

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, Bureau of Wildlife, Region 3

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RECEIVED  
PLANNING DEPARTMENT

MAY 10 2023

TOWN OF YORKTOWN

November 30, 2022

Matt Regan, PWS  
TRC  
650 Suffolk St., Suite 200  
Lowell, MA 01854

Dear Matt Regan:

I have reviewed the information about the proposed Sol Systems Dell Avenue solar farm in Yorktown, NY provided in your October 4, 2022 letter to this office. The project site is in an area occupied by the bald eagle, which is listed as Threatened in New York. Based on the distance to the closest documented eagle nest, if noise levels produced by project activities don't exceed those presented in Table 1 of your October 4 letter, no impacts to eagles would be expected. If blasting or other activities that produce noise levels higher than those in Table 1 are anticipated to occur, additional review would be needed. Information that should be provided for that review would include noise levels expected to be produced, planned timing of the work, and more detailed location information.

Please note that the information on eagle nest locations represents our current knowledge of these resources. New eagle nests could be documented with each breeding season and would need to be addressed as well. In the absence of current survey data for the project, it is best to check in each year in late winter to see if any new nests have been established.

Sincerely,

Susan Booth-Binczik, Wildlife Biologist