



New York Field Office

<http://nyfo.fws.gov>

Federal Activities



Congressional District #24

Sherwood L. Boehlert

The U.S. Fish and Wildlife Service is a premier Federal fish and wildlife conservation agency. Our mission for over 60 years has been to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people.

Wetland and Waterway Protection



Every year, our office reviews approximately 250 public notices prepared by the U.S. Army Corps of Engineers and U.S. Coast Guard. In these public notices, applicants propose to impact wetlands, streams, and other water bodies. The Service is effective at reducing the impacts of these projects on fish and wildlife resources and ensuring that mitigation is provided to achieve fish and wildlife benefits.

The U.S. Fish and Wildlife Service has worked with the New York State Department of Transportation and New York State Department of Environmental Conservation to develop and implement the restoration of about 800 feet of stream as mitigation for impacts associated with the rehabilitation of **Route 79** in the Town of Lisle.

Energy Development

Hydroelectric Power The New York Field Office reviews non-Federal hydroelectric projects that are licensed by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act. Section 10(j) of the Federal Power Act allows the Service to make recommendations for measures to mitigate for project impacts to fish and wildlife resources and to provide protection and enhancement. These measures or an equivalent level of protection must be accepted by FERC. Section 18 gives the Service authority to prescribe fish passage; these prescriptions are mandatory and must be included in the license.

There are currently 172 active projects in New York, including 17 currently undergoing relicensing. The major issues of concern to the Service are protecting fish from being entrained into the turbines, upstream and downstream fish passage past the dams, base flows downstream of the projects, impoundment fluctuations, flows in dewatered reaches, wetland impacts, and public access.

In recent years, many project relicensings are being conducted with wide-scale public participation resulting in negotiated settlements for license conditions. This process allows interested stakeholders to negotiate a balanced package of conditions that include energy production, environmental protection and enhancement, economic benefits, and recreational amenities.

Wind Energy The New York State Renewable Portfolio Standard and the interest in wind power is keeping our staff busy reviewing potential wind projects across the state. At least 15 new projects have been proposed where the wind resource is sufficient to generate electricity. A majority of the projects are proposed in western New York. Several projects are being reviewed closely by our staff related to endangered species and migratory bird issues. One project of interest is the Flat Rock project in Lewis County which is located close to habitat for the Federally endangered Indiana bat (*Myotis sodalis*). Another project is sited between two bald eagle (*Haliaeetus leucocephalus*) nests in Chautauqua County. The Service is working with both project developers as well as state and local officials to evaluate potential impacts to listed species.



Wind Turbine Farm, Town of Fenner, Madison County

We will soon be working with the New York State Energy Research and Development Authority to evaluate the cumulative effects of numerous wind projects within the state. Funding sources are being sought to convene a committee of stakeholders which will discuss wind energy development issues at the state level.

Federal Projects

The U.S. Army Corps of Engineers (Corps) coordinates with the Service on all proposed construction projects, such as for flood control, shoreline stabilization, or navigation. Our role is to ensure that construction is planned with a view toward conservation of fish and wildlife.

The Corps, Baltimore District, is conducting the **Upper Susquehanna River Watershed-Cooperstown Area Ecosystem Feasibility Study** as authorized by a congressional add, Section 567, Water Resources Development Act 96, as amended. Specifically, the Corps was directed to conduct a study and develop a strategy for using wetland restoration, soil and water conservation practices, and non-structural measures to

reduce flood damage, improve water quality, and create wildlife habitat in the Upper Susquehanna River Basin. The development and implementation of the strategy was to be undertaken with the cooperation of the State of New York, local government, and local landowners. The U.S. Fish and Wildlife Service, other agencies, and non-governmental organizations assisted in planning and developing wetland restorations.

The U.S. Fish and Wildlife Service is beginning our review of the proposed **Fulmer, Moyer and Steele Creeks** Corps' projects. The projects are designed to afford flood protection. Our objective is to ensure that the Corps minimizes adverse environmental impacts and enhances opportunities for outdoor recreation.

For a number of years, the Corps has been evaluating the **Sauquoit Creek** flood control project for the Village of Whitesboro, Oneida County. The project currently



Sauquoit Creek, Whitesboro

would convert over one mile of Sauquoit Creek to an excavated flood control channel. The U.S. Fish and Wildlife Service is concerned that the currently proposed flood control project would adversely impact significant fish and wildlife resources in and along Sauquoit Creek. We have recommended ways to avoid and minimize impacts to these resources by reevaluating non-structural alternatives or a combination of non-structural and less environmentally damaging alternative.

“Wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation and rehabilitation”

[1958 Fish and Wildlife Coordination Act \(P.L. 85-624\)](#)