APPENDIX C

NATURAL RESOURCES

Appendix C-1: Project Site Vegetation

Common Name	Scientific Name	Stratum
Tree-of-heaven	*Ailanthus altissima*	tree/understory
Serviceberry	*Amelanchier alnifolia*	shrub
Mugwort	*Artemisia vulgaris*	herbaceous
Wild indigo	*Baptisia australis*	herbaceous
Redbud	*Cercis canadensis*	tree/understory
Atlantic white cedar	*Chamaecyparis thyoides*	tree/understory
Lamb's quarters	*Chenopodium album*	herbaceous
Chrysanthemum	*Chrysanthemum* sp.	herbaceous
Chicory	*Cichorium intybus*	herbaceous
Asiatic dayflower	*Commelina communis*	herbaceous
Bermuda grass	*Cynodon dactylon*	herbaceous
Gypsum weed	*Datura stramonium*	herbaceous
Queen Anne's lace	*Daucus carota*	herbaceous
Crab grass	*Digitaria* sp.	herbaceous
Autumn olive	*Elaegnus umbellata*	shrub
Quickweed	*Galinsoga ciliata*	herbaceous
Madder	*Galium* sp.	herbaceous
Honey locust	*Gledistia triacanthos*	tree/overstory
Hibiscus	*Hibiscus* sp.	shrub
Hostas	*Hostas* sp.	herbaceous
Morning glory	*Ipomoea purpurea*	herbaceous
Black walnut	*Juglans nigra*	tree/understory
Red cedar	*Juniperis virginiana*	shrub
Prickly lettuce	*Lactuca serriola*	herbaceous
Japanese privet	*Ligustrum japonicum*	shrub
Sweetgum	*Liquidambar styraciflua*	tree/overstory
Crab apple	*Malus* sp.	tree/understory
White mulberry	*Morus alba*	tree/overstory
Panic grass	*Panicum* sp.	herbaceous
Virginia creeper	*Parthenocissus quinquefolia*	vine
Boston ivy	*Parthenocissus tricuspidata*	vine
Princess-tree	*Paulownia tomentosa*	tree/overstory
Common reed	*Phragmites australis*	herbaceous
Pokeweed	*Phytolacca americana*	herbaceous
White spruce	*Picea glauca*	tree/understory
White pine	*Pinus strobus*	tree/understory
European plantain	*Plantago lanceolata*	herbaceous
Common plantain	*Plantago major*	herbaceous
London planetree	*Platanus acerfolia*	tree/overstory
Annual meadow grass	*Poa annua*	herbaceous
Bluegrass	*Poa* sp.	herbaceous
Japanese knotweed	*Polygonum cuspidatum*	herbaceous
Lady's thumb	*Polygonum persicaria*	herbaceous
Eastern cottonwood	*Populus deltoides*	tree/overstory
Purslane	*Portulaca oleracea*	herbaceous

Common Name	Scientific Name	Stratum
Purple leaf plum	*Prunus cerasifera*	tree/understory
Ornamental cherry	*Prunus* sp.	tree/understory
Pin oak	*Quercus palustris*	tree/overstory
Poison ivy	*Rhus radicans*	herbaceous
Black locust	*Robinia pseudoacacia*	tree/overstory
Bitter dock	*Rumex obtusifolius*	herbaceous
Foxtail grass	*Setaria* sp.	herbaceous
Climbing nightshade	*Solanum dulcamara*	vine
Gray goldenrod	*Solidago nemoralis*	herbaceous
Sweet goldenrod	*Solidago odora*	herbaceous
Dandelion	*Taraxacum officinale*	herbaceous
Bald cypress	*Taxodium distichum*	tree/understory
Yew	*Taxus* sp.	shrub
Basswood	*Tilia americana*	tree/overstory
Red clover	*Trifolium pratense*	herbaceous
White clover	*Trifolium repens*	herbaceous
American elm	*Ulmus americana*	tree/overstory
Elm	*Ulmus* sp.	tree/understory
Common mullein	*Verbascum thapsus*	herbaceous
Common blue violet	*Viola papilionacea*	herbaceous
Virburnum	*Virburnum* sp.	shrub
Japanese zelkova	*Zelkova serrata*	tree/understory
Source: reconnaissance investigation on September 25, 2012		

Appendix C-2: Agency Correspondence

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Long Island Field Office
340 Smith Road
Shirley, NY 11967
Phone: (631) 286-0485 Fax: (631) 286-4003
http://www.fws.gov/northeast/nyfo

To: Chad Seewagen Date: 1/23/2013

USFWS File No: ESA 2013-021e

Regarding your: ☒ letter ☐ FAX ☐ E-mail dated: 10/16/2012

For project: Hallets Pt Rezoning Project - Sect 7 informal consultation

Located: East River, Astoria

In Town/County: Queens

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

☒ Acknowledges receipt of your "no effect" determination. No further ESA coordination or consultation is required.

☐ Acknowledges receipt of your determination. Please provide copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

☐ Is taking no action pursuant to ESA or any other legislation at this time but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (http://www.fws.gov/northeast/nyfo/es/section7.htm) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project area is current. Should project plans change or additional information on listed or proposed species or critical habitat become available, this determination may be reconsidered.

Pursuant to the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*),

☐ Requests additional time for review.

☐ Is providing FWCA comments (see attached).

☐ Will provide FWCA comments separately.

☐ Is taking no action pursuant to FWCA due to lack of funding.

☐ Has no objection pursuant to the FWCA.

☐ Is taking no action pursuant to the FWCA at this time but would like to be kept informed of project developments.

USFWS Contact(s): Steven T. Papa Date 1/23/2013

Supervisor: _____ Date _____

✶

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG - 6 2013

Patrick S. Blanchfield
Director of Environmental Planning
City of New York-
Department of Housing Preservation and Development
100 Gold Street
New York, New York 10038

Re: Hallets Point Rezoning Project

Dear Mr. Blanchfield,

On July 26, 2013, we received your July 23, 2013, letter regarding Endangered Species Act (ESA) section 7 consultation on Hallets A Development Company, LLC's, proposed Hallets Point Rezoning Project, in Astoria, New York. Pursuant to 24 CFR Part 58, the U.S. Department of Housing and Urban Development has designated you as the lead non-federal representative for this project, and on behalf of your agency, AKRF, Inc., has requested our concurrence that the proposed project is not likely to adversely affect any species listed by us as threatened or endangered under the ESA of 1973, as amended.

According to information provided to us by AKRF on July 26, 2013, the proposed project would occur on land and along the East River, and would involve waterfront redevelopment that would include:

- stabilization and repair of failing shoreline armoring;
- construction of four new stormwater outfalls above the spring high water (SHW) elevation and within the riprap revetment;
- maintenance and minor repair of two existing New York City Department of Environmental Protection (NYCDEP) outfalls (i.e., clearing of debris and obstructive vegetation growth, and augmentation of deficient rip-rap); and
- construction of a boardwalk esplanade that would not extend over the mean high water (MHW) or spring high water (SHW) elevation.

Based on this information and the location of the project, although ESA listed species of Atlantic sturgeon, shortnose sturgeon, and sea turtles may be found in the East River, we have determined that no listed species under our jurisdiction will be exposed to any direct or indirect effects of the proposed project and thus, we do not believe a consultation in accordance with section 7 of the

ESA is necessary.[1] As such, NMFS Protected Resources Division does not intend to offer additional comments on this proposal. Should project plans change or new information becomes available that changes the basis for this determination, further coordination should be pursued. If you have any questions regarding these comments, please contact Danielle Palmer at (978) 282-8468.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resource

Ec: Palmer, NMFS/NER
Seewagen, AKRF

File Code: Sec 7 No Species Present 2013

[1] The only in-water work would be limited to the replacement of existing rip-rap in the nearshore waters of the East River where suitable forage for sturgeon or sea turtles is either absent or limited (e.g., limited, to no submerged aquatic vegetation (sea turtle), limited benthic invertebrate prey species (both species)). Therefore, sea turtle and sturgeon foraging grounds will not be affected by the proposed actions. Additionally, any suspended sediment that may be produced during rip-rap installation is expected to minimal and confined to the immediate area of the area being stabilized, an area where sturgeon or sea turtles are not expected to be found.