



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
3817 Luker Road  
Cortland, New York 13045



March 11, 2019

Mr. Chris Brand, Chairman  
Town of Marlborough Planning Board  
PO Box 305  
Milton, NY 12547

Dear Mr. Brand:


This responds to the Town of Marlborough's Notice of Intent for Designation of Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA) and associated Environmental Assessment Form (EAF). The proposed project is a 2.6-MW solar farm located on approximately 13.2 acres of an 87.8-acre parcel located at 132 Milton Turnpike in the Town of Marlborough, Ulster County, New York. Thank you for including the U.S. Fish and Wildlife Service as an interested agency for the SEQRA process. We have no comments on your lead agency request.

We offer the following comments pursuant to the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Section E.2.o of the EAF states that no federally listed species occur within the project area. Please note that the project is within the range of the federally listed endangered Indiana bat (*Myotis sodalis*) and federally listed threatened northern long-eared bat (*Myotis septentrionalis*). Section E.1.b of the EAF states that approximately 18 acres of forest will be cleared for the proposed project. This should be corrected to match the current proposal of 13.2 acres. We recommend the project sponsor coordinate directly with our office to assess the potential for impacts to these species and determine what conservation measures may be appropriate. If impacts cannot be avoided, we can assist the project sponsor with any needed permitting pursuant to the ESA.

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for your time. If you require additional information, please contact Robyn Niver at 607-753-9334. Future correspondence with us on this project should reference project file 19TA1282.

Sincerely,

  
for David A. Stilwell  
Field Supervisor

\*Additional information referred to above may be found on our website at:  
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

cc: NYSDEC, New Paltz, NY (Attn: Env. Permits)