

**IMPACT ASSESSMENT
BALD EAGLE
TRIPS TO WIN
COUNTY ROUTE 43
TOWN OF FORESTBURG
SULLIVAN COUNTY**

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Prepared By:



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Project Description

The applicant proposes to build an access drive and parking area for their existing event barn.

Impacts and mitigation measures to protect the species is outlined later in this analysis.

The Project will disturb approximately 0.75 acres of land related to grading; constructing new access drive and parking lot. Development of the Project will involve the typical equipment necessary for a small-scale project, i.e. excavators, small bulldozers, etc.

Impact Analysis

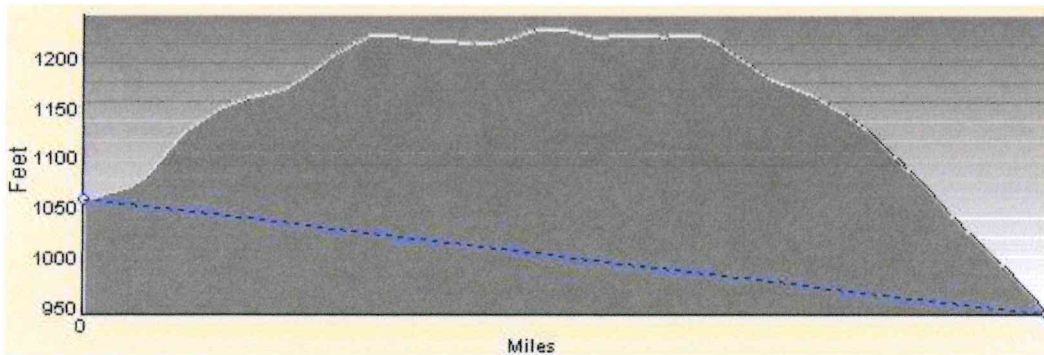
The nesting eagles are located on the Mongaup Falls Reservoir. The closest point of the reservoir is approximately 0.98 miles to the project location in a straight line. We utilized both the USFWS Bald Eagle Management Guidelines and the NYSDEC Conservation Plan for Bald Eagles in our analysis.

The project proposes to clear a few trees. The area was walked for potential habitat and for roosting trees. There were no signs of eagle roosting trees. The preferred site plan was analyzed to determine how the proposed disturbance could impact the eagle's nesting activity. A summary of the type and nearest disturbance to the nest, along with the elevation difference and proposed condition of the direct line of sight to the project is included in the table below. Figures showing the profiles are attached to this document. No bald eagles were observed flying, foraging, roosting or perching on the property during our field visit.



Photo of area to be disturbed.

<u>Disturbance in Relation to Eagle Nest</u>				
	<u>Nearest Disturbance to Nest</u>	<u>Disturbance Type</u>	<u>Elevation Difference</u>	<u>Proposed area between nest and disturbance</u>
	.98 miles	Clearing and construction	+100'	.98 miles with forest with understory as well and homes and roads



Profile of elevations between nest and proposed development.

The Project includes construction of a parking lot and septic system. None of the Project will be visible from the eagle nest. Based on these circumstances, the USFWS Bald Eagle Management Guidelines (Step 3) recommend the following measures be implemented to avoid disturbing nesting bald eagles and their young:

1. Maintain a buffer of at least 660 feet (200 meters) between your project activities and the nest (including active and alternate nests). If a similar activity is closer than 660 feet, then you may maintain a distance buffer as close to the nest as the existing tolerated activity.
2. If you perform your activity closer than 660 feet due to a similar activity existing closer than 660 feet, then restrict all clearing, external construction, and landscaping activities within 660 feet of the nest to outside the nesting season (i.e., outside the nesting season is from August through January. The nesting season in the Northeast is generally from mid-December to June for the States in the Chesapeake Bay (DE, MD, and VA) and the remaining states, as late as January through July).
3. Maintain established landscape buffers that screen the activity from the nest.

As per the 2016 NYSDEC Conservation Plan for Bald Eagles:



New Construction:

“Construction of new buildings, roads, utilities or other permanent structures is not recommended within ¼ mile, or 1320 feet of an eagle nest, if there is no visual buffer. If a visual buffer exists and the activity/feature is not visible from the nest, such activities should not occur within 660 feet of the nest site. Wind towers should not be sited in areas where they will negatively affect daily foraging movements of bald eagles. Movements between both nests and foraging areas and winter roosts and foraging areas should be taken into consideration. Boat ramps and marinas should be located at least ¼ mile away from important eagle foraging and breeding areas, as heavy boat traffic can impede successful foraging. In every case, landowners should be encouraged to enhance the visual buffer existing between the feature and the nest rather than diminishing it. In addition to these distance buffers, consideration must also be given to temporal buffers.”

Temporary Impacts

In our profession opinion, there are no potential temporary impacts to nesting eagles during construction from noise or visual impacts resulting from tree clearing, grading/site work, and construction activities to specific time frames as referenced in the USFWS guidance. As the site is over ½ miles from the known eagle’s nest with a wood buffer and the site is not visible from the eagle’s nest.

Limits of Grading and Tree Removals

As previously stated, the Project proposes to disturb approximately 0.75 acre during construction, none of which will occur within 660’ of the eagle nest.

Work Space During Construction

The Project does not propose any additional temporary work spaces for construction. All equipment can be staged within the LOD.

Project Timing

As the project is outside of the 660’ - radius that requires a limited work window, and there is no proposed blasting, the Project sponsor does not intend to limit construction to any period of the year.

Quality of Surrounding Habitat

Approximately 70% of the 0.5 mile radius of habitat surrounding the eagle nest is comprised of undisturbed forests and forested wetlands. The forested areas most closely resemble the successional southern hardwoods community as described in the second edition (2014) of “The Ecological Communities of New York State.” These areas were likely once used for agriculture/pasture and have been allowed to regenerate.

There are large tracts of land surround the project. The other lakes and the Delaware River are also other areas where eagles roost and feed and are further away from the site.



Permanent Impacts

The completed Project is not anticipated to have any permanent or lasting impacts to the nesting pair. While it is understood every nesting pair of eagles have differing tolerances to various activities, there are multiple examples in southeastern New York of eagles nesting successfully within close proximity of rural residential development, areas with regular human activity, and areas that see regular landscaping (e.g. Wheeler Hill Road & Bowdoin Park, Dutchess County; Stony Point Battleground & Tuxedo Lake, Rockland County; Swan Lake, Saint Joseph's Lake, & Clear Lake, Sullivan County).