b>Town:</b> Clayton		
<b>Location:</b> Chaumont Barrens		
<b>General Quality and Habitat:</b>	More data on distribution in New York and habitat requirements are needed in order to assign a rank. A weedy pavement barrens dominated by Juniperus communis. Rhus aromatica and bare limestone are common at the site.	

**VASCULAR PLANTS**

*Carex backii*

Back's Sedge

<b>NY Legal Status:</b> Threatened	<b>NYS Rank:</b> S2 - Imperiled	Office Use 5938
<b>Federal Listing:</b>	<b>Global Rank:</b> G4 - Apparently secure	
<b>Last Report:</b> 1997-07-18	<b>EO Rank:</b> Excellent or Good	
<b>County:</b> Jefferson		S
<b>Town:</b> Clayton, Lyme		
<b>Location:</b> Chaumont Barrens		
<b>General Quality and Habitat:</b>	The population is moderately large and in a very good habitat, with foot trails crossing through the patches. In deciduous limestone woodland. The plants are also in shady parts of adjacent pavement barrens.	



These occurrences are within the project site or in close proximity.

*Carex molesta*

<b>Troublesome Sedge</b>	<b>NY Legal Status:</b> Threatened	<b>NYS Rank:</b> S2S3 - Imperiled	Office Use 5414
	<b>Federal Listing:</b>	<b>Global Rank:</b> G4 - Apparently secure	
	<b>Last Report:</b> 1986-1987?	<b>EO Rank:</b> Extant	
	<b>County:</b> Jefferson		M
	<b>Town:</b> Brownville		
	<b>Location:</b> Limerick Cedars		
	<b>General Quality and Habitat:</b> Limestone woodland, cedar savannah, alvar meadow, pavement barren.		

*Dracocephalum parviflorum*

<b>American Dragonhead</b>	<b>NY Legal Status:</b> Endangered	<b>NYS Rank:</b> S1 - Critically imperiled	Office Use 1259
	<b>Federal Listing:</b>	<b>Global Rank:</b> G5 - Secure	
	<b>Last Report:</b> 1986-1987?	<b>EO Rank:</b> Extant	
	<b>County:</b> Jefferson		M
	<b>Town:</b> Brownville		
	<b>Location:</b> Limerick Cedars		
	<b>General Quality and Habitat:</b> Limestone woodland, cedar savannah, alvar meadow, pavement barren. An open savannah-like community of rock outcrops, grasslands, scattered trees and shrub thickets that occur on extensive, nearly flat, limestone bedrock.		

*Stellaria longipes*

<b>Longstalk Starwort</b>	<b>NY Legal Status:</b> Threatened	<b>NYS Rank:</b> S2 - Imperiled	Office Use 676
	<b>Federal Listing:</b>	<b>Global Rank:</b> G5 - Secure	
	<b>Last Report:</b> 1996-06-20	<b>EO Rank:</b> Excellent or Good	
	<b>County:</b> Jefferson		S
	<b>Town:</b> Clayton, Lyme		
	<b>Location:</b> Chaumont Barrens		
	<b>General Quality and Habitat:</b> A common plant in excellent habitat. The edge of a limestone woodland near an open calcareous pavement barrens.		

*Ulmus thomasii*

<b>Cork Elm</b>	<b>NY Legal Status:</b> Threatened	<b>NYS Rank:</b> S2S3 - Imperiled	Office Use 9957
	<b>Federal Listing:</b>	<b>Global Rank:</b> G5 - Secure	
	<b>Last Report:</b> 1995-09-01	<b>EO Rank:</b> Good	
	<b>County:</b> Jefferson		S
	<b>Town:</b> Clayton, Lyme		
	<b>Location:</b> Chaumont Barrens		
	<b>General Quality and Habitat:</b> The plant is found throughout the calcareous pavement barrens. This plant occurs in a calcareous pavement barrens which is part of a larger mosaic of alvar communities. Other communities include alvar grasslands and limestone woodlands.		

15 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.acris.nynhp.org](http://www.acris.nynhp.org), from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

More detailed information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at [www.acris.nynhp.org](http://www.acris.nynhp.org). For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.

## Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,  
Albany, NY 12233-4757  
(518) 402-8935

### HISTORICAL RECORDS

The following plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, or there is uncertainty regarding their continued presence.

There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown and therefore location maps are generally not provided.

If appropriate habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there.

## Natural Heritage Report on Rare Species and Ecological Communities



### VASCULAR PLANTS

#### *Cynoglossum virginianum* var. *boreale*

Northern Wild  
Comfrey

NY Legal Status: Endangered

NYS Rank: S1S2 - Critically imperiled

Office Use  
8154

Federal Listing:

Global Rank: G5T4T5 - Apparently secure

Last Report: 1949-06-08

EO Rank: Historical, no recent  
information

County: Jefferson

Town: Brownville

Location: Limerick Cedars

Directions: In open woods, limestone barrens, 1 mile north of Limerick, elevation 370 feet.

General Quality Specimen label: In open woods, limestone barrens.

and Habitat:

M

1 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.acris.nynhp.org](http://www.acris.nynhp.org), from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

R - Rare: listed species have:

- 20 to 35 extant sites, or
- 3,000 to 5,000 individuals statewide.

V - Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

U - Unprotected; no state status.

**FEDERAL STATUS (PLANTS and ANIMALS):** The categories of federal status are defined by the United States Department of the Interior as part of the 1974 Endangered Species Act (see Code of Federal Regulations 50 CFR 17). The species listed under this law are enumerated in the Federal Register vol. 50, no. 188, pp. 39526 - 39527. The codes below without parentheses are those used in the Federal Register. The codes below in parentheses are created by Heritage to deal with species which have different listings in different parts of their range, and/or different listings for different subspecies or varieties.

(blank) = No Federal Endangered Species Act status.

LE = Formally listed as endangered.

LT = Formally listed as threatened.

C = Candidate for listing.

LE,LT = Formally listed as endangered in part of its range, and as threatened in the other part; or, one or more subspecies or varieties is listed as endangered, and the others are listed as threatened.

LT,PDL = Populations of the species in New York are formally listed as threatened, and proposed for delisting.

**GLOBAL AND STATE RANKS** (animals, plants, ecological communities and others): Each element has a global and state rank as determined by the NY Natural Heritage Program. These ranks carry no legal weight. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State. Intraspecific taxa are also assigned a taxon rank to reflect the infraspecific taxon's rank throughout the world. ? = Indicates that the state or global rank is uncertain and more information is needed. Range ranks, e.g. S1S2, indicate not enough information is available to distinguish between two ranks.

#### GLOBAL RANK:

G1 - Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 - Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 - Vulnerable: Either rare and local throughout its range (21 to 100 occurrences), or found locally (even abundantly at some of its locations) in a restricted range (e.g. a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 - Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 - Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

GH - Historically known, with the expectation that it might be rediscovered.

GX - Species believed to be extinct.

GU - Lack of information or substantial conflicting information about status or trends makes ranking infeasible at this time.

#### NYS RANK:

S1 - Critically imperiled: Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.

S2 - Imperiled: Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.

S3 - Vulnerable: Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 - Apparently secure in New York State.

S5 - Demonstrably secure in New York State.

SH - Historically known from New York State, but not seen in the past 20 years.

SX - Apparently extirpated from New York State.

SU - Lack of information or substantial conflicting information about status or trends makes ranking infeasible at this time.

SxB and SxN, where Sx is one of the codes above, are used for migratory animals, and refer to the rarity within New York State of the breeding (B)populations and the non-breeding populations (N), respectively, of the species.

**TAXON (T) RANK:** The T-ranks (T1 - T5) are defined the same way as the Global ranks (G1 - G5), but the T-rank refers only to the rarity of the subspecific taxon.

T1 through T5 - See Global Rank definitions above.

Q - Indicates a question exists whether or not the taxon is a good taxonomic entity.

R - Rare: listed species have:

- 20 to 35 extant sites, or
- 3,000 to 5,000 individuals statewide.

V - Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

U - Unprotected; no state status.

**FEDERAL STATUS (PLANTS and ANIMALS):** The categories of federal status are defined by the United States Department of the Interior as part of the 1974 Endangered Species Act (see Code of Federal Regulations 50 CFR 17). The species listed under this law are enumerated in the Federal Register vol. 50, no. 188, pp. 39526 - 39527. The codes below without parentheses are those used in the Federal Register. The codes below in parentheses are created by Heritage to deal with species which have different listings in different parts of their range, and/or different listings for different subspecies or varieties.

(blank) = No Federal Endangered Species Act status.

LE = Formally listed as endangered.

LT = Formally listed as threatened.

C = Candidate for listing.

LE,LT = Formally listed as endangered in part of its range, and as threatened in the other part; or, one or more subspecies or varieties is listed as endangered, and the others are listed as threatened.

LT,PDL = Populations of the species in New York are formally listed as threatened, and proposed for delisting.

**GLOBAL AND STATE RANKS** (animals, plants, ecological communities and others): Each element has a global and state rank as determined by the NY Natural Heritage Program. These ranks carry no legal weight. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State. Intraspecific taxa are also assigned a taxon rank to reflect the intraspecific taxon's rank throughout the world. ? = Indicates that the state or global rank is uncertain and more information is needed. Range ranks, e.g. S1S2, indicate not enough information is available to distinguish between two ranks.

#### GLOBAL RANK:

G1 - Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 - Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 - Vulnerable: Either rare and local throughout its range (21 to 100 occurrences), or found locally (even abundantly at some of its locations) in a restricted range (e.g. a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 - Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 - Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

GH - Historically known, with the expectation that it might be rediscovered.

GX - Species believed to be extinct.

GU - Lack of information or substantial conflicting information about status or trends makes ranking infeasible at this time.

#### NYS RANK:

S1 - Critically imperiled: Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.

S2 - Imperiled: Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.

S3 - Vulnerable: Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 - Apparently secure in New York State.

S5 - Demonstrably secure in New York State.

SH - Historically known from New York State, but not seen in the past 20 years.

SX - Apparently extirpated from New York State.

SU - Lack of information or substantial conflicting information about status or trends makes ranking infeasible at this time.

SxB and SxN, where Sx is one of the codes above, are used for migratory animals, and refer to the rarity within New York State of the breeding (B) populations and the non-breeding populations (N), respectively, of the species.

**TAXON (T) RANK:** The T-ranks (T1 - T5) are defined the same way as the Global ranks (G1 - G5), but the T-rank refers only to the rarity of the subspecific taxon.

T1 through T5 - See Global Rank definitions above.

O - Indicates a question exists whether or not the taxon is a good taxonomic entity.



COMSEARCH

December 28, 2006

Mr. Karl Nebbia

U. S. Department of Commerce  
1401 Constitution Avenue N.W.  
Washington DC 20230

19700 Janelia Farms Blvd  
Ashburn, VA 20147  
703-726-5500

**RE: Notification of the Clayton Wind Energy Facility Development in Jefferson County,  
New York**

Dear Mr. Nebbia:

This letter and its attachments will serve as the notice to the government that PPM Atlantic Renewable Energy, Inc. of Portland, OR plans to install a Wind Energy Facility in Jefferson County, NY. The installation will be called the Clayton Wind Energy Facility.

Enclosed are a data table and maps that describe the location of the Clayton Wind Energy Facility Development in New York.

Table 1 contains the block coordinates of the area of interest for the Clayton Wind Energy Facility in NAD 83.

Figure 1 is a map of the general area showing the outline of the wind energy facility boundaries in New York.

Figure 2 is a local map of the wind energy facility showing its boundaries.

The dimensions of the Wind turbines to be installed at this facility are:

Turbine Tower Hub Height, AGL - 80 meters

Turbine Blade Diameter – 90 meters

Top of Turbine Blade, AGL – 125 meters

If you have any questions with regard to this notification, please call Kurt Oliver (703) 726-5675 or me at (703) 726-5860.

Sincerely,

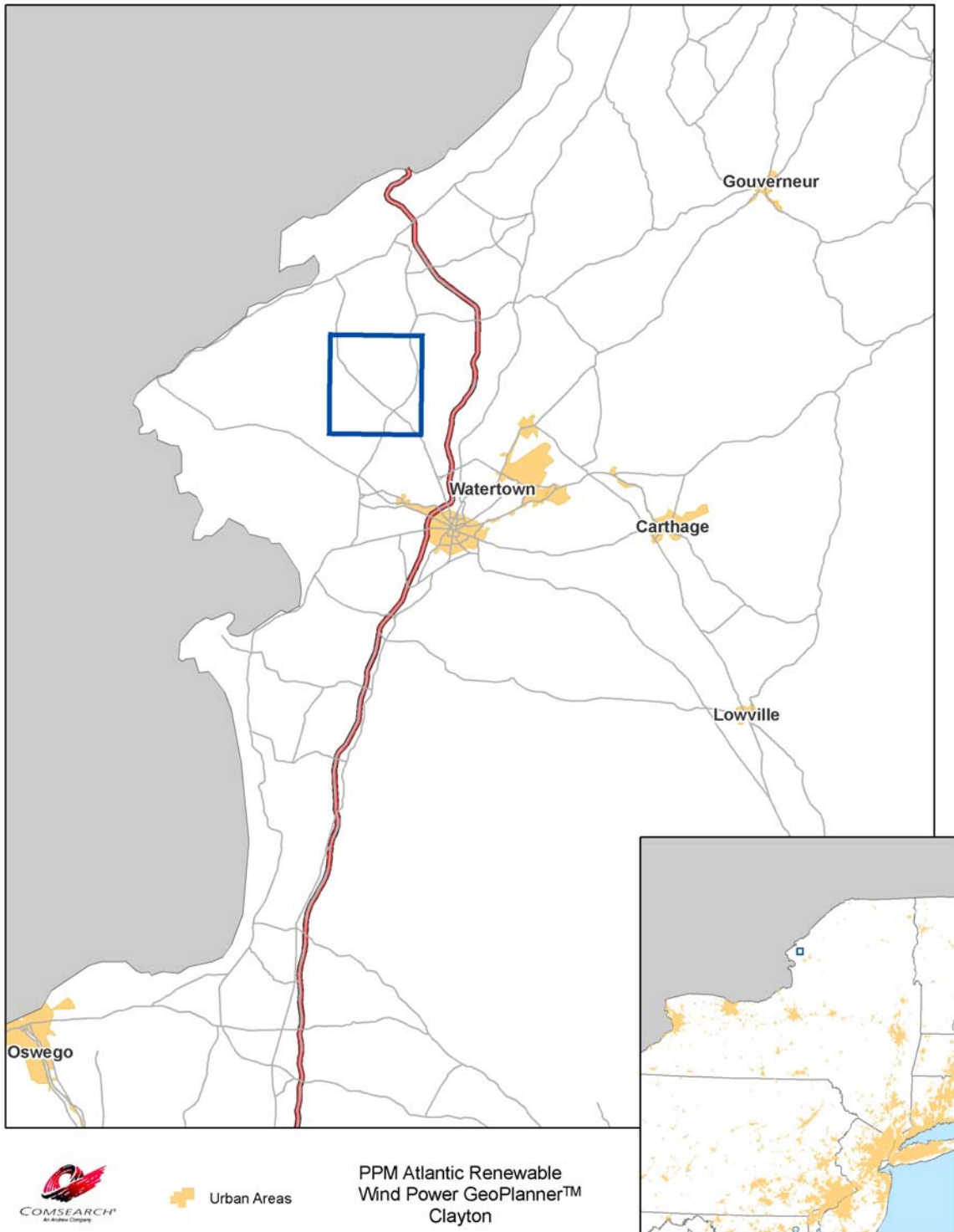
**COMSEARCH**

Lester E. Polisky  
Senior Principal Engineer  
Field Services Department

Attachments

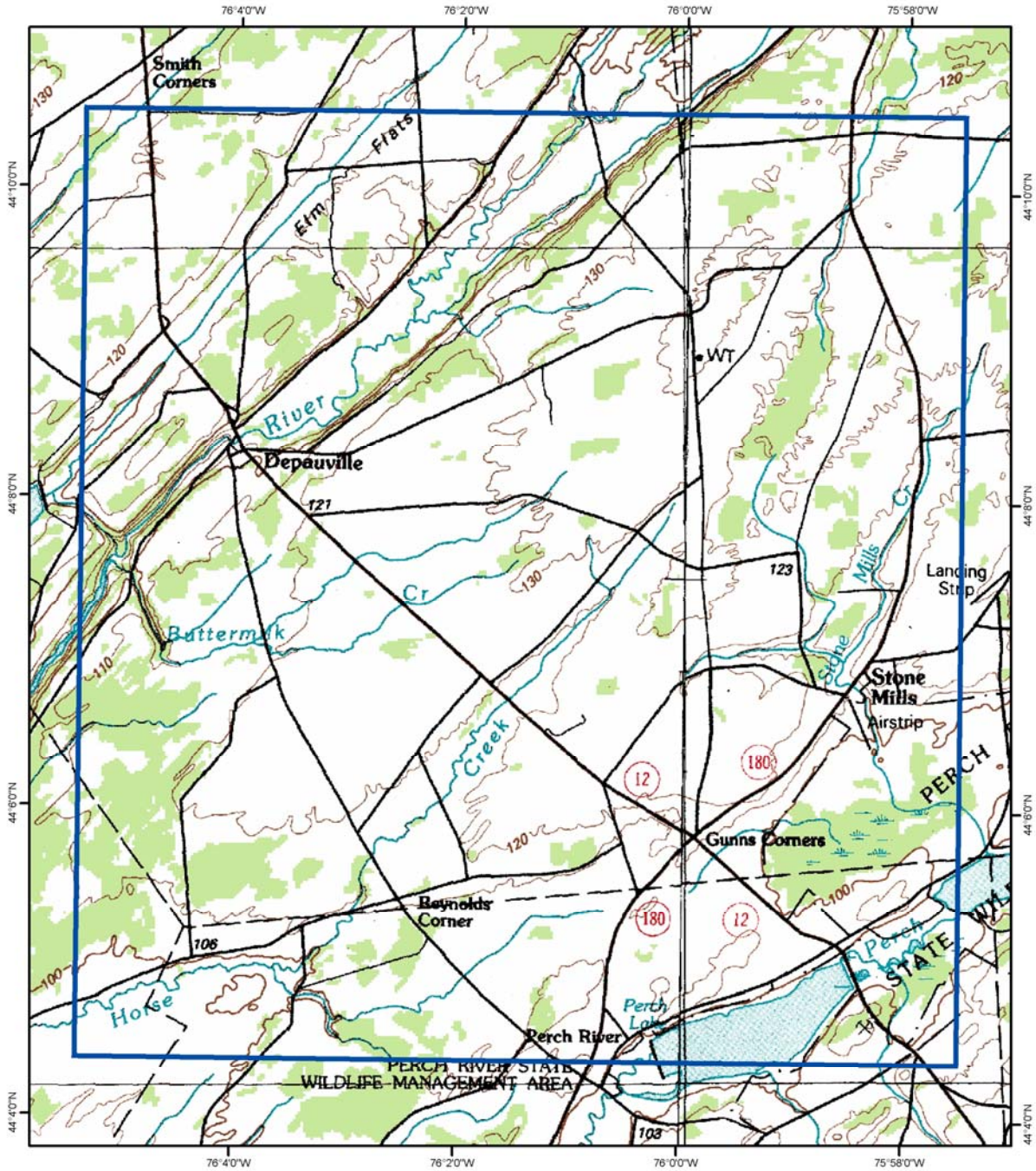
**Table 1 Block Coordinates for the Clayton Wind Energy Facility in Decimal Degrees  
Using NAD 83.**

	<b>Latitude(N)</b>	<b>Longitude(W)</b>
NE	44.1752°	75.9584°
NW	44.1752°	76.0899°
SE	44.0729°	75.9584°
SW	44.0729°	76.0899°



**Figure 1 General Area of Clayton Wind Energy Facility Area**





PPM Atlantic Renewable  
Wind Power GeoPlanner™  
Clayton

 Area of Interest



**Figure 2 Local Area of Clayton Wind Energy Facility Area**



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

FEB 2 2007

Mr. Lester E. Polisky  
Comsearch  
Senior Principal Engineer  
Field Services Department  
19700 Janelia Farms Blvd  
Ashburn, VA 21147

Re: Clayton Wind Energy Project in Jefferson County, NY

Dear Mr. Polisky:

In response to your request, the National Telecommunications and Information Administration provided to the federal agencies represented in the Interdepartment Radio Advisory Committee (IRAC) the plans for the Clayton Wind Energy Project in Jefferson County, NY. After a 30 day period of review, the agencies have not identified any concerns regarding blockage of their radio frequency transmissions.

While the IRAC agencies did not identify any concerns regarding radio frequency blockage, this does not eliminate the need for the wind energy facilities to meet any other requirements specified by law related to these agencies. For example, this review by the IRAC does not eliminate any need that may exist to coordinate with the Federal Aviation Administration concerning flight obstruction.

Thank you for the opportunity to review these proposals.

Sincerely,

Karl B. Nebbia  
Deputy Associate Administrator  
Office of Spectrum Management



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

MAR 15 2011

Mr. Frank O'Brien  
COMSEARCH  
19700 Janelia Farm Blvd.  
Ashburn, VA 20147

Re: Horse Creek Project, in Jefferson County, NY

Dear Mr. O'Brien:

In response to your request on January 14, 2011, the National Telecommunications and Information Administration provided to the federal agencies represented in the Interdepartment Radio Advisory Committee (IRAC) the plans for the Horse Creek Wind Project, located in Jefferson County, New York.

After a 45 day period of review, no federal agencies identified any concerns regarding blockage of their radio frequency transmissions.

While the IRAC agencies did not identify any concerns regarding radio frequency blockage, this does not eliminate the need for the wind energy facilities to meet any other requirements specified by law related to these agencies. For example, this review by the IRAC does not eliminate any need that may exist to coordinate with the Federal Aviation Administration concerning flight obstruction.

Thank you for the opportunity to review these proposals.

Sincerely,

Edward M. Davison  
Deputy Associate Administrator  
Office of Spectrum Management