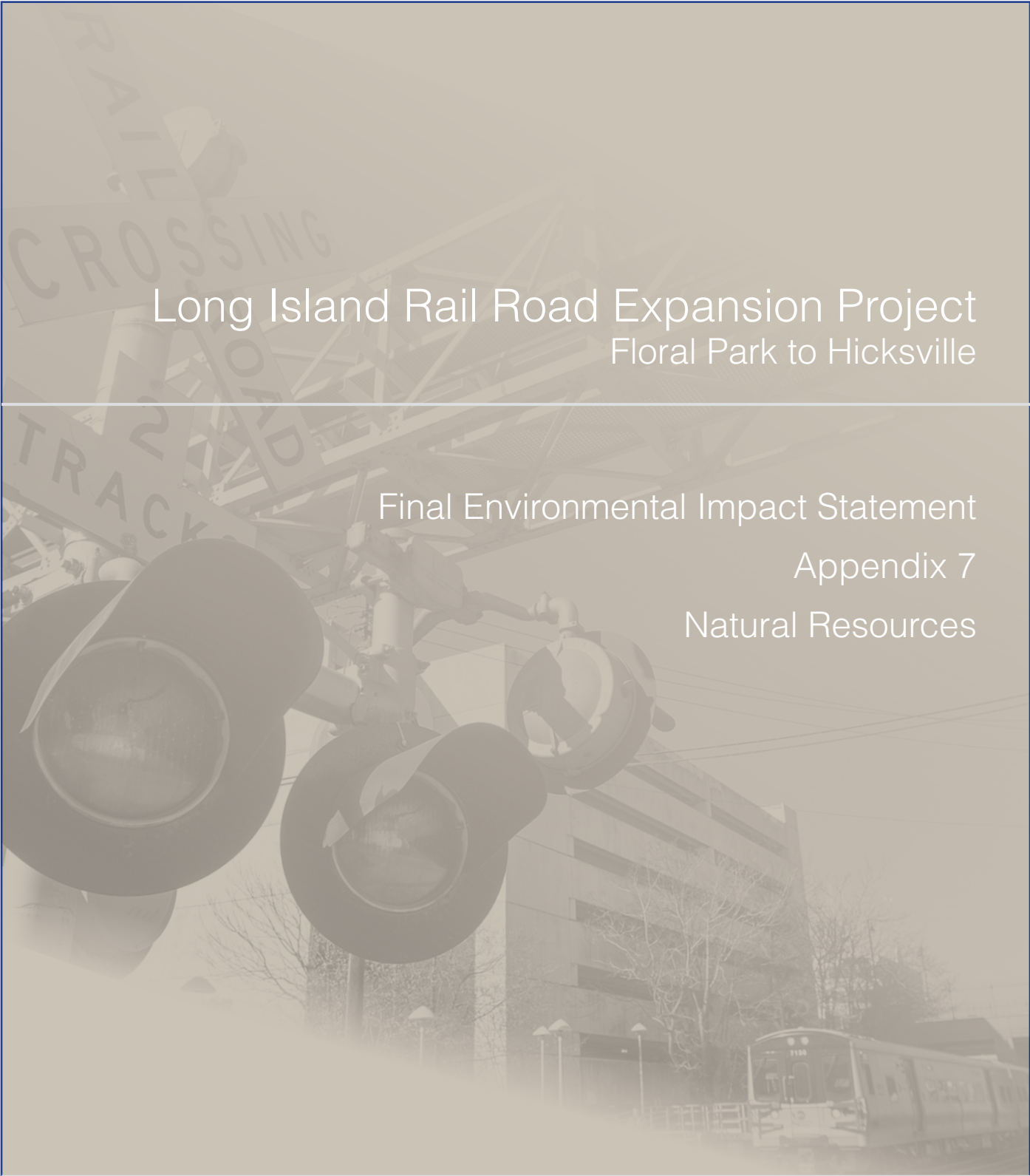


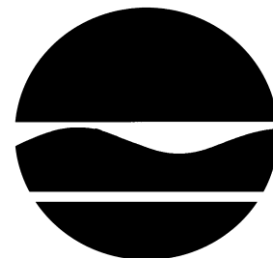


Long Island Rail Road Expansion Project Floral Park to Hicksville

Final Environmental Impact Statement Appendix 7 Natural Resources

April 2017

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



June 17, 2016

Sandy Collins
AKRF, Inc.
7250 Parkway Drive, Suite 210
Hanover, NY 21076

Re: Long Island Rail Road Main Line Expansion Project - Floral Park to Hicksville
Town/City: Hempstead, North Hempstead, Oyster Bay. County: Nassau.

Dear Sandy Collins:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of concern of rare or state-listed animals or plants, or significant natural communities at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage Database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 1 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

A handwritten signature in dark ink, reading "Andrea Chaloux". The signature is written in a cursive, flowing style.

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Long Island Ecological Services Field Office
340 SMITH ROAD
SHIRLEY, NY 11967
PHONE: (631)286-0485 FAX: (631)286-4003

Consultation Code: 05E1LI00-2016-SLI-0269

May 24, 2016

Event Code: 05E1LI00-2016-E-00260

Project Name: LIRR Expansion Project From Floral Park to Hicksville

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: LIRR Expansion Project From Floral Park to Hicksville

Official Species List

Provided by:

Long Island Ecological Services Field Office
340 SMITH ROAD
SHIRLEY, NY 11967
(631) 286-0485

Consultation Code: 05E1LI00-2016-SLI-0269

Event Code: 05E1LI00-2016-E-00260

Project Type: TRANSPORTATION

Project Name: LIRR Expansion Project From Floral Park to Hicksville

Project Description: The LIRR Expansion Project from Floral Park to Hicksville extends approximately 9.8 miles from the Village of Floral Park to the Hamlet of Hicksville and entails the following major components: installation of additional track to complete a continuous third Main Line track; elimination of seven grade crossings; various station improvements and modifications, and other related railroad infrastructure improvements.

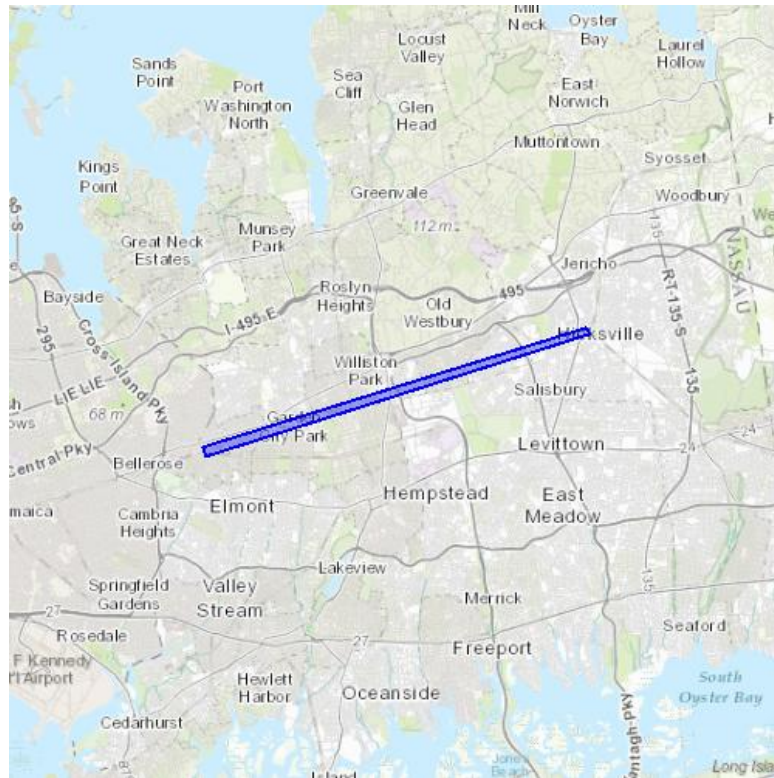
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: LIRR Expansion Project From Floral Park to Hicksville

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-73.70590209960938 40.72657579608992, -73.70418548583984 40.72319335848166, -73.52222442626953 40.767411659594146, -73.52376937866211 40.76936178983361, -73.70590209960938 40.72657579608992)))

Project Counties: Nassau, NY



United States Department of Interior
Fish and Wildlife Service

Project name: LIRR Expansion Project From Floral Park to Hicksville

Endangered Species Act Species List

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Piping Plover (<i>Charadrius melodus</i>) Population: except Great Lakes watershed	Threatened	Final designated	
Red Knot (<i>Calidris canutus rufa</i>)	Threatened		
Roseate tern (<i>Sterna dougallii dougallii</i>) Population: northeast U.S. nesting pop.	Endangered		
Flowering Plants			
Sandplain gerardia (<i>Agalinis acuta</i>)	Endangered		
Seabeach amaranth (<i>Amaranthus pumilus</i>)	Threatened		
Mammals			
Northern long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: LIRR Expansion Project From Floral Park to Hicksville

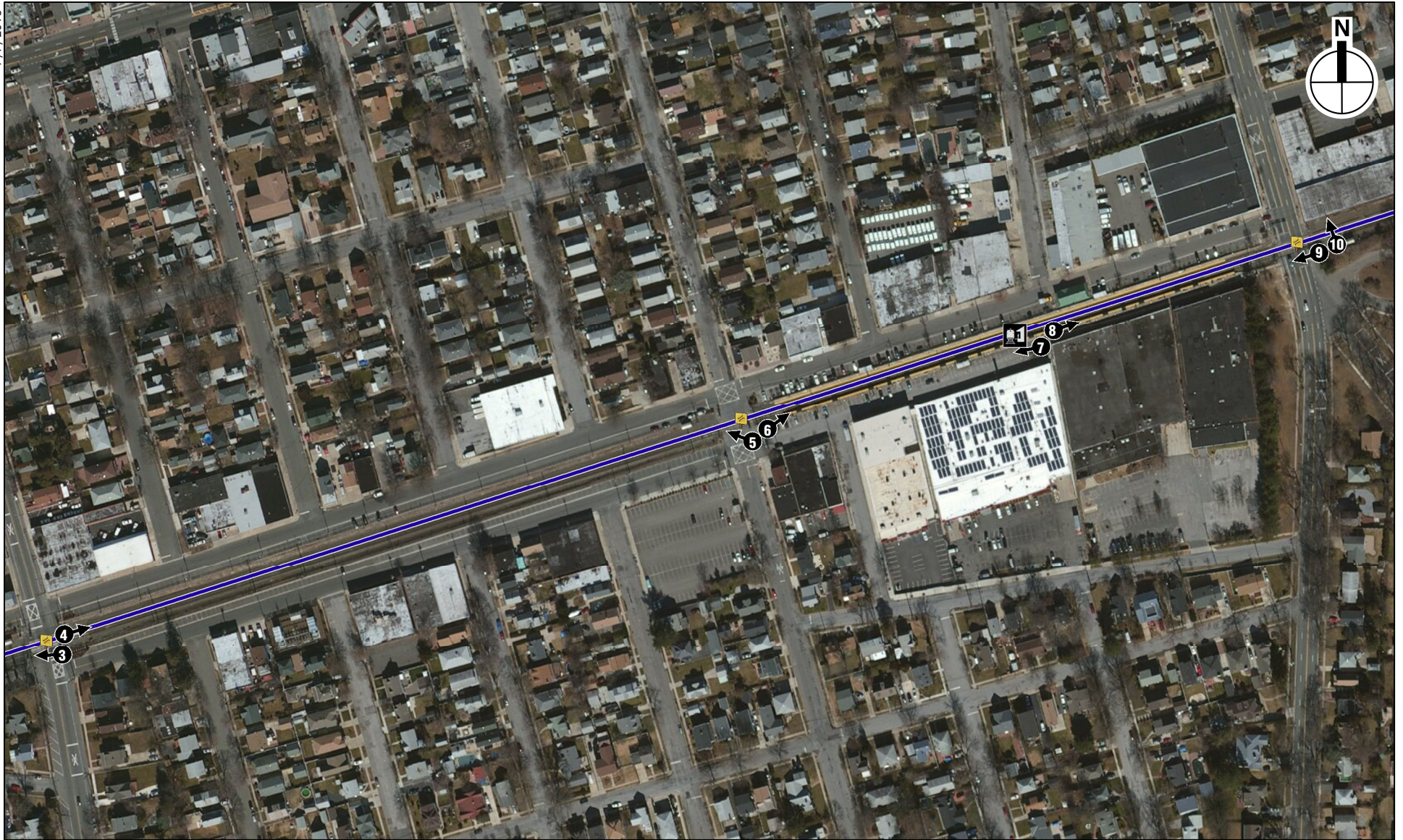
Critical habitats that lie within your project area

There are no critical habitats within your project area.



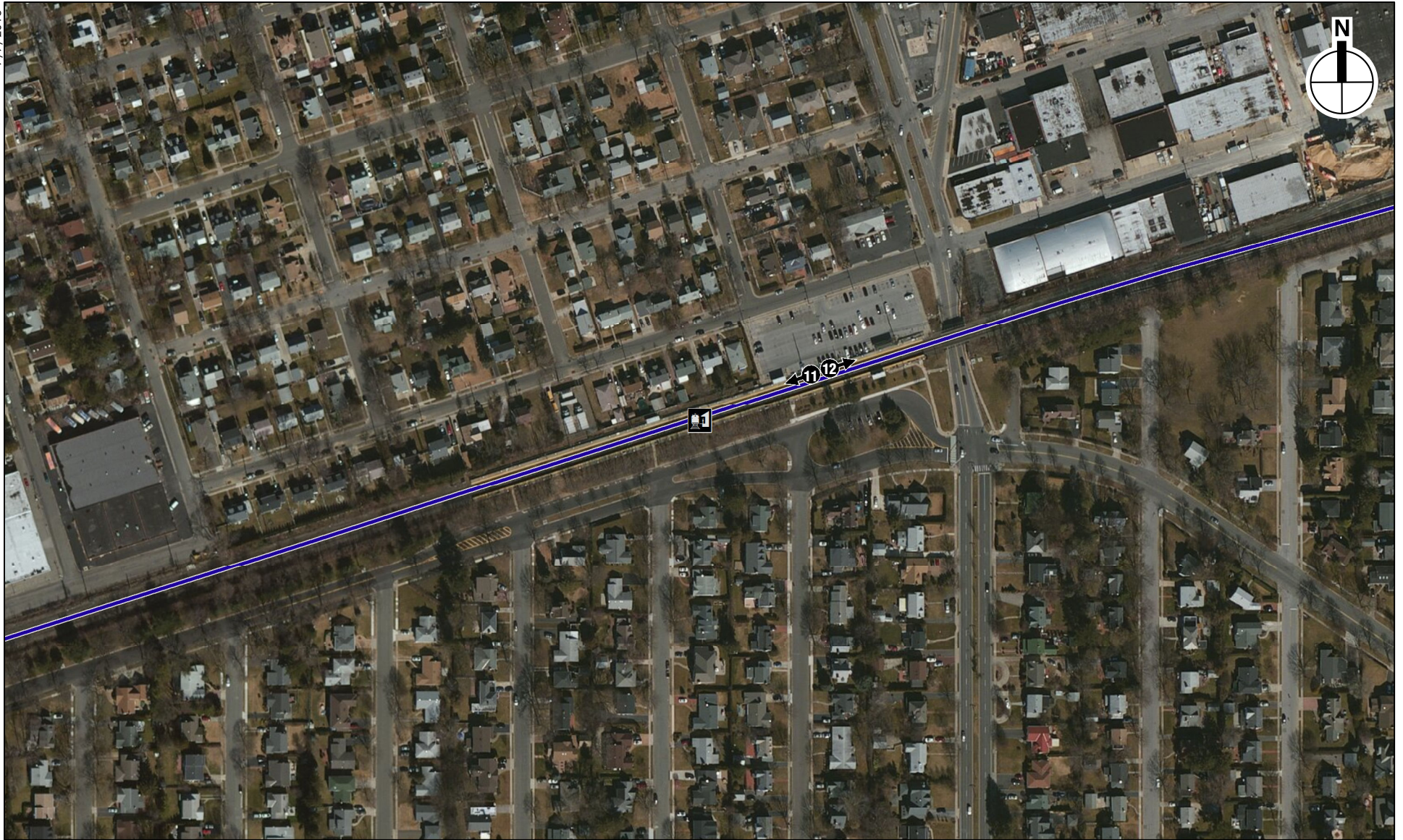
-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



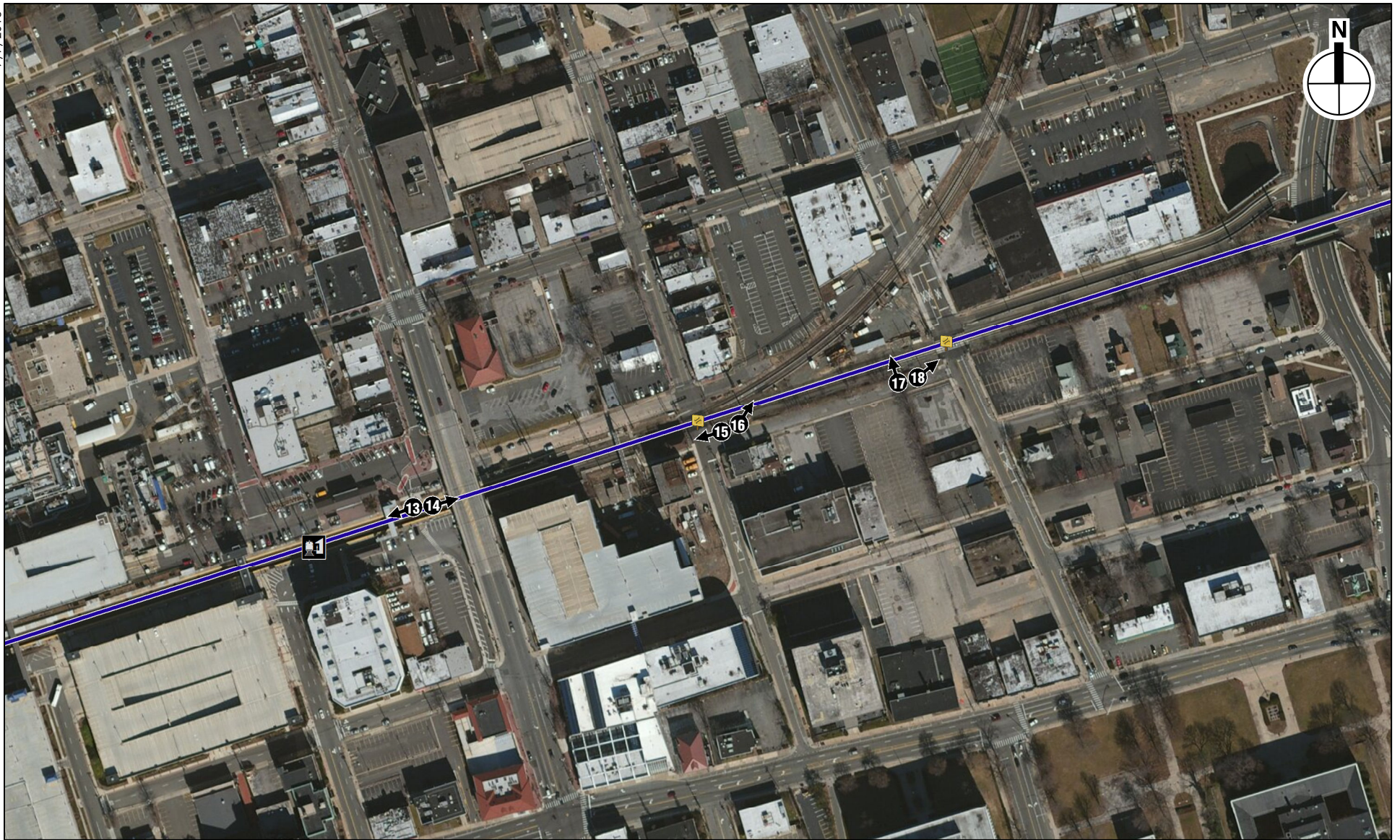
- Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



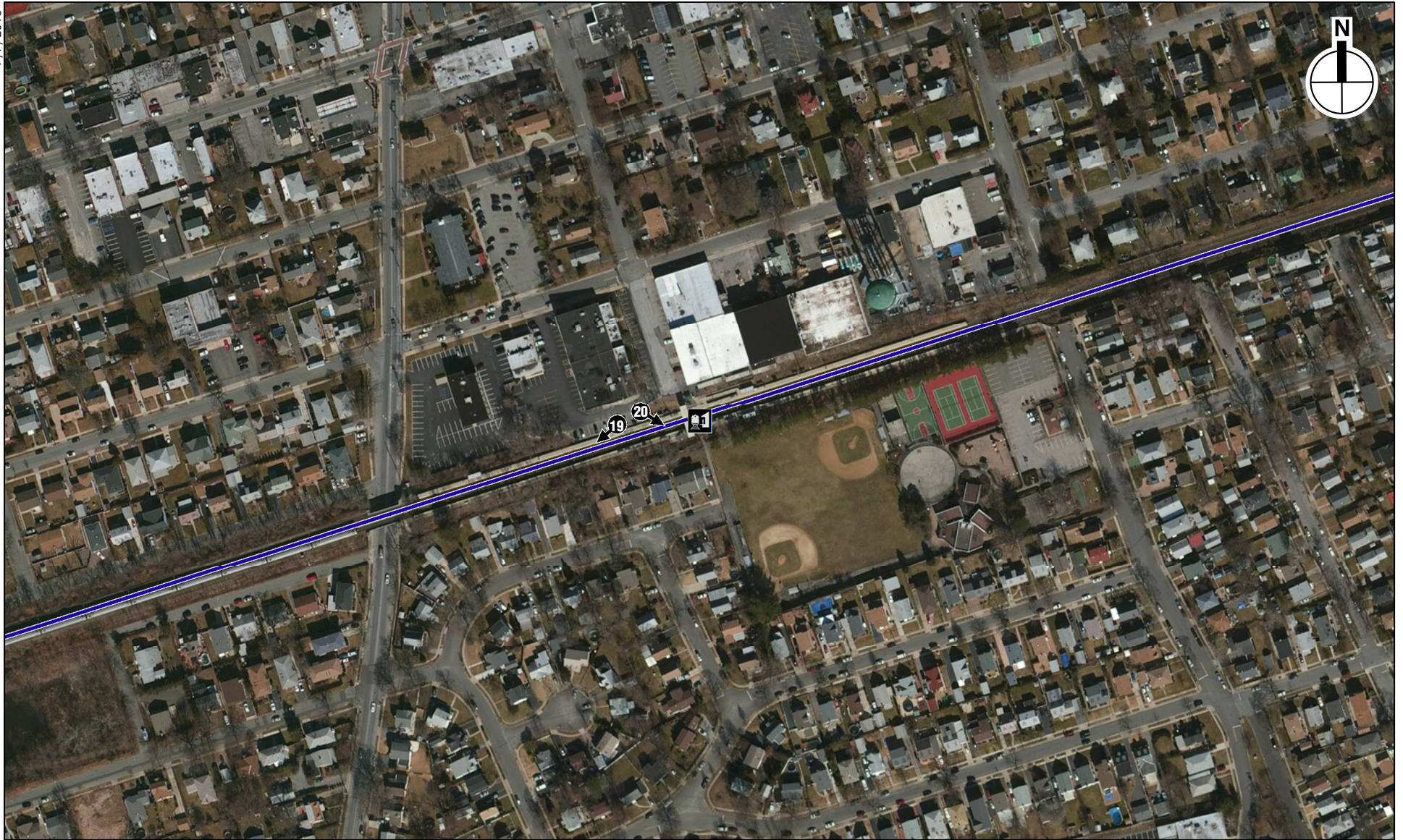
-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



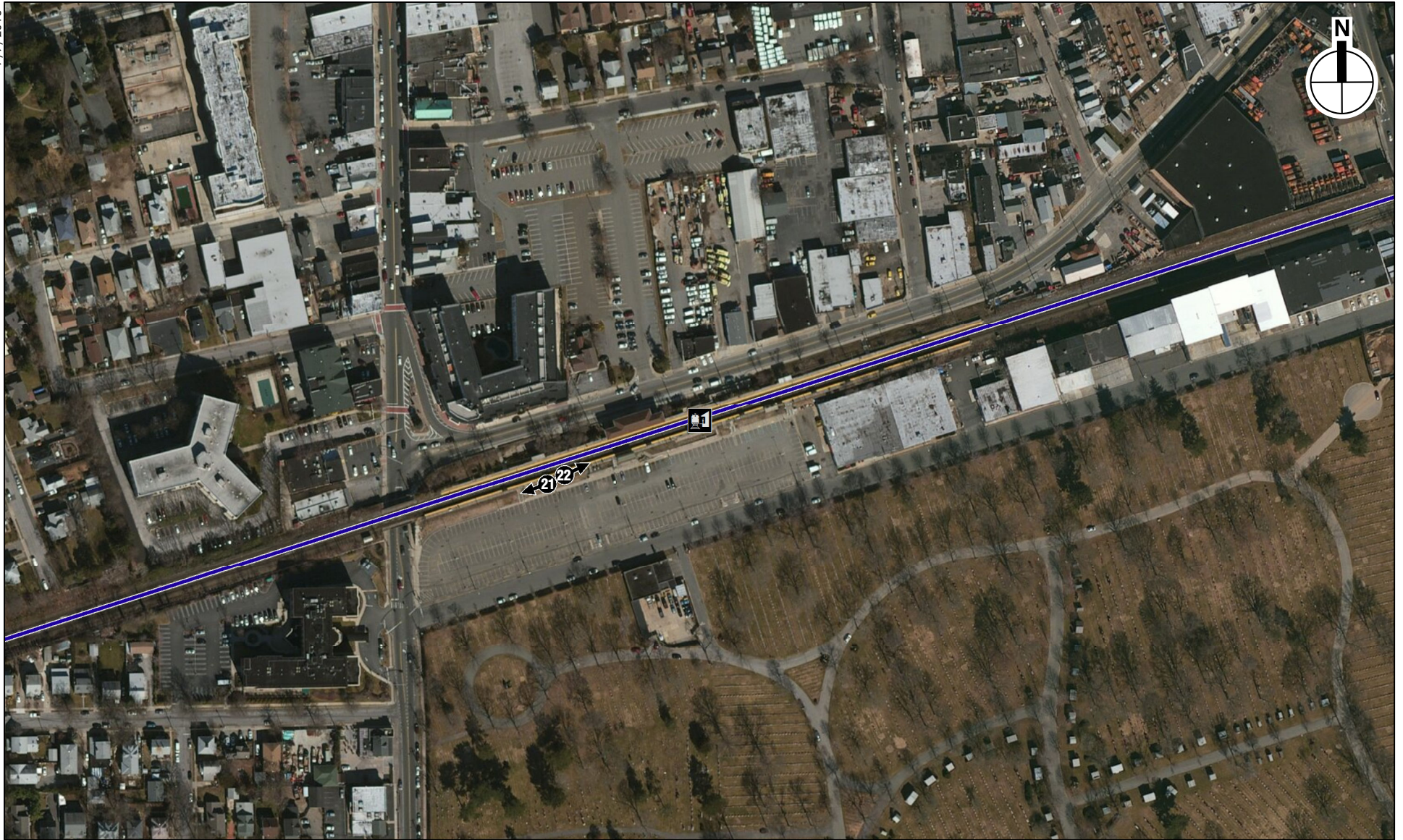
-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



- Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet

7/7/2016

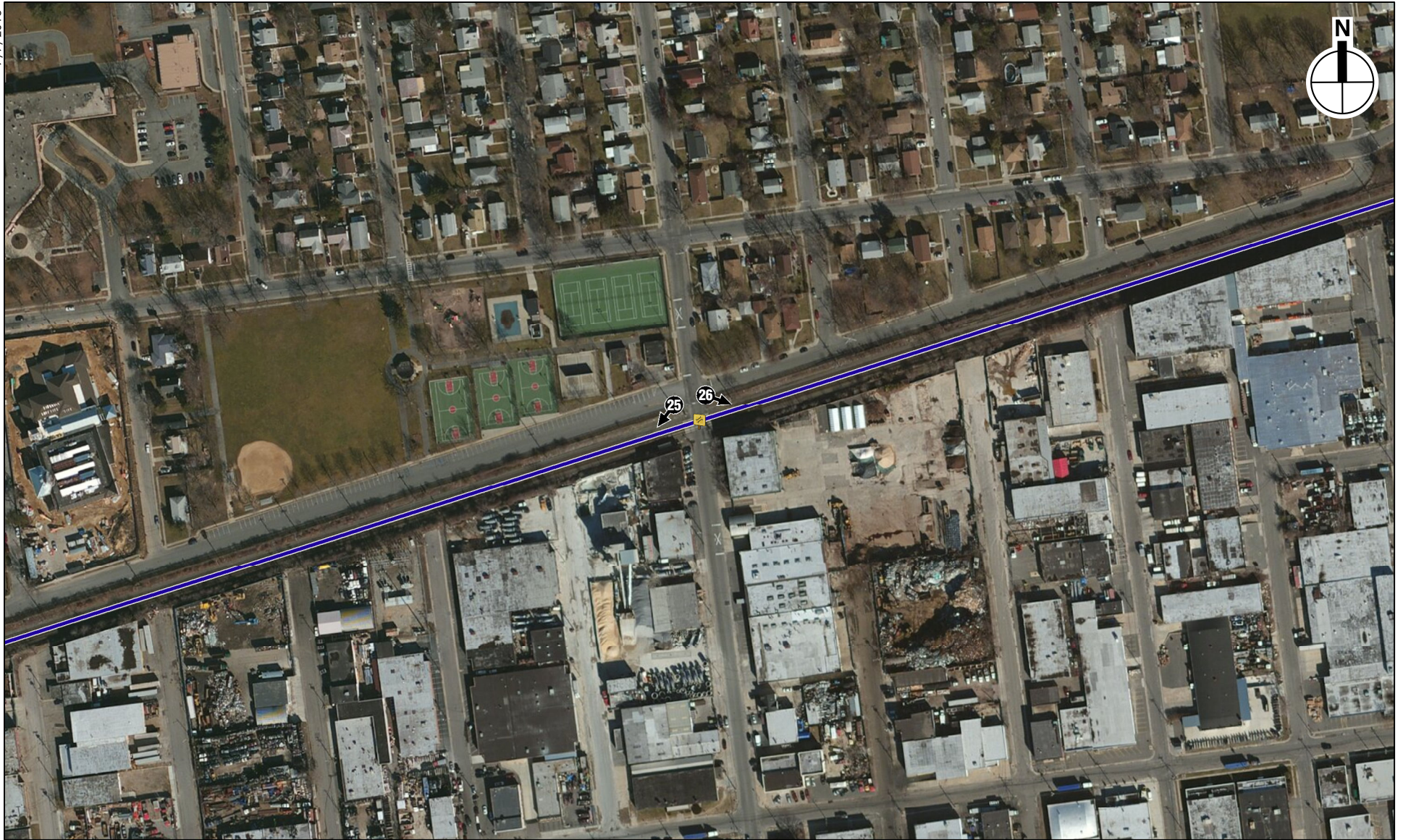


-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet

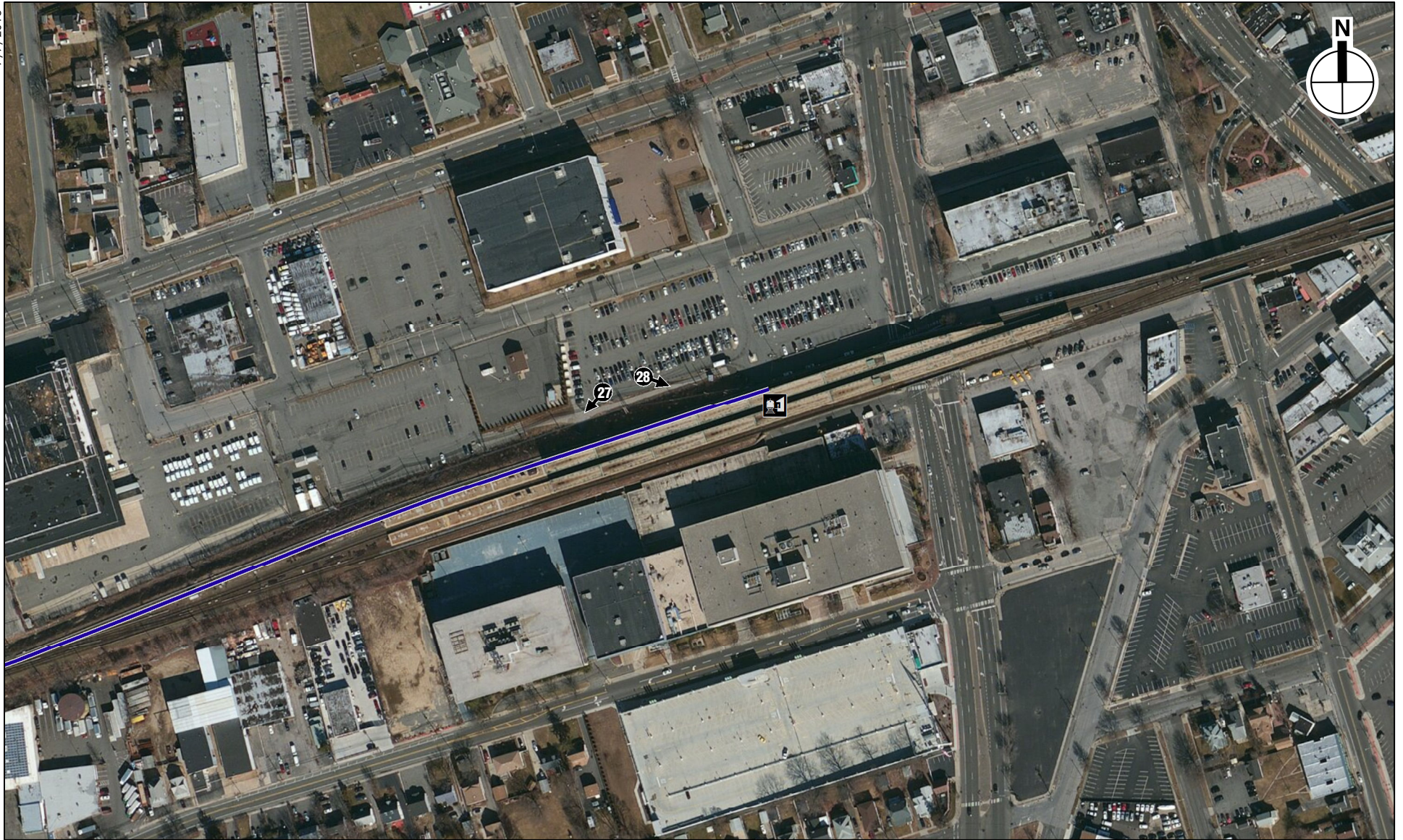
**LIRR Expansion Project
Floral Park to Hicksville**

Photograph Location Key
Figure 7-1g



-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



-  Project Corridor
-  Grade Crossing
-  Long Island Rail Road Station

0 500 feet



View of Floral Park Station from street, facing west. 1



View of Floral Park Station from street, facing east. 2



View of grade crossing at Covert Avenue, facing west. 3



View of railroad tracks at Covert Avenue grade crossing, facing east. 4



View of grade crossing at South 12th Street, facing northwest. 5



View of railroad tracks at South 12th Street grade crossing, facing northeast. 6



View of railroad tracks at New Hyde Park Station,
facing west.

7



View of railroad tracks at New Hyde Park Station, facing east.

8



View of grade crossing at New Hyde Park Road, facing west. 9



View of railroad tracks at New Hyde Park Road grade crossing, facing north. 10



View of railroad tracks at Merillon Avenue Station, facing west. 11



View of railroad tracks at Merillon Avenue Station, facing east. 12



View of railroad tracks at Mineola Station, facing west. 13



View of railroad tracks at Mineola Station, facing east. 14



View of grade crossing at Main Street, facing west. 15



View of railroad tracks at Main Street grade crossing, facing northeast. 16



View of railroad tracks at Willis Avenue grade crossing, facing north. 17



View of grade crossing at Willis Avenue, facing northeast. 18



View of Carle Place Station, facing southwest. 19



View of Carle Place Station, facing southeast. 20



View of Westbury Station from parking lot, facing west. 21



View of railroad tracks at Westbury Station, facing east. 22



View of grade crossing at School Street, facing west. 23



View of railroad tracks at School Street grade crossing, facing northeast. 24



View of railroad tracks at Urban Avenue
grade crossing, facing southwest. 25



View of grade crossing at Urban Avenue, facing southeast. 26



View of Hicksville Station from parking lot, facing southwest. 27



View of Hicksville Station from parking lot, facing southeast. 28