



**Lockport-Batavia Line #112
Rebuild Project**

Appendix H

Agency Correspondence

Part 2 of 8

New York Natural Heritage Program



Transportation
Land Development
Energy

April 9, 2020

NY Natural Heritage Program
NYS Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, NY 12233-4757
(via electronic delivery: NaturalHeritage@dec.ny.gov)

Re: Niagara Mohawk power Corporation (d/b/a National Grid)
Site Name: Lockport-Batavia #112 Rebuild Project
Municipality/County: City of Lockport, and the Towns of Lockport, Royalton, Alabama, Niagara and Genesee Counties, NY

To Whom It May Concern:

On behalf of Niagara Mohawk Power Corporation (d/b/a National Grid), Fisher Associates respectfully requests a review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities that may result from the proposed Lockport-Batavia #112 Rebuild Project (Project). The Project initiates in the City of Lockport and traverses through the Towns of Lockport, Royalton and Alabama, in Niagara and Genesee Counties, New York (see the attached *Project Locus Map*).

The Project consists of replacing structures, replacing or tightening the line, and relocating a portion of the existing right-of-way (ROW) outside of the Tonawanda Wildlife Management area (TWMA) along Lewiston Road. The Project disturbance will primarily be limited to the existing ROW for the Lockport-Batavia #112 Overhead Transmission Line (see attached electronic shapefiles of the *Project ROW*).

This Project is in the early stages of development and will be submitted under Article VII of the NY Public Service Law for review.

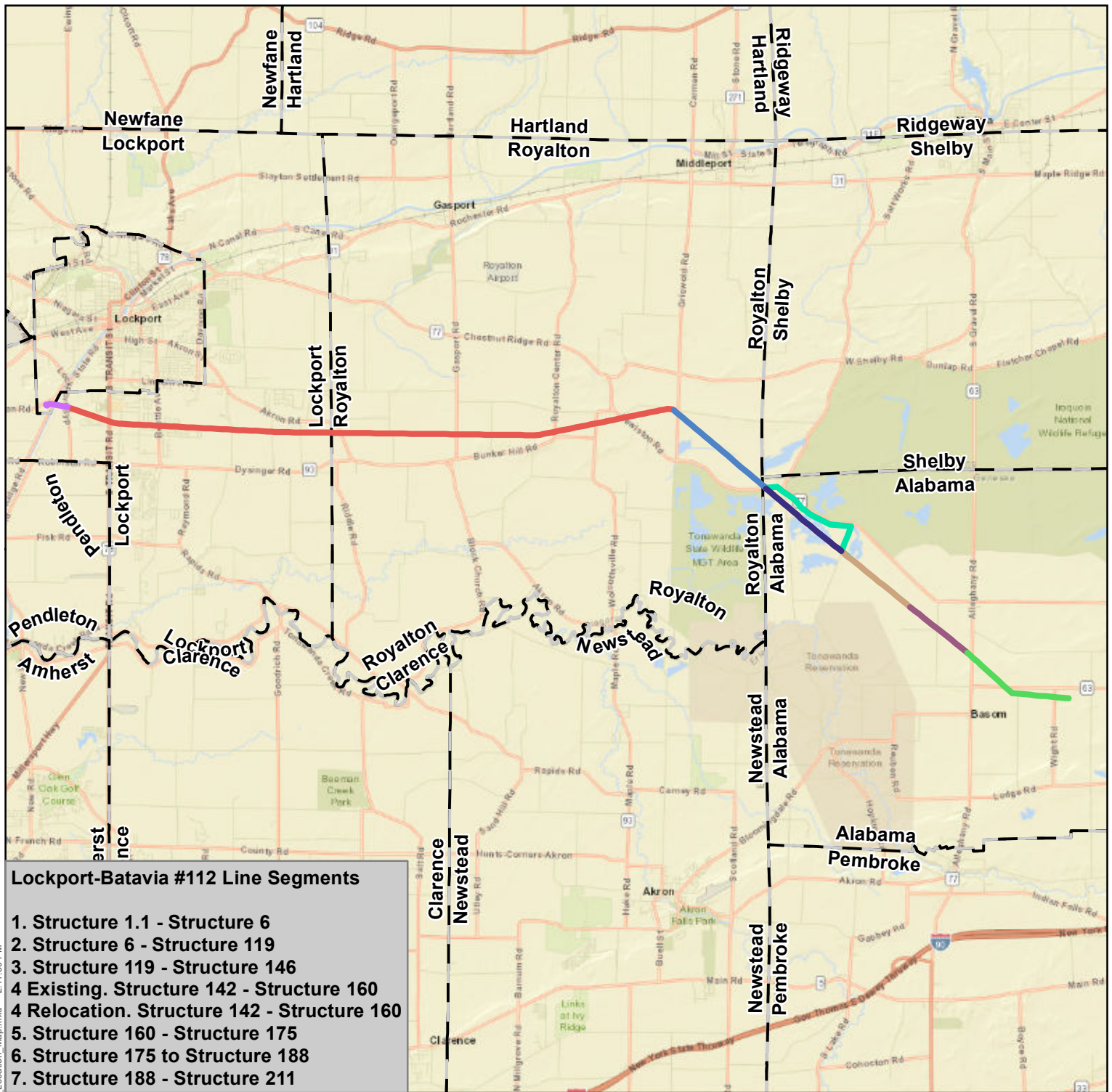
Please contact me at 585-944-0706 or NDutcher@fisherassoc.com if you have any questions or require further information.

Sincerely,
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

Nicole Dutcher, WPIT
Environmental Scientist

cc: Mary Bitka, National Grid
Sean Milne, Fisher Associates

Attachments:
Project Locus Map
Project Right-of-Way Shapefile (electronic)



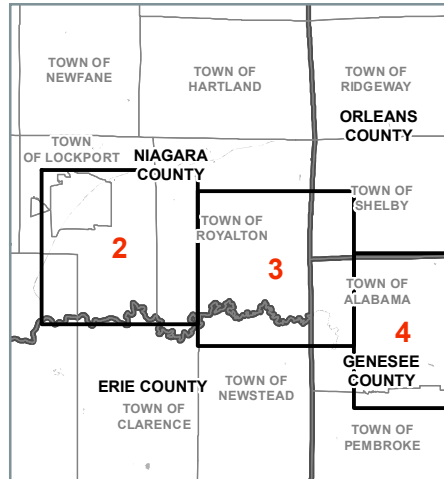
Project USGS Quad(s):
 Lockport
 Gasport
 Medina
 Akron
 Oakfield

Lockport-Batavia #112 Transmission Line

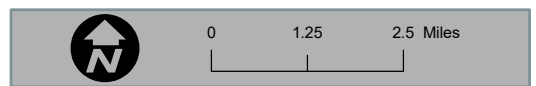
Segment 1	Segment 4 Relocation
Segment 2	Segment 5
Segment 3	Segment 6
Segment 4	Segment 7

Data Sources:
 United States Geological Survey 24k Topo Quad Map - usgs.gov

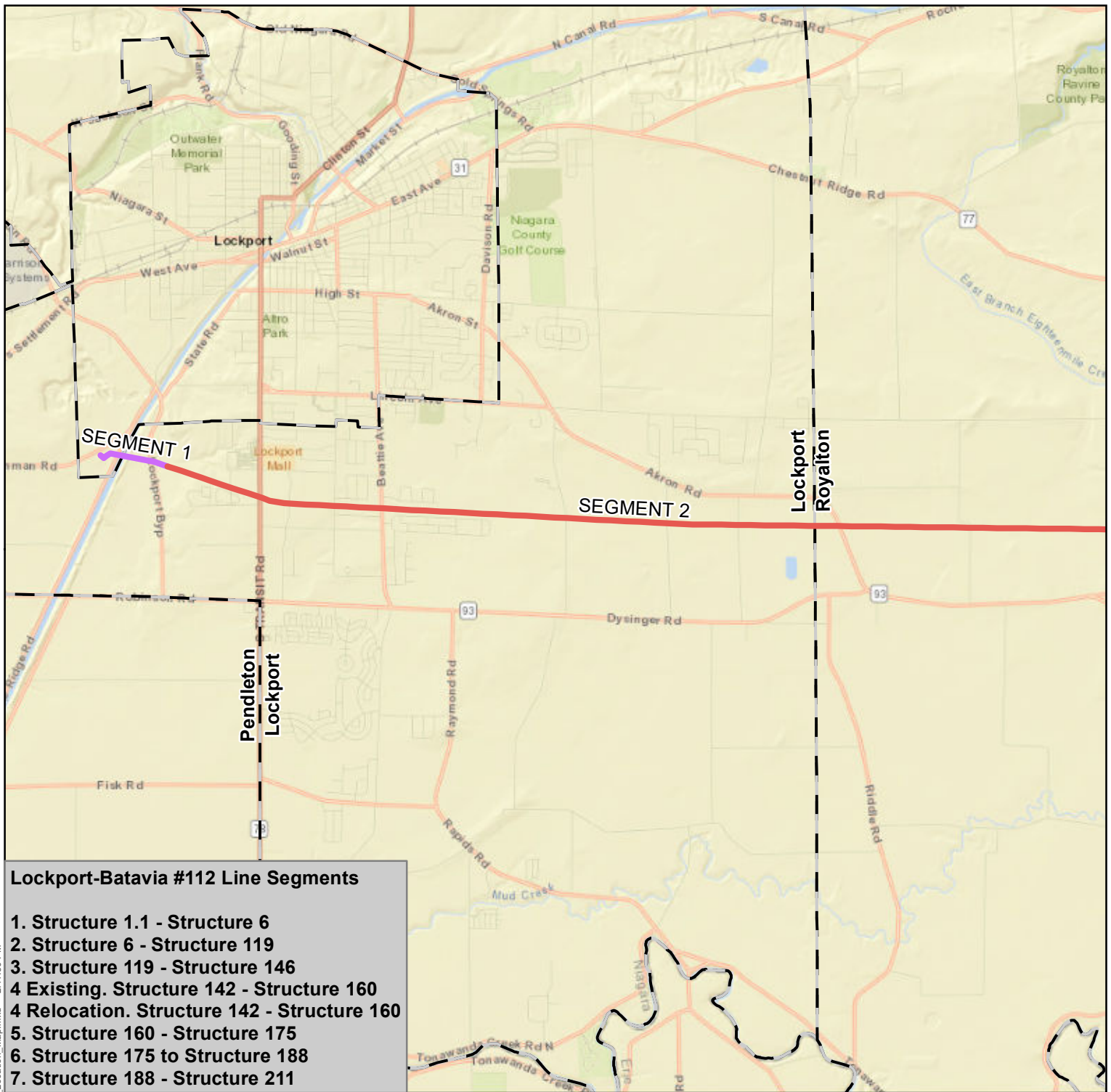
Author: MFA
 Revision Date: 4/9/2020



Center of Project Study Limits:
 43.139915 N, 78.54395 W
 North American Datum 1983



FISHER ASSOCIATES
 NATIONAL GRID
 LOCKPORT-BATAVIA #112 REBUILD PROJECT
 FIGURE 4.1-1
 PROJECT LOCUS MAP
 SHEET 1 OF 4



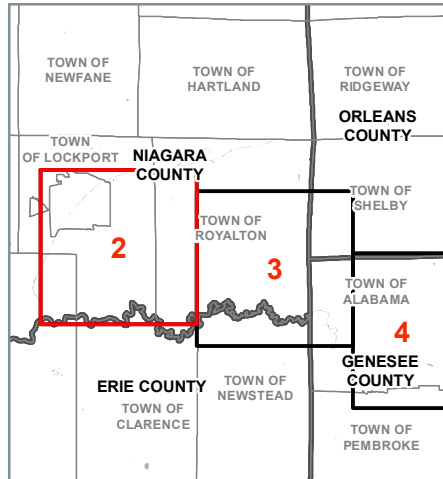
Project USGS Quad(s):
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Lockport-Batavia #112 Transmission Line

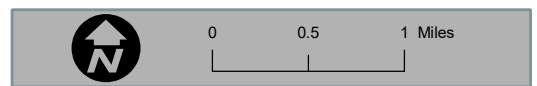
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Segment 4	Segment 7

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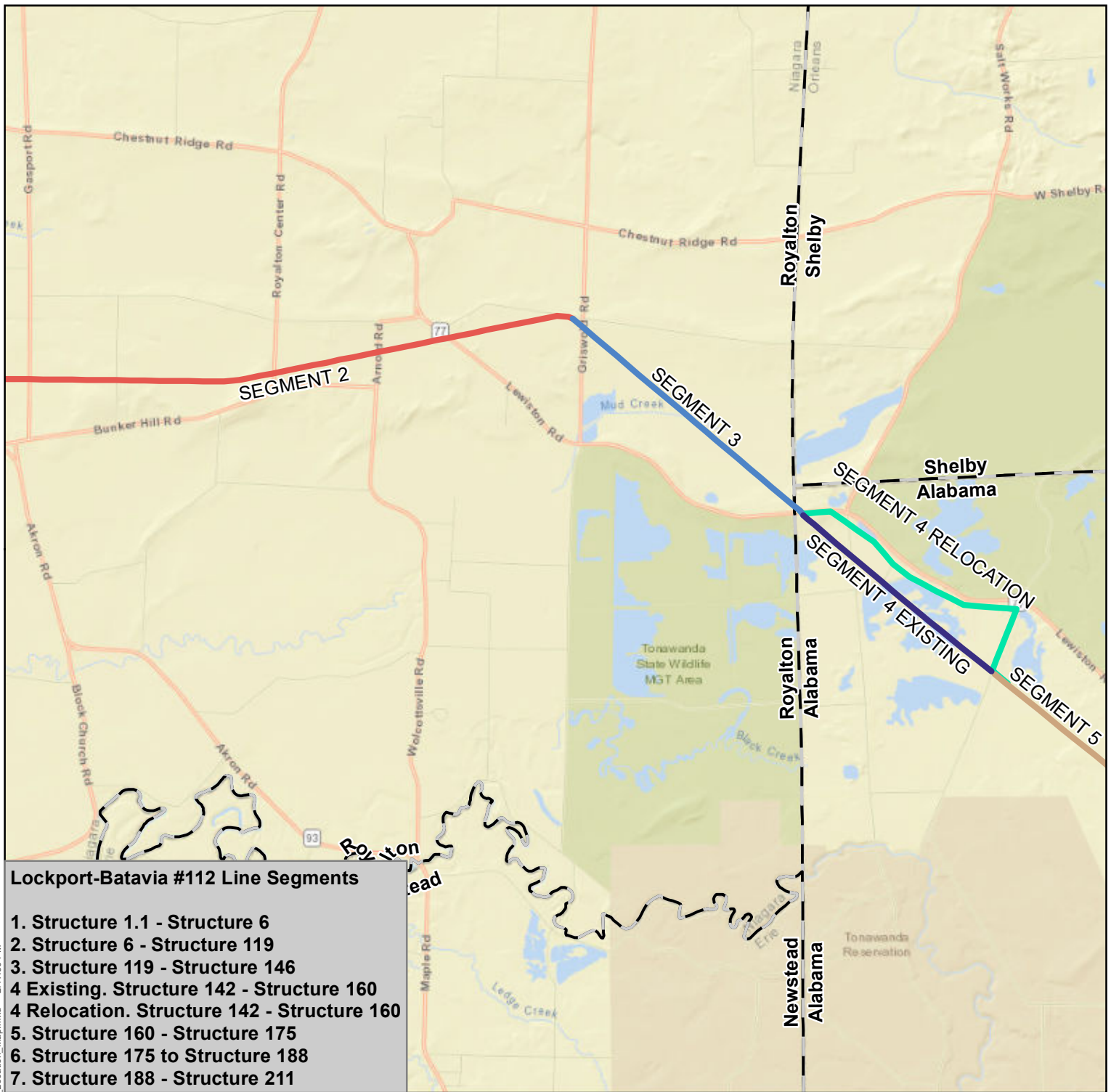
Author: MFA
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FISHER ASSOCIATES
 NATIONAL GRID
 LOCKPORT-BATAVIA #112 REBUILD PROJECT
 FIGURE 4.1-1
 PROJECT LOCUS MAP
 SHEET 2 OF 4



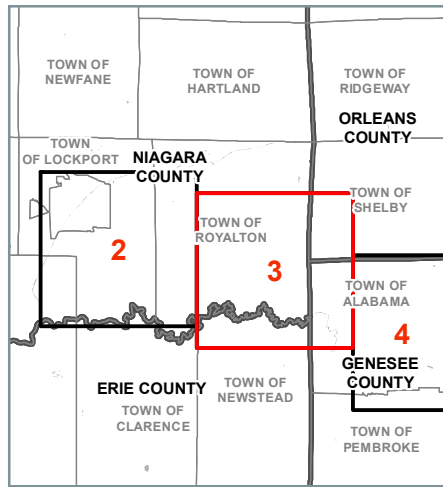
Project USGS Quad(s):
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Lockport-Batavia #112 Transmission Line

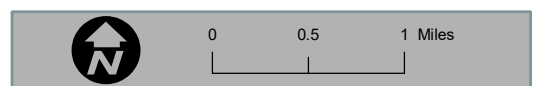
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Segment 2	Segment 5
Segment 3	Segment 6
Segment 4	Segment 7

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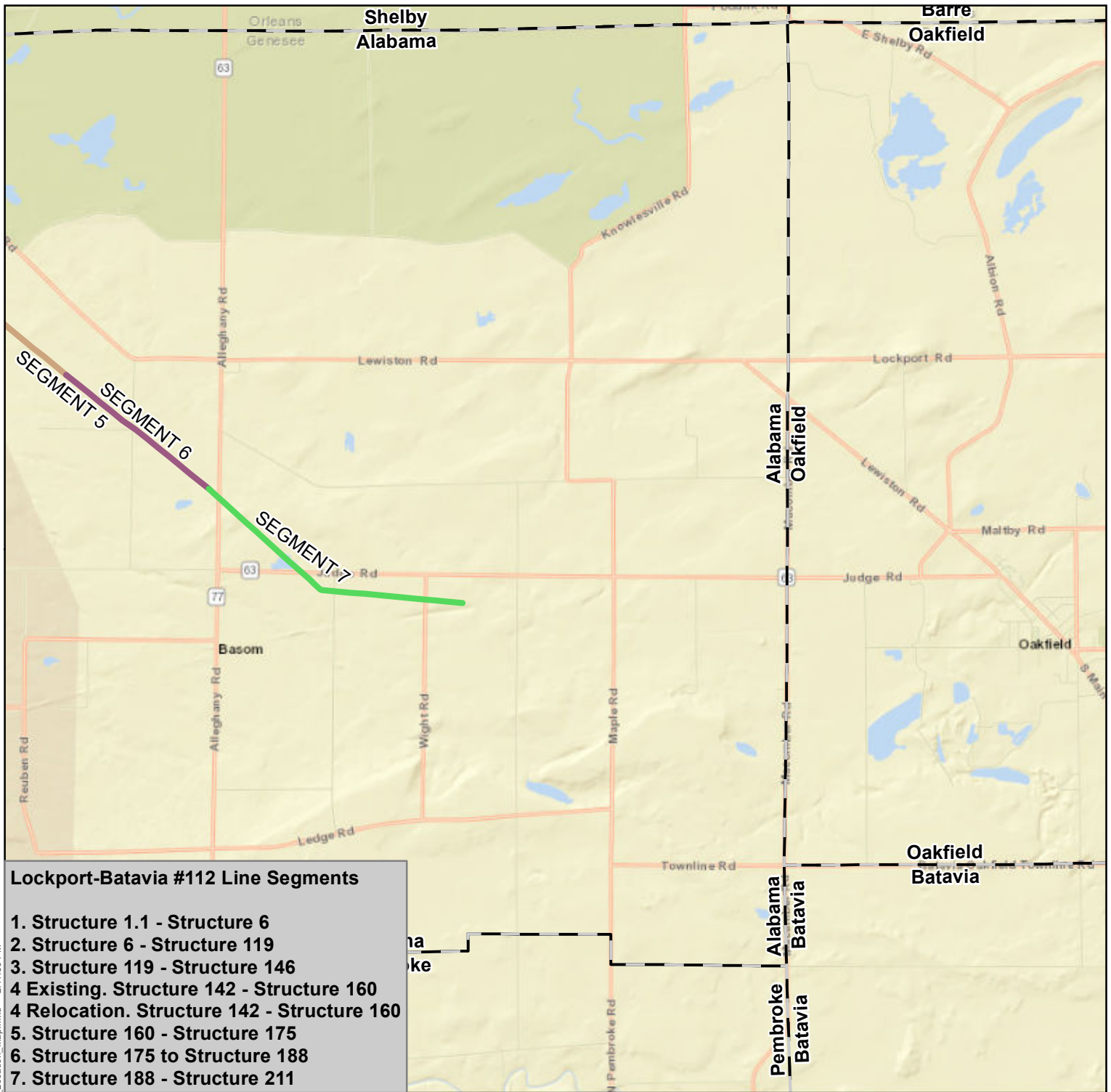
Author: MFA Revision Date: 4/9/2020



Center of Project Study Limits:
 43.139915 N, 78.54395 W
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FISHER ASSOCIATES
 NATIONAL GRID
LOCKPORT-BATAVIA #112 REBUILD PROJECT
FIGURE 4.1-1
PROJECT LOCUS MAP
SHEET 3 OF 4



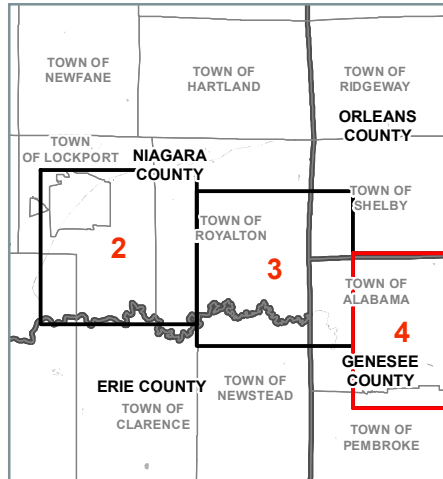
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Lockport-Batavia #112 Transmission Line

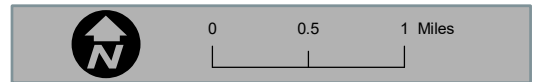
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 North American Datum 1983



FISHER ASSOCIATES

NATIONAL GRID

LOCKPORT-BATAVIA #112 REBUILD PROJECT

FIGURE 4.1-1

PROJECT LOCUS MAP

SHEET 4 OF 4

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

May 5, 2020

Nicole Dutcher
Fisher Associates
180 Charlotte Street
Rochester, NY 14607

Re: Lockport-Batavia #112 Rebuild Project
County: Genesee, Niagara Town/City: City of Lockport, Lockport, Royalton, Alabama

Dear Ms. Dutcher:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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 sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and 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 8 Office, Division of Environmental Permits, at dep.r8@dec.ny.gov and the NYSDEC Region 9 Office, Division of Environmental Permits at dep.r9@dec.ny.gov.

Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

The following state-listed animals have been documented
at, or in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for the Genesee County section of the project, please contact the Permits staff at the NYSDEC Region 8 Office at dep.r8@dec.ny.gov, (585) 226-5400. For information about any permit considerations for the Erie County section of your project, please contact the Permits staff at the NYSDEC Region 9 Office at dep.r9@dec.ny.gov, (716) 851-7165.

Birds	COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
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The following species has been documented at Segment 2.

Short-eared Owl	<i>Asio flammeus</i>	Endangered	14568	Nonbreeding at the site
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The following species have been documented at or near Segments 3, 4, 4 Relocation, and 5.

Northern Harrier	<i>Circus hudsonius</i>	Threatened	15013	Nonbreeding at the site
Pied-billed Grebe	<i>Podilymbus podiceps</i>	Threatened	10651	Breeding at the site
Black Tern	<i>Chlidonias niger</i>	Endangered	9373	Breeding at the site
Least Bittern	<i>Ixobrychus exilis</i>	Threatened	6222	Breeding at the site
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened	11597	Breeding within 100 yards of Segment 4 Relocation
Short-eared Owl	<i>Asio flammeus</i>	Endangered	11106	Breeding and Nonbreeding within 300 yards
Henslow's Sparrow	<i>Ammodramus henslowii</i>	Threatened	5140	Breeding within 0.5 mile
Sedge Wren	<i>Cistothorus platensis</i>	Threatened	6231	Breeding within 0.5 mile
King Rail	<i>Rallus elegans</i>	Threatened	1621	Breeding within 0.5 mile

Note: This area is also a state-significant Raptor Winter Concentration Area.

Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
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The following species have been documented at Segment 7 of the project site.

Northern Harrier <i>Nonbreeding at the site</i>			15013
Short-eared Owl <i>Nonbreeding at the site</i>	<i>Asio flammeus</i>	Endangered	15235
Sedge Wren <i>Breeding at the site</i>	<i>Cistothorus platensis</i>	Threatened	14766
Pied-billed Grebe <i>Breeding at the site</i>	<i>Podilymbus podiceps</i>	Threatened	12479

Note: This area is also a state-significant Raptor Winter Concentration Area.

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants and rare animals have been
documented at the project site, or in its vicinity.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are rare in New York and are of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Fish			
Black Bullhead	<i>Ameiurus melas</i>	Unlisted	Critically Imperiled in NYS
14638	Documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road, 2012-08-20.		

Birds

Ruddy Duck	<i>Oxyura jamaicensis</i>	Game Species	Critically Imperiled in NYS
Breeding	Documented within 200 yards northwest of Segment 4 Relocation, 2001-06-25. The birds were observed in an emergent marsh.		
10205			

Prothonotary Warbler	<i>Protonotaria citrea</i>	Protected Bird	Imperiled in NYS
Breeding	Documented within 0.5 mile southwest of Segments 3, 4, and 4 Relocation, 2014-06-18. Tonawanda marshes. The birds were found in a flooded woodland dominated by green ash and red maple.		
6538			

The following plant is listed as Rare by New York State, and so is a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Vascular Plants			
Heart-leaved Plantain	<i>Plantago cordata</i>	Rare	Vulnerable in NYS
10050	Documented within 0.4 mile southwest of Segment 5, 1999-05-09: The plants occur along and within a small, mud bottom stream. With the exception of that portion flowing through the wildlife management area the stream is shaded by a mature canopy of hemlock and hardwoods. Those plants observed within the wildlife management area are primarily in the open and exposed to direct sunlight for much of the day.		

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).



Transportation
Land Development
Energy

September 7, 2023

NY Natural Heritage Program
NYS Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, NY 12233-4757
(via electronic delivery: NaturalHeritage@dec.ny.gov)

Applicant: Niagara Mohawk Power Corporation (d/b/a National Grid)
Site Name: Lockport-Batavia Line 112 Rebuild Project
Municipality/County: City of Lockport, and the Towns of Lockport, Royalton, Alabama, Niagara and Genesee Counties, NY

Re: Request for Updated Environmental Review

To Whom It May Concern:

On behalf of Niagara Mohawk Power Corporation (d/b/a National Grid), Fisher Associates respectfully requests an updated review of potential impacts to state threatened, endangered, and rare species of plants or animals and/or any ecologically significant natural communities that may result from the proposed Lockport-Batavia Line 112 Rebuild Project (Project).

An initial request was originally submitted in April of 2020 for a review, and a response dated May 5, 2020 was received (see *Attachment B*). Due to the time duration between the original review and now Fisher Associates is requesting an updated review of the Project to ensure that their have been no changes.

The Project initiates in the City of Lockport and traverses through the Towns of Lockport, Royalton and Alabama, in Niagara and Genesee Counties, New York (see *Attachment A: Project Locus Map*). National Grid is proposing the reconstruction and selective relocation of one 115kV transmission line, the Lockport – Batavia Line 112, from existing Structure 1-2 to existing Structure 211, for a total of approximately 21.7 miles. Existing Line 112 is a 115kV circuit that originates at the Lockport Substation and terminates at the Batavia Substation, extending a distance of approximately 35.0 miles. The Project consists of replacing structures, replacing or tightening the line, and relocating a portion of the existing right-of-way (ROW) outside of the Tonawanda Wildlife Management area (TWMA) along Lewiston Road. The Project disturbance will primarily be limited to the existing ROW for the Lockport-Batavia Line 112 (see attached electronic shapefiles of the *Project ROW*). The Project Segments are as follows:

- Segment 1 – Structure 1-2 (Mile 0.1) to Structure 6 (Mile 0.5)
- Segment 2 – Structure 6 (Mile 0.5) to Structure 119 (Mile 11.4)
- Segment 3 – Structure 119 (Mile 11.4) to Structure 141 (Mile 13.6)
- Segment 4 Existing – Structure 141 (Mile 13.6) to Structure 159-1 (Mile 15.8)
- Segment 4 Relocated – Structure 141 (Mile 13.6) to Structure 159-1 (Mile 15.8)
- Segment 5 – Structure 159-1 (Mile 15.8) to new Structure 173 ½ (Mile 17.2)
- Segment 7 – New Structure 184 ½ (Mile 19.1) to Structure 211 (Mile 21.7)



Fisher Associates and National Grid are in communication with NYSDEC staff managing the Tonawanda and John White WMAs that the Project crosses. Fisher Associates will again follow-up with both NYSDEC Region 8 and 9 for further consultation after receiving the updated response from NY NHP.

This Project has been submitted under Article VII of the NY Public Service Law for review. This Project will require permitting with NYSDEC and USACE, and permit applications will likely be submitted Winter/Spring 2024. Construction is anticipated to begin in Spring 2025.

Please contact me at 585-334-1310 or NLake@fisherassoc.com if you have any questions or require further information.

Sincerely,

FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

Nicole (Dutcher) Lake, PWS

Env. Project Manager and Environmental Scientist

cc:

Mary Bitka, National Grid

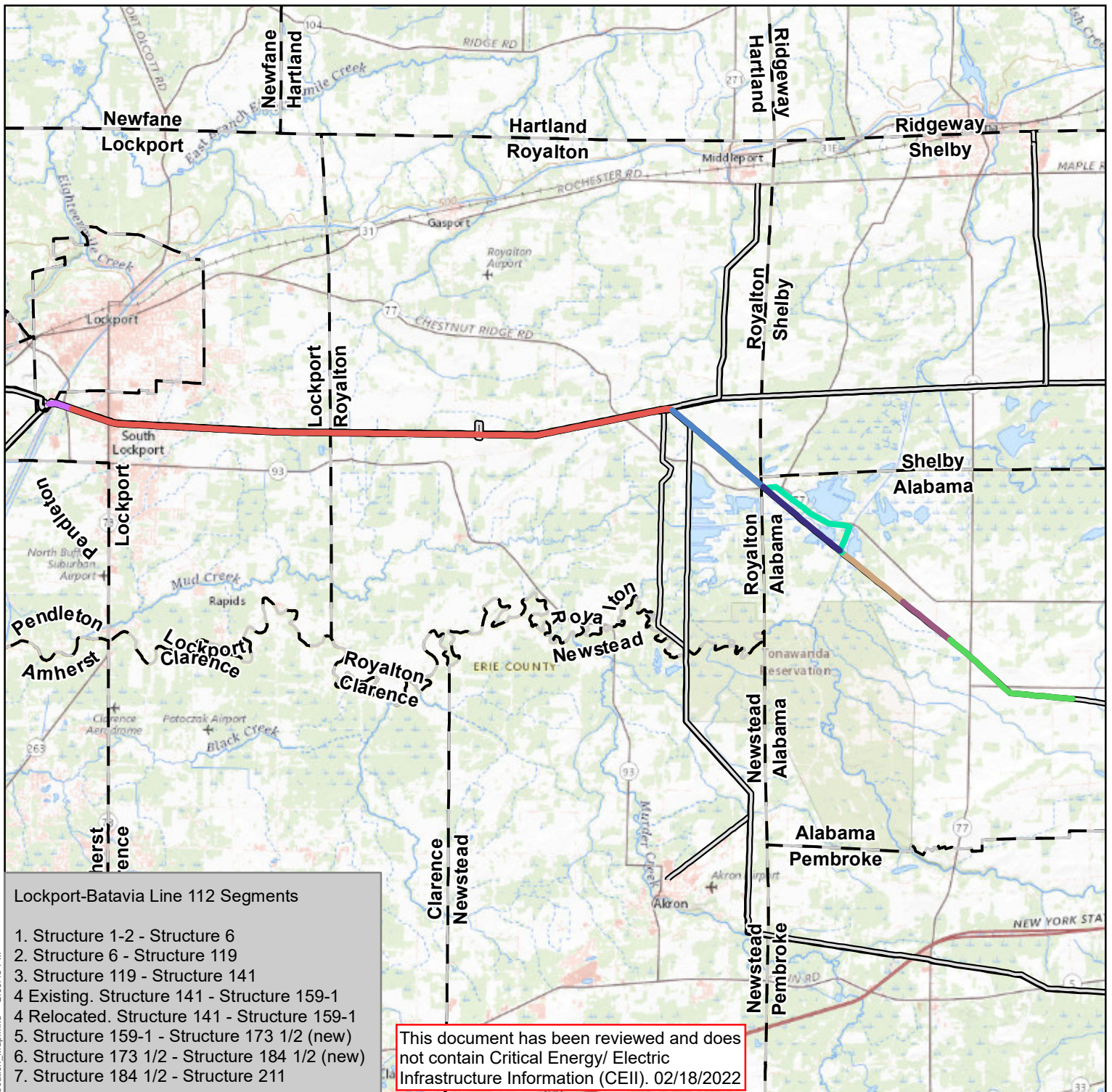
Sean Milne, Fisher Associates

Enclosures:

Attachment A: Project Locus Map (Figure 2-2) (dated 8/16/2021)
Attachment B: Original NHP Response Letter (dated 5/5/2020)
Project Right-of-Way Shapefile (electronic)



**ATTACHMENT A:
PROJECT LOCUS MAP (FIGURE 2-2)
(DATED 8/16/2021)**



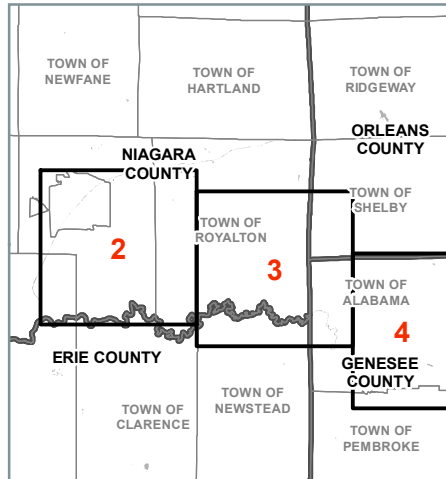
Project USGS Quad(s):
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Lockport-Batavia Line 112 Transmission Line

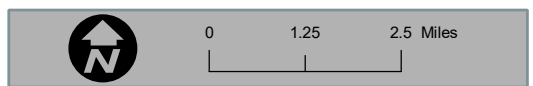
Segment 1	Segment 5
Segment 2	Segment 6 (not part of Article VII Project)
Segment 3	Segment 7
Segment 4 Existing	National Grid Transmission Line
Segment 4 Relocated	

Data Sources:
 United States Geological Survey 24k Topo Quad Map - usgs.gov

Author: MFA
 Revision Date: 8/16/2021

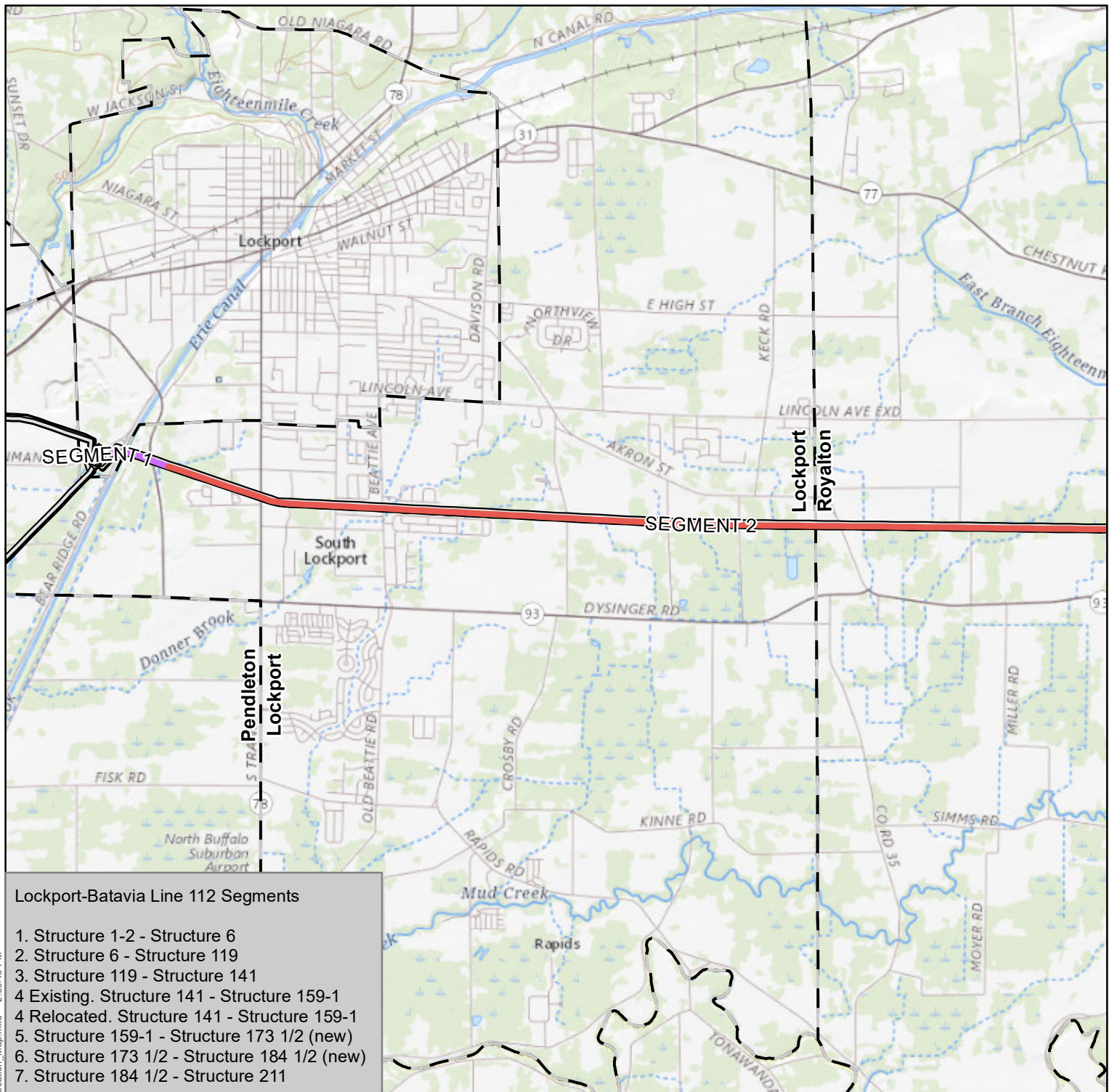


Center of Project Study Limits:
 43.139915 N, 78.54395 W
 North American Datum 1983



FISHER ASSOCIATES

NATIONAL GRID
LOCKPORT – BATAVIA LINE 112 REBUILD PROJECT
FIGURE 2-2
PROJECT LOCUS MAP
SHEET 1 OF 4



Lockport-Batavia Line 112 Segments

1. Structure 1-2 - Structure 6
2. Structure 6 - Structure 119
3. Structure 119 - Structure 141
- 4 Existing. Structure 141 - Structure 159-1
- 4 Relocated. Structure 141 - Structure 159-1
5. Structure 159-1 - Structure 173 1/2 (new)
6. Structure 173 1/2 - Structure 184 1/2 (new)
7. Structure 184 1/2 - Structure 211

Project USGS Quad(s):

Lockport
Gasport
Medina
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Oakfield

Lockport-Batavia Line 112 Transmission Line

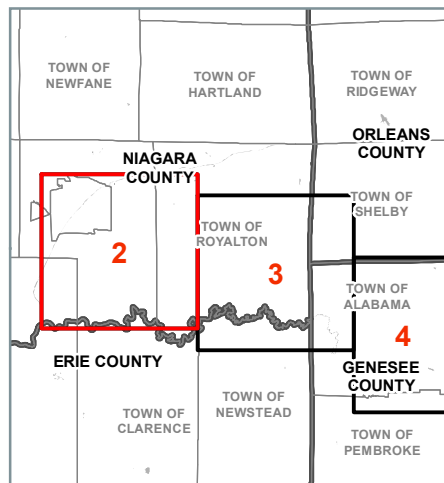
- Segment 1
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- Segment 3
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- Segment 4 Relocated
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Author: MFA

Revision Date: 8/16/2021



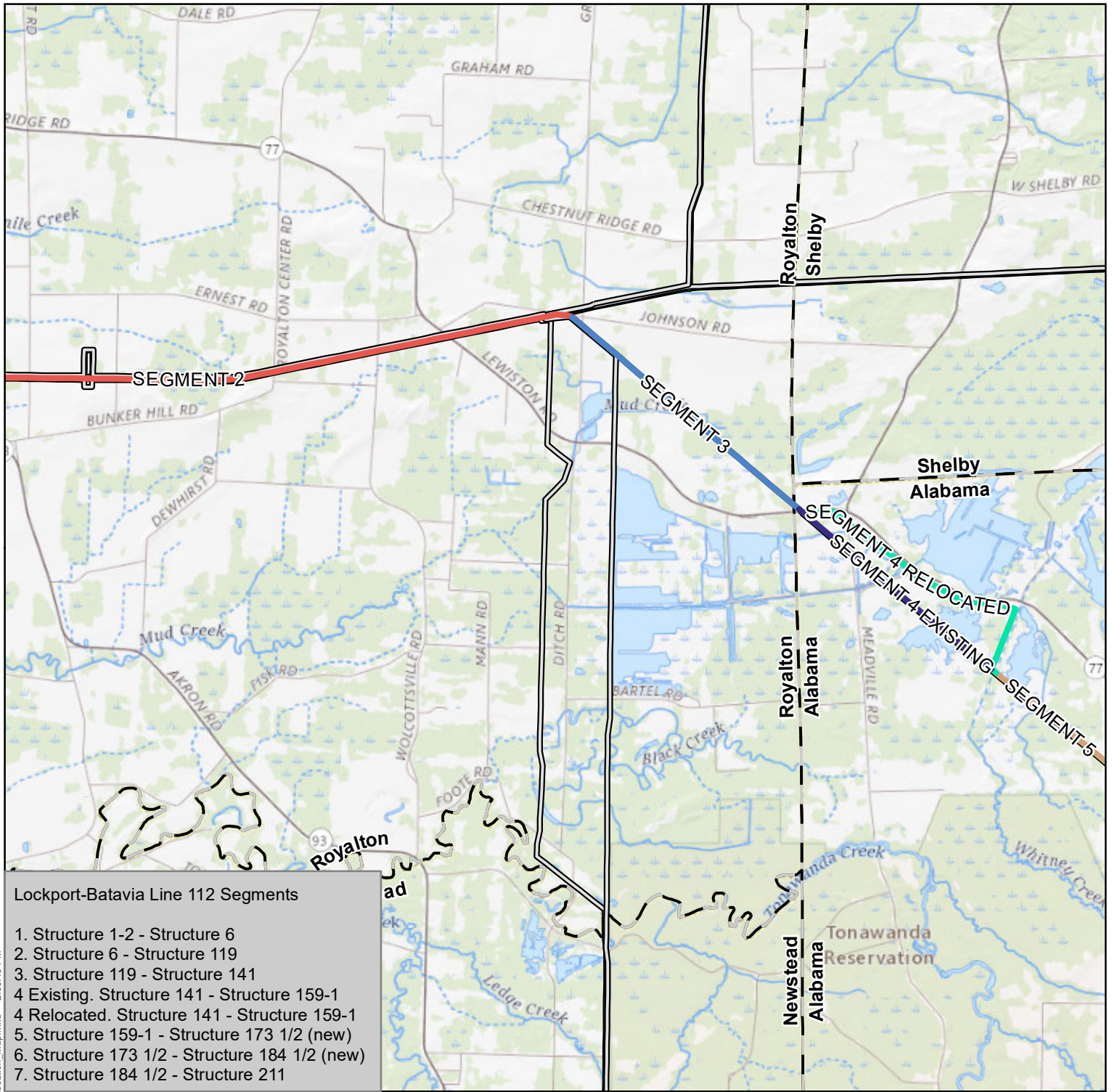
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0 0.5 1 Miles

FISHER
ASSOCIATES

NATIONAL GRID
LOCKPORT – BATAVIA LINE 112 REBUILD PROJECT
FIGURE 2-2
PROJECT LOCUS MAP
SHEET 2 OF 4



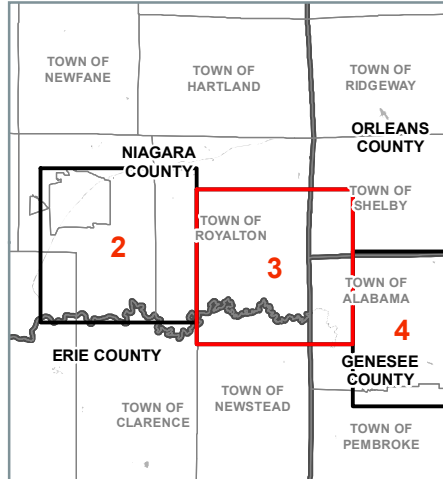
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Lockport-Batavia Line 112 Transmission Line

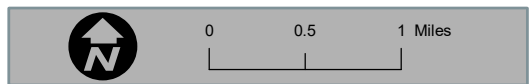
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Author: MFA Revision Date: 8/16/2021

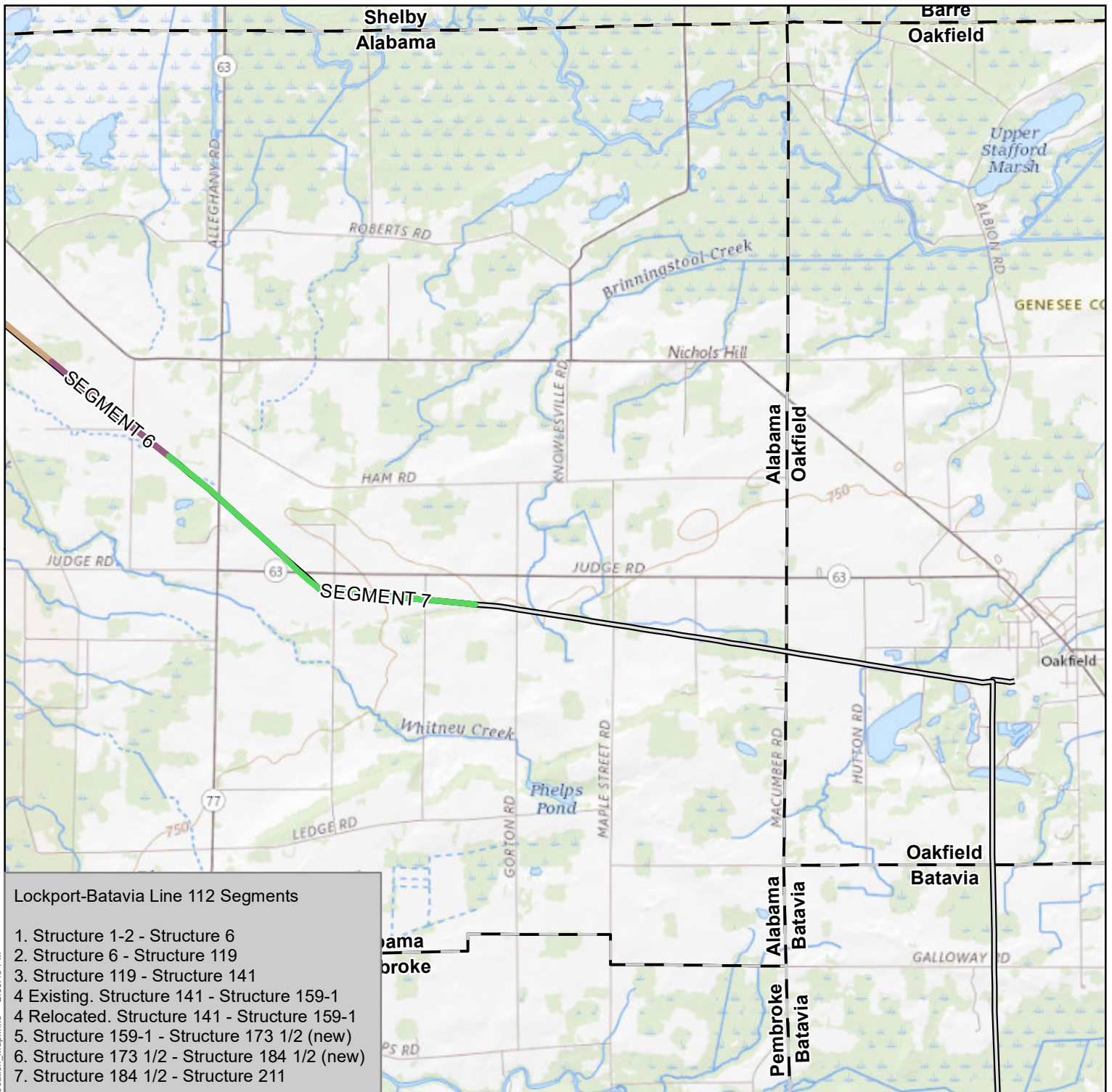


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 43.139915 N, 78.54395 W
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FISHER ASSOCIATES

NATIONAL GRID
LOCKPORT – BATAVIA LINE 112 REBUILD PROJECT
FIGURE 2-2
PROJECT LOCUS MAP
SHEET 3 OF 4



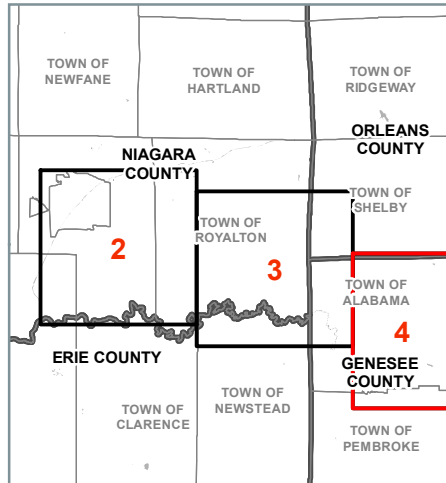
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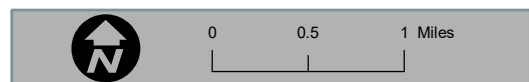
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Author: MFA
 Revision Date: 8/16/2021



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FISHER ASSOCIATES

NATIONAL GRID
LOCKPORT – BATAVIA LINE 112 REBUILD PROJECT
FIGURE 2-2
PROJECT LOCUS MAP
SHEET 4 OF 4

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**ATTACHMENT B:
ORIGINAL NHP RESPONSE LETTER
(DATED 5/5/2020)**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

May 5, 2020

Nicole Dutcher
Fisher Associates
180 Charlotte Street
Rochester, NY 14607

Re: Lockport-Batavia #112 Rebuild Project
County: Genesee, Niagara Town/City: City of Lockport, Lockport, Royalton, Alabama

Dear Ms. Dutcher:

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Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

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Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
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The following species has been documented at Segment 2.

Short-eared Owl	<i>Asio flammeus</i>	Endangered	14568
Nonbreeding at the site			

The following species have been documented at or near Segments 3, 4, 4 Relocation, and 5.

Northern Harrier	<i>Circus hudsonius</i>	Threatened	15013
Nonbreeding at the site			
Pied-billed Grebe	<i>Podilymbus podiceps</i>	Threatened	10651
Breeding at the site			
Black Tern	<i>Chlidonias niger</i>	Endangered	9373
Breeding at the site			
Least Bittern	<i>Ixobrychus exilis</i>	Threatened	6222
Breeding at the site			
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened	11597
Breeding within 100 yards of Segment 4 Relocation			
Short-eared Owl	<i>Asio flammeus</i>	Endangered	11106
Breeding and Nonbreeding within 300 yards			
Henslow's Sparrow	<i>Ammodramus henslowii</i>	Threatened	5140
Breeding within 0.5 mile			
Sedge Wren	<i>Cistothorus platensis</i>	Threatened	6231
Breeding within 0.5 mile			
King Rail	<i>Rallus elegans</i>	Threatened	1621
Breeding within 0.5 mile			

Note: This area is also a state-significant Raptor Winter Concentration Area.

Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
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The following species have been documented at Segment 7 of the project site.

Northern Harrier <i>Nonbreeding at the site</i>			15013
Short-eared Owl <i>Nonbreeding at the site</i>	<i>Asio flammeus</i>	Endangered	15235
Sedge Wren <i>Breeding at the site</i>	<i>Cistothorus platensis</i>	Threatened	14766
Pied-billed Grebe <i>Breeding at the site</i>	<i>Podilymbus podiceps</i>	Threatened	12479

Note: This area is also a state-significant Raptor Winter Concentration Area.

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants and rare animals have been
documented at the project site, or in its vicinity.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are rare in New York and are of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Fish			
Black Bullhead	<i>Ameiurus melas</i>	Unlisted	Critically Imperiled in NYS

14638	Documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road. 2012-08-20.		
Birds			
Ruddy Duck	<i>Oxyura jamaicensis</i>	Game Species	Critically Imperiled in NYS
	Breeding		
10205	Documented within 200 yards northwest of Segment 4 Relocation. 2001-06-25. The birds were observed in an emergent marsh.		

Prothonotary Warbler	<i>Protonotaria citrea</i>	Protected Bird	Imperiled in NYS
	Breeding		
6538	Documented within 0.5 mile southwest of Segments 3, 4, and 4 Relocation. 2014-06-18. Tonawanda marshes. The birds were found in a flooded woodland dominated by green ash and red maple.		

The following plant is listed as Rare by New York State, and so is a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Vascular Plants			
Heart-leaved Plantain	<i>Plantago cordata</i>	Rare	Vulnerable in NYS

Documented within 0.4 mile southwest of Segment 5. 1999-05-09: The plants occur along and within a small, mud bottom stream. With the exception of that portion flowing through the wildlife management area the stream is shaded by a mature canopy of hemlock and hardwoods. Those plants observed within the wildlife management area are primarily in the open and exposed to direct sunlight for much of the day.

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

October 26, 2023

Nicole Lake
Fisher Associates
180 Charlotte St
Rochester, NY 14607

Re: Lockport-Batavia Line 112 Rebuild Project
County: Genesee, Niagara Town/City: City of Lockport, Lockport, Royalton, Alabama

Dear Ms. Dutcher:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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 sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and 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 8 Office, Division of Environmental Permits, at dep.r8@dec.ny.gov and the NYSDEC Region 9 Office, Division of Environmental Permits at dep.r9@dec.ny.gov.

Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

The following state-listed animals have been documented
at, or in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are Federally listed.

For information about any permit considerations for the Genesee County section of the project, please contact the Permits staff at the NYSDEC Region 8 Office at dep.r8@dec.ny.gov, (585) 226-5400. For information about any permit considerations for the Erie County section of your project, please contact the Permits staff at the NYSDEC Region 9 Office at dep.r9@dec.ny.gov, (716) 851-7165.

Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
Short-eared Owl	<i>Asio flammeus</i>	Endangered	
The following species has been documented at Segment 2.			
			Nonbreeding at the site

The following species have been documented at or near Segments 3, 4, 4 Relocation, and 5.

Northern Harrier	<i>Circus hudsonius</i>	Threatened	15013
			Nonbreeding at the site
Pied-billed Grebe	<i>Podilymbus podiceps</i>	Threatened	10651
			Breeding at the site
Black Tern	<i>Chlidonias niger</i>	Endangered	9373
			Breeding at the site
Least Bittern	<i>Ixobrychus exilis</i>	Threatened	6222
			Breeding at the site
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened	11597
			Breeding within 100 yards of Segment 4 Relocation
Short-eared Owl	<i>Asio flammeus</i>	Endangered	11106
			Breeding and Nonbreeding at the site
Henslow's Sparrow	<i>Ammodramus henslowii</i>	Threatened	5140
			Breeding within 0.5 mile
Sedge Wren	<i>Cistothorus stellaris</i>	Threatened	6231
			Breeding within 100 yards
King Rail	<i>Rallus elegans</i>	Threatened	1621
			Breeding within 0.5 mile

Note: This area is also a state-significant Raptor Winter Concentration Area.

Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
The following species have been documented at Segment 7 of the project site.			
Northern Harrier <i>Nonbreeding at the site</i>	<i>Circus hudsonius</i>	Threatened	15013
Short-eared Owl <i>Nonbreeding at the site</i>	<i>Asio flammeus</i>	Endangered	15235
Sedge Wren <i>Breeding at the site</i>	<i>Cistothorus stellaris</i>	Threatened	14766
Pied-billed Grebe <i>Breeding at the site</i>	<i>Podilymbus podiceps</i>	Threatened	12479

Note: This area is also a state-significant Raptor Winter Concentration Area.

This report only includes records from the NY Natural Heritage database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants and rare animals have been documented at the project site, or in its vicinity.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
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Fish

Black Bullhead	<i>Ameiurus melas</i>	Unlisted	Critically Imperiled in NYS
Documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road, 2012-08-20.			

Birds

Ruddy Duck	<i>Oxyura jamaicensis</i>	Game Species	Critically Imperiled in NYS
Breeding	Documented within 200 yards northwest of Segment 4 Relocation, 2001-06-25. The birds were observed in an emergent marsh.		

Prothonotary Warbler	<i>Protonotaria citrea</i>	Protected Bird	Imperiled in NYS
Breeding	Documented within 0.5 mile southwest of Segments 3, 4, and 4 Relocation, 2014-06-18. Tonawanda marshes. The birds were found in a flooded woodland dominated by green ash and red maple.		

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
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Vascular Plants

Heart-leaved Plantain	<i>Plantago cordata</i>	Rare	Vulnerable in NYS
Documented within 0.4 mile southwest of Segment 5, 1999-05-09: The plants occur along and within a small, mud bottom stream. With the exception of that portion flowing through the wildlife management area the stream is shaded by a mature canopy of hemlock and hardwoods. Those plants observed within the wildlife management area are primarily in the open and exposed to direct sunlight for much of the day.			

Frank's Sedge	<i>Carex frankii</i>	Threatened	Imperiled in NYS
Documented within 0.25 mile southwest of Segment 5, 2022-08-13: On bare ground along small, seasonal creek in land to be developed.			

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org.

From: Faith Page
Sent: Thursday, February 13, 2025 9:39 AM
To: dec.sm.NaturalHeritage
Cc: Sean Milne
Subject: RE: NHP Consultation Request for the Lockport-Batavia Line 112 Rebuild Project
Attachments: [Lockport-Batavia Line 112- NHP Consultation Update Request-2023.09.07.pdf](#); [Lockport-Batavia Line 112- NHP Response Letter-2023.10.26.pdf](#); [KMZ_20240314.kmz](#)

To Whom It May Concern,

On behalf of National Grid, Fisher Associates respectfully requests an updated review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities of NYS that may result from the proposed Lockport-Batavia Line 112 Rebuild Project (Project). We are requesting an updated review in accordance with Article VII project Case # (22-T-0654), NYS Department of Public Service requirements as follows:

CONDITION 24. Prior to filing the EM&CP, the Certificate Holder shall contact the NYSDEC, NYS Natural Heritage Program and the United States Fish and Wildlife Service ("USFWS") to check for any updates or changes of known threatened or endangered plant or animal species listed in New York, (collectively, "T&E" species) or habitat or Significant Natural Communities in the Project area. After the Certificate Holder learns of any updates regarding T&E species, it will inform DPS Staff of such updates. The Certificate Holder may meet its obligation to inform DPS of such an update by including it in the EM&CP.

Can you please provide any updates or changes of known rare species of plants or animals and/or any ecologically significant natural communities of NYS in the Project area? If nothing has changed since the attached response was provided, please let us know.

Thank you,

Faith Page
Environmental Scientist II



180 Charlotte St.
Rochester, NY 14607

585.334.1310 ext. 258 (office)
315.323.4506 (cell)

fpage@fisherassoc.com
www.fisherassoc.com

From: dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>
Sent: Thursday, October 26, 2023 8:08 PM
To: Nicole Lake <NLake@fisherassoc.com>
Subject: FW: NHP Consultation Request for the Lockport-Batavia Line 112 Rebuild Project

Nicole,

In response to your request, please see the attached letter and reports.

Sincerely,

Heidi Krahling (she/her)
Environmental Review Specialist | New York Natural Heritage Program

SUNY College of Environmental Science & Forestry
625 Broadway, 5th Floor, Albany, NY 12233-4757
518-402-8935 | heidi.krahling@dec.ny.gov
www.nynhp.org

From: Nicole Lake <NLake@fisherassoc.com>
Sent: Thursday, September 7, 2023 9:39 AM
To: dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>; James Ireland <Jireland@fisherassoc.com>
Subject: RE: NHP Consultation Request for the Lockport-Batavia Line 112 Rebuild Project

To Whom It May Concern,

On behalf of National Grid, Fisher Associates respectfully requests an updated review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities of NYS that may result from the proposed Lockport-Batavia Line 112 Rebuild Project (Project). We are requesting an updated review since it has been over 3-years from the prior one, and since we are getting close to submitting applications for state and federal permits. Attached please find a NYNHP Consultation Package, and the updated corresponding shapefiles of the Project ROW and potential staging areas. Should you require any additional information, please feel free to contact me.

Thanks,
Nicole

Nicole (Dutcher) Lake, PWS
Env. Project Manager and
Environmental Scientist



CELEBRATING OUR THIRD CONSECUTIVE YEAR AS
A ROCHESTER TOP WORKPLACE!

Thank you to our employees!



180 Charlotte Street
Rochester, NY 14607

585.334.1310 ext. 241 (office)
585-944-0706 (mobile)

nlake@fisherassoc.com
www.fisherassoc.com

From: Nicole Dutcher

Sent: Wednesday, May 6, 2020 9:25 AM

To: 'dec.sm.NaturalHeritage' <NaturalHeritage@dec.ny.gov>

Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne
<SMilne@fisherassoc.com>

Subject: RE: NHP Consultation Request for the Lockport-Batavia #112 Rebuild Project

Hi Heidi-

Thank you very much for the thorough review of our site! Hope you have a great rest of your week.

Thank you,
Nicole

Nicole Dutcher, WPIT
Environmental Scientist



180 Charlotte Street
Rochester, NY 14607

585.334.1310 ext. 241 (office)
585-944-0706 (mobile)

ndutcher@fisherassoc.com
www.fisherassoc.com

From: dec.sm.NaturalHeritage [<mailto:NaturalHeritage@dec.ny.gov>]
Sent: Tuesday, May 5, 2020 6:29 PM
To: Nicole Dutcher <NDutcher@fisherassoc.com>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>
Subject: RE: NHP Consultation Request for the Lockport-Batavia #112 Rebuild Project

***EXTERNAL EMAIL:** Use caution when opening attachments, clicking links or responding to requests for information.*

Ms. Dutcher,

In response to your request, please see the attached letter and reports.

Sincerely,

Heidi Krahling, Environmental Review Specialist

NY Natural Heritage Program
625 Broadway, 5th Floor
Albany, NY 12233-4757
www.nynhp.org

From: Nicole Dutcher <NDutcher@fisherassoc.com>
Sent: Thursday, April 9, 2020 2:18 PM
To: dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>
Subject: NHP Consultation Request for the Lockport-Batavia #112 Rebuild Project

To Whom It May Concern-

On behalf of National Grid, Fisher Associates respectfully requests a review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities of NYS that may result from the proposed Lockport-Batavia #112 Rebuild Project (Project). Attached please find a NYNHP Consultation Package, and the corresponding shapefiles of the Project ROW. Should you require any additional information, please feel free to contact me.

Thank You,
Nicole Dutcher

Nicole Dutcher, WPIT
Environmental Scientist



180 Charlotte Street

Rochester, NY 14607

585.334.1310 ext. 241 (office)
585-944-0706 (mobile)

ndutcher@fisherassoc.com
www.fisherassoc.com

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

March 24, 2025

Faith Page
Fisher Associates
180 Charlotte St
Rochester, NY 14607

Re: Lockport-Batavia Line 112 Rebuild Project
County: Genesee, Niagara Town/City: City of Lockport, Lockport, Royalton, Alabama

Dear Nicole Lake:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to 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 sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and 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 8 Office, Division of Environmental Permits, at dep.r8@dec.ny.gov and the NYSDEC Region 9 Office, Division of Environmental Permits at dep.r9@dec.ny.gov.

Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

The following state-listed animals have been documented
at, or in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are Federally listed.

For information about any permit considerations for the Genesee County section of the project, please contact the Permits staff at the NYSDEC Region 8 Office at dep.r8@dec.ny.gov, (585) 226-5400.

For information about any permit considerations for the Erie County section of your project, please contact the Permits staff at the NYSDEC Region 9 Office at dep.r9@dec.ny.gov, (716) 851-7165.

Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
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The following species has been documented in the vicinity of Segment 2.

Short-eared Owl	<i>Asio flammeus</i>	Endangered	14568
<i>Nonbreeding</i>			

The following species have been documented in the vicinity of Segments 3, 4, 4 Relocation, and 5.

Northern Harrier	<i>Circus hudsonius</i>	Threatened	15013
<i>Nonbreeding</i>			
Pied-billed Grebe	<i>Podilymbus podiceps</i>	Threatened	10651
<i>Breeding</i>			
Black Tern	<i>Chlidonias niger</i>	Endangered	9373
<i>Breeding</i>			
Least Bittern	<i>Botaurus exilis</i>	Threatened	6222
<i>Breeding</i>			
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened	11597
<i>Breeding</i>			
Short-eared Owl	<i>Asio flammeus</i>	Endangered	11106
<i>Breeding and Nonbreeding</i>			
Henslow's Sparrow	<i>Centronyx henslowii</i>	Threatened	5140
<i>Breeding</i>			
Sedge Wren	<i>Cistothorus stellaris</i>	Threatened	6231
<i>Breeding</i>			
King Rail	<i>Rallus elegans</i>	Threatened	1621
<i>Breeding</i>			

Note: This area is also a state-significant Raptor Winter Concentration Area.

Birds

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
-------------	-----------------	------------------	-----------------

The following species have been documented in the vicinity of Segment 7.

Northern Harrier <i>Nonbreeding</i>	<i>Circus hudsonius</i>	Threatened	15013
Short-eared Owl <i>Nonbreeding</i>	<i>Asio flammeus</i>	Endangered	15235
Sedge Wren <i>Breeding</i>	<i>Cistothorus stellaris</i>	Threatened	14766
Pied-billed Grebe <i>Breeding</i>	<i>Podilymbus podiceps</i>	Threatened	12479

Note: This area is also a state-significant Raptor Winter Concentration Area.

This report only includes records from the NY Natural Heritage database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants and rare animals have been documented at the project site, or in its vicinity.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQRA. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

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COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
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Fish

Black Bullhead	<i>Ameiurus melas</i>	Unlisted	Critically Imperiled in NYS
Documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road, 2012-08-20.			

Birds

Ruddy Duck	<i>Oxyura jamaicensis</i>	Game Species	Critically Imperiled in NYS
<i>Breeding</i>	Documented within 200 yards northwest of Segment 4 Relocation, 2001-06-25. The birds were observed in an emergent marsh.		

Prothonotary Warbler	<i>Protonotaria citrea</i>	Protected Bird	Imperiled in NYS
<i>Breeding</i>	Documented within 0.5 mile southwest of Segments 3, 4, and 4 Relocation, 2014-06-18. Tonawanda marshes. The birds were found in a flooded woodland dominated by green ash and red maple.		

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
-------------	-----------------	------------------	------------------------------

Vascular Plants

Heart-leaved Plantain	<i>Plantago cordata</i>	Rare	Vulnerable in NYS
Documented within 0.4 mile southwest of Segment 5, 1999-05-09: The plants occur along and within a small, mud bottom stream. With the exception of that portion flowing through the wildlife management area the stream is shaded by a mature canopy of hemlock and hardwoods. Those plants observed within the wildlife management area are primarily in the open and exposed to direct sunlight for much of the day.			

Frank's Sedge	<i>Carex frankii</i>	Endangered	Imperiled in NYS
Documented within 0.25 mile southwest of Segment 5, 2022-08-13: On bare ground along small, seasonal creek in land to be developed.			

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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