



Memorandum

To: Katherine Winkler, Director of Waterway Revitalization, Buffalo Niagara Waterkeeper

From: Kathleen Marean, Environmental Scientist, Ecology and Environment, Inc.

Date: February 28, 2020

Re: LaSalle Park Feasibility Study, Rare, Threatened, and Endangered Species Review

cc: Greg Sutton, Kris Erickson, Ecology and Environment, Inc.

Ecology and Environment, Inc., member of WSP (hereafter referred to as E & E) has conducted a desktop review of rare, threatened, and endangered species (RTE) within the project area to assist in supporting preparation of the design for improving nearshore, shoreline, and riparian conditions within, and immediately adjacent to LaSalle Park in Buffalo (Erie County), New York.

Figure 1-1 indicates the location of the project. The project area is an existing public park, which also houses the historic Colonel Ward Pumping Station and Buffalo's Centennial Pool; and includes playing fields, an amphitheater, and a former seaplane deck and ramp. The park is approximately 132 acres.

To address the potential for the presence of RTE within the bounds of the project area (shown in Figure 1-1), E & E included the following publicly available data sources in this desktop review:

- U.S. Fish and Wildlife Service's (USFWS) Information, for Planning and Consultation (IPaC) tool;
- New York State Department of Environmental Conservation (NYSDEC's) Environmental Resource Mapper and Nature Explorer tools; and
- NYSDEC lists of State Threatened and Endangered Species, and Species of Special Concern.

U.S. Fish and Wildlife Service's Information, for Planning and Consultation Tool

A preliminary review of the USFWS IPaC tool indicates the northern long-eared bat (*Myotis septentrionalis*; NLEB), a federally listed threatened species, may be present within the project area. No critical habitat has been established for the NLEB. The USFWS maintains records of towns with summer NLEB presence (maternity roosts) and general coordinates for winter NLEB hibernacula. Based upon these additional publicly available sources, the closest towns with documented NLEB in the summer months are Collins and Wales (USFWS 2019a), which are approximately 24.5 and 15.5 miles from the project area, respectively. The closest documented

hibernacula are located near Akron, New York, and near Letchworth State Park, New York (USFWS 2019b). The USFWS recommends including at least a 1-mile buffer around each provided hibernacula coordinate. Through examination of geographic information system (GIS) mapping, these two documented hibernacula are approximately 21.0 and 46.0 miles from the project area, respectively.

The following Birds of Conservation Concern (BCC) are expected within the project area:

- Black-billed cuckoo (*Coccyzus erythrophthalmus*);
- Bobolink (*Dolichonyx oryzivorus*);
- Buff-breasted sandpiper (*Calidris subruficollis*);
- Canada warbler (*Cardellina canadensis*);
- Cerulean warbler (*Dendroica cerulea*);
- Golden-winged warbler (*Vermivora chrysoptera*);
- Lesser yellowlegs (*Tringa flavipes*);
- Prairie warbler (*Dendroica discolor*);
- Red-headed woodpecker (*Melanerpes erythrocephalus*);
- Ruddy turnstone (*Arenaria interpres morinella*);
- Semipalmated sandpiper (*Calidris pusilla*);
- Short-billed dowitcher (*Limnodromus griseus*);
- Snowy owl (*Bubo scandiacus*); and
- Wood thrush (*Hylocichla mustelina*).

While not BCC, the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*) may be present in the project area and are protected under the Bald and Golden Eagle Protection Act.

New York State Department of Environmental Conservation (NYSDEC's) Environmental Resource Mapper and Nature Explorer Tools

Based on NYSDEC's Environmental Resource Mapper and Nature Explorer Tools, the project area is in the vicinity of NLEB and four-flowered loosestrife (*Lysimachia quadriflora*) both state-listed endangered species.¹ The project area is also in the vicinity of the lake sturgeon (*Acipenser fulvescens*), which is a state-listed threatened species.

The project area is also documented as in the vicinity of the following animal assemblages: a historically confirmed significant gull colony last documented in 1985; and a waterfowl winter concentration area last documented in 1994.

¹ This species was last documented in 1924.

NYSDEC Lists of State Threatened and Endangered Species, and Species of Special Concern

Species assessments, including maps of known occurrences and habitat requirements and distribution, for each species included on this list were reviewed to determine presence in the vicinity of LaSalle Park. LaSalle Park is located on the Lake Erie shoreline, along a portion of the Black Rock Canal (an actively maintained navigational channel). Most of the park is manicured with ballfields, active recreation areas, and walking paths, and limited tree cover (Wendel 2017). Based upon the review of the assessments, species with the potential to occur within the vicinity of the project area are listed in Table 1. Species that have habitat requirements that are not met by the habitats that exist within and adjacent to the project area have, therefore, been excluded from Table 1. NYSDEC is currently proposing to revise the list of endangered, threatened, and special concern species identified under Part 182 of 6 New York Codes, Rules, and Regulations. The 90-day public comment period closed on January 24, 2020 (NYSDEC n.d.).

Table 1. New York State-listed Threatened, Endangered, and Species of Special Concern in the Vicinity of LaSalle Park

Category	Common Name	Scientific Name	New York State Status
Molluscs	Wavy-rayed lampmussel	<i>Lampsilis fasciola</i>	Threatened
	Buffalo pebble snail	<i>Gillia altilis</i>	Special Concern
	Fringed valvata	<i>Valvata lewisi</i>	Special Concern
Insects	Persius duskywing	<i>Erynnis persius</i>	Endangered
Fishes	Silver chub	<i>Macrhybopsis storeriana</i>	Endangered
	Lake sturgeon	<i>Acipenser fulvescens</i>	Threatened
	Mooneye	<i>Hiodon tergisus</i>	Threatened
	Eastern sand darter	<i>Ammocrypta pellucida</i>	Threatened
	Black redhorse	<i>Moxostoma duquesnei</i>	Special Concern
Amphibians	Jefferson salamander	<i>Ambystoma jeffersonianum</i>	Special Concern
	Blue-spotted salamander	<i>Ambystoma laterale</i>	Special Concern
Reptiles	Blanding's turtle	<i>Emydoidea blandingii</i>	Threatened
	Spotted turtle	<i>Clemmys guttata</i>	Special Concern
Birds	Golden Eagle	<i>Aquila chrysaetos</i>	Endangered
	Peregrine Falcon	<i>Falco peregrinus</i>	Endangered
	Pied-billed Grebe	<i>Podilymbus podiceps</i>	Threatened
	Least Bittern	<i>Ixobrychus exilis</i>	Threatened
	Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened
	Common Tern	<i>Sterna hirundo</i>	Threatened
	American Bittern	<i>Botaurus lentiginosus</i>	Special Concern
	Cooper's Hawk	<i>Accipiter cooperii</i>	Special Concern
	Common Nighthawk	<i>Chordeiles minor</i>	Special Concern
	Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	Special Concern
Mammals	Northern long-eared bat	<i>Myotis septentrionalis</i>	Threatened

Sources: NYSDEC 2013a, 2013b, 2013c, 2013d, 2013e, 2013f, 2013g, 2013h, 2013i, 2014a, 2014b, 2014c, 2014d, 2014e, 2014f, 2014g, 2014h, 2014i, 2014j, 2014k, 2014l, 2014m, 2014n, 2017.

New York Natural Heritage Program

A formal request was submitted to the New York Natural Heritage Program (NHP) on February 19, 2020. A supplemental RTE review memorandum will be prepared upon receipt of the response from the NHP.

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