

Jordan Tate

From: Tom C. Wirickx
Sent: Monday, July 19, 2021 12:53 PM
To: Steve Boisvert; Gaidasz, Karen M (DEC)
Cc: Adam J. Frosino; Natalie S. Olivieri; Jordan Tate; David Rosa; Megan Daly; Patrick Jordan; Richard Hendrick; Hepner, Tyler (DEC); Andy Dangler
Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update - Eagles nest
Attachments: IMG_6060.JPG; IMG_6061.JPG; IMG_6065.JPG; IMG_6066.JPG; NYSDEC Correspondence_030719.pdf; NYSDEC Correspondence_060719.pdf; NYSDEC Correspondence_093019.pdf

Karen,

I conducted the initial site visit in regards to the bald eagle on March 6, 2019. Correspondence and photographs regarding that site visit are attached. Additional site visits were conducted as part of the wetland delineation and overall ecological site reconnaissance (April 3-5, and 11-12, 2019). No bald eagle nests were observed during the ecological site reconnaissance. An agency site was conducted with the NYSDEC (Trevor Brady) and USACE (Andy Dangler) on May 13, 2019. During the agency site visit, the location of the previous nest tree was field reviewed with the NYSDEC and USACE. A subsequent e-mail summarizing potential site concerns following the May 13, 2019 site visit was initially provided by the NYSDEC on June 7, 2019, and is also attached. A later communication from the NYSDEC (Mike Clark) was provided on September 30, 2019 in specific regards to odonates.

Tom

Thomas C. Wirickx, CSE, PWS, QAWB
Senior Environmental Scientist
607-723-9421

Visit our website to see how MJ employee owners are innovating to improve our world.



Tom C. Wirickx, CSE, PWS, QAWB | Senior Environmental Scientist
607-723-9421

Visit our [website](#) to see how MJ employee owners are innovating to improve our world.



-----Original Message-----

From: Steve Boisvert <sboisvert@mjinc.com>
Sent: Friday, July 16, 2021 1:42 PM
To: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>
Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>; David Rosa <drosa@mjinc.com>; Megan Daly <mdaly@portofalbany.us>; Patrick Jordan <pjordan@portofalbany.us>; Richard Hendrick <Rhendrick@portofalbany.us>; Hepner, Tyler (DEC) <Tyler.Hepner@dec.ny.gov>; Tom C. Wirickx <TWirickx@mjinc.com>
Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update - Eagles nest

Karen

We have photo's and email documentation that a site walk occurred during the wetland JD process, and during that field meeting our environmental scientist showed all the down tree. We will package the information and send.

Thanks

Steve Boisvert, PE
| Director of Civil-Facilities
518-580-9380
585-749-2968

Visit our website to see how MJ employee owners are innovating to improve our world.

-----Original Message-----

From: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>

Sent: Thursday, July 15, 2021 5:58 PM

To: Steve Boisvert <sboisvert@mjinc.com>

Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>;

David Rosa <drosa@mjinc.com>; Megan Daly <mdaly@portofalbany.us>; Patrick Jordan <pjordan@portofalbany.us>;

Richard Hendrick <Rhendrick@portofalbany.us>; Hepner, Tyler (DEC) <Tyler.Hepner@dec.ny.gov>

Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update - Eagles nest

Hi Steve,

I reached out to Trevor Brady and he said his review in 2019 focused on potential impacts to the Hudson River. Trevor recalled that Paul Novak (now retired) may have provided some information about the eagle nest tree but he wasn't able to join for the 2019 field visit. We aren't able to find a record of NYSDEC confirming the tree was down. Do you have field notes, photos or email correspondence which documents that the tree was confirmed to be down?

If no records exist, we may need the applicant to conduct a field visit to document current conditions. If needed, we could provide the approximate tree coordinates once we have the applicant sign and return a Non-Disclosure Agreement (NDA).

Please advise how you would like to proceed.

Thanks,
Karen

-----Original Message-----

From: Steve Boisvert <sboisvert@mjinc.com>

Sent: Tuesday, July 13, 2021 12:23 PM

To: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>

Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>;

David Rosa <drosa@mjinc.com>; Mdaly@portofalbany.us; Patrick Jordan <pjordan@portofalbany.us>;

rhendrick@portofalbany.us

Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update - Eagles nest

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Trevor Brady on May 13, 2019.

thanks

Steve Boisvert, PE
| Director of Civil-Facilities
518-580-9380
585-749-2968

Visit our website to see how MJ employee owners are innovating to improve our world.

-----Original Message-----

From: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>
Sent: Tuesday, July 13, 2021 12:08 PM
To: Steve Boisvert <sboisvert@mjinc.com>
Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>; David Rosa <drosa@mjinc.com>; Megan Daly <mdaly@portofalbany.us>; Patrick Jordan <pjordan@portofalbany.us>; Richard Hendrick <Rhendrick@portofalbany.us>
Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update - Eagles nest

I will look into this further Steve. Who did you meet from DEC at the site?

-----Original Message-----

From: Steve Boisvert <sboisvert@mjinc.com>
Sent: Tuesday, July 13, 2021 12:03 PM
To: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>
Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>; David Rosa <drosa@mjinc.com>; Mdaly@portofalbany.us; Patrick Jordan <pjordan@portofalbany.us>; rhendrick@portofalbany.us
Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update - Eagles nest

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Karen

We would like to arrange for a call to discuss this in a little more detail. Please note that we addressed this comment during the FGEIS process for this project. We meet a DEC representative on site and all agreed that not only was the nest down but the Tree was actually down as well.

Please let us know your availability to discuss.

Thank You Karen

Steve

Steve Boisvert, PE
| Director of Civil-Facilities
518-580-9380
585-749-2968

Visit our website to see how MJ employee owners are innovating to improve our world.

-----Original Message-----

From: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>
Sent: Monday, July 12, 2021 10:05 AM

To: Steve Boisvert <sboisvert@mjinc.com>

Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>; David Rosa <drosa@mjinc.com>; Megan Daly <mdaly@portofalbany.us>; Patrick Jordan <pjordan@portofalbany.us>
Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update

I will ask our Fish and Wildlife staff if they have coordinates. If we do, we typically ask for a Non-Disclosure Agreement to be signed before releasing sensitive information about threatened or endangered species. I'll be in touch.

-----Original Message-----

From: Steve Boisvert <sboisvert@mjinc.com>

Sent: Monday, July 12, 2021 9:51 AM

To: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>

Cc: Adam J. Frosino <AFrosino@mjinc.com>; Natalie S. Olivieri <nolivieri@mjinc.com>; Jordan Tate <jtate@mjinc.com>; David Rosa <drosa@mjinc.com>; Mdaly@portofalbany.us; Patrick Jordan <pjordan@portofalbany.us>

Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Karen

Do you have the coordinates of the tree that is protected ?

Thanks

Steve Boisvert, PE

| Director of Civil-Facilities

518-580-9380

585-749-2968

Visit our website to see how MJ employee owners are innovating to improve our world.

-----Original Message-----

From: Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>

Sent: Wednesday, July 7, 2021 2:05 PM

To: Steve Boisvert <sboisvert@mjinc.com>

Cc: Patrick Jordan <pjordan@portofalbany.us>; Richard Hendrick <Rhendrick@portofalbany.us>; Megan Daly <mdaly@portofalbany.us>; John Kosa <Jkosa@portofalbany.us>; McLean, Laura (DOS) <Laura.McLean@dos.ny.gov>; Maraglio, Matthew (DOS) <Matthew.Maraglio@dos.ny.gov>; Gathen, Kari (DOS) <Kari.Gathen@dos.ny.gov>; Newman, David (DOS) <David.Newman@dos.ny.gov>; Hill, Ralph W (OGS) <Ralph.Hill@ogs.ny.gov>; Hepner, Tyler (DEC) <Tyler.Hepner@dec.ny.gov>; Brady, Trevor M (DEC) <trevor.brady@dec.ny.gov>; Gierloff, Heather S (DEC) <heather.gierloff@dec.ny.gov>; Woodfield, Karen (DEC) <karen.woodfield@dec.ny.gov>; andrew.c.dangler@usace.army.mil; Adam J. Frosino <AFrosino@mjinc.com>; Laura A. Sanda <lsanda@mjinc.com>; David Rosa <drosa@mjinc.com>; Georgie Nugent <gnugent@mjinc.com>; Jamie L. Roy <jroy@mjinc.com>; Sandrow, Cheryl A (DEC) <Cheryl.Sandrow@dec.ny.gov>; Cheryl Stock <CStock@portofalbany.us>; Luisi, Anthony P (DEC) <Anthony.Luisi@dec.ny.gov>; Flaum, Jeremy (DPS) <Jeremy.Flaum@dps.ny.gov>; Rousseau, Joshua N (DOT) <Joshua.Rousseau@dot.ny.gov>; Schirmer, John <jschirmer@moffattnichol.com>; Stewart, Angelika R (DEC) <Angelika.Stewart@dec.ny.gov>; Schultz, Abigail M (DOT) <Abigail.Schultz@dot.ny.gov>; McCredy, Ross S (DEC) <Ross.McCredy@dec.ny.gov>; Joshua A. Lund <jlund@mjinc.com>; Singer, Joshua <jsinger@moffattnichol.com>; Barnes, Patrick (DOT) <Patrick.Barnes@dot.ny.gov>; Lacko, Jamie (OGS) <Jamie.Lacko@ogs.ny.gov>; Kornak, Kate F (DEC) <Kate.Kornak@dec.ny.gov>

Subject: RE: Port of Albany - Offshore Wind Beacon Island Project Update

Hi Steve,

Thank you for circulating the final meeting minutes. Per Action Item 6d, NYSDEC staff offer the following additional information pertaining to bald eagle nests:

- There was one nest that was located within the project boundary, however, that nest fell in 2017. Even though the nest fell, the tree that it was constructed in is protected for 5 years (or until 2022). Please contact me if more information is needed on the location of this nest tree.
- There are multiple bald eagle nests in the vicinity of the project site, at a distance greater than 0.25 miles from the project site boundary. NYSDEC staff are not concerned with the potential for impacts to these nests given the distance from the project site boundary. However, the Hudson River is very active and provides great habitat for eagles. This means it is very possible for new eagle nests to be constructed within the project site boundary or within close proximity to the project site boundary in the future. As such, there could be a requirement for "time of year restrictions" during construction if new nests are established on or in close vicinity to the project site.

Please feel free to contact me with any questions.

Thanks,
Karen

-----Original Message-----

From: Steve Boisvert <sboisvert@mjinc.com>

Sent: Wednesday, June 30, 2021 8:51 AM

To: Patrick Jordan <pjordan@portofalbany.us>; rhendrick@portofalbany.us; Mdaly@portofalbany.us; John Kosa <Jkosa@portofalbany.us>; McLean, Laura (DOS) <Laura.McLean@dos.ny.gov>; Maraglio, Matthew (DOS) <Matthew.Maraglio@dos.ny.gov>; Gaidasz, Karen M (DEC) <karen.gaidasz@dec.ny.gov>; Gathen, Kari (DOS) <Kari.Gathen@dos.ny.gov>; Newman, David (DOS) <David.Newman@dos.ny.gov>; Hill, Ralph W (OGS) <Ralph.Hill@ogs.ny.gov>; Hepner, Tyler (DEC) <Tyler.Hepner@dec.ny.gov>; Brady, Trevor M (DEC) <trevor.brady@dec.ny.gov>; Gierloff, Heather S (DEC) <heather.gierloff@dec.ny.gov>; Woodfield, Karen (DEC) <karen.woodfield@dec.ny.gov>; andrew.c.dangler@usace.army.mil; Adam J. Frosino <AFrosino@mjinc.com>; (Isanda@mjinc.com) <Isanda@mjinc.com>; David Rosa <drosa@mjinc.com>; Georgie Nugent <gnugent@mjinc.com>; Jamie L. Roy <jroy@mjinc.com>; Sandrow, Cheryl A (DEC) <Cheryl.Sandrow@dec.ny.gov>; Cheryl Stock <CStock@portofalbany.us>; Luisi, Anthony P (DEC) <Anthony.Luisi@dec.ny.gov>

Cc: Flaum, Jeremy (DPS) <Jeremy.Flaum@dps.ny.gov>; Rousseau, Joshua N (DOT) <Joshua.Rousseau@dot.ny.gov>; Schirmer, John <jschirmer@moffattnichol.com>; Stewart, Angelika R (DEC) <Angelika.Stewart@dec.ny.gov>; Schultz, Abigail M (DOT) <Abigail.Schultz@dot.ny.gov>; McCredy, Ross S (DEC) <Ross.McCredy@dec.ny.gov>; Joshua A. Lund <jlund@mjinc.com>; Singer, Joshua <jsinger@moffattnichol.com>; Barnes, Patrick (DOT) <Patrick.Barnes@dot.ny.gov>; Lacko, Jamie (OGS) <Jamie.Lacko@ogs.ny.gov>; Kornak, Kate F (DEC) <Kate.Kornak@dec.ny.gov>

Subject: RE: Port of Albany - Offshore Wind Beacon Island Project UpdateSandrow, Cheryl A (DEC) <Cheryl.Sandrow@dec.ny.gov>

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Team

Attached are the revised and final meeting minutes pursuant to comments received.

Any questions please let me know

Thanks

Steve Boisvert, PE
| Director of Civil-Facilities
518-580-9380
585-749-2968

Visit our website to see how MJ employee owners are innovating to improve our world.

-----Original Appointment-----

From: Patrick Jordan <Pjordan@portofalbany.us>

Sent: Tuesday, June 1, 2021 1:11 PM

To: Patrick Jordan; Richard Hendrick; Megan Daly; John Kosa; Steve Boisvert; Laura McLean; Matt Maraglio; Karen Gaidasz; Kari Gathen; David Newman (NYS DOS); Ralph Hill; Hepner, Tyler (DEC); Covert, Lisa A (DEC); Brady, Trevor M (DEC); Gierloff, Heather S (DEC); Woodfield, Karen (DEC); andrew.c.dangler@usace.army.mil; Adam J. Frosino; Laura A. Sanda; David Rosa; Georgie Nugent; Jamie L. Roy; Sandrow, Cheryl A (DEC); Cheryl Stock

Cc: Flaum, Jeremy (DPS); Rousseau, Joshua N (DOT); Schirmer, John; Stewart, Angelika R (DEC); Schultz, Abigail M (DOT); McCredy, Ross S (DEC); Joshua A. Lund; Singer, Joshua; Barnes, Patrick (DOT); Lacko, Jamie (OGS)

Subject: Port of Albany - Offshore Wind Beacon Island Project UpdateSandrow, Cheryl A (DEC)
<Cheryl.Sandrow@dec.ny.gov>

When: Thursday, June 3, 2021 2:00 PM-3:15 PM (UTC-05:00) Eastern Time (US & Canada).

Where: <https://us02web.zoom.us/j/82171773913?pwd=Yk1KcW9XQWwwQTdmMONvTXUwRFJmdz09>

Patrick Jordan is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/82171773913?pwd=Yk1KcW9XQWwwQTdmMONvTXUwRFJmdz09>

Meeting ID: 821 7177 3913

Passcode: 635406

One tap mobile

+19294362866,,82171773913#,,,,*635406# US (New York)

+13126266799,,82171773913#,,,,*635406# US (Chicago)

Dial by your location

+1 929 436 2866 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Washington DC)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 821 7177 3913

Passcode: 635406

Find your local number: <https://us02web.zoom.us/j/82171773913?pwd=Yk1KcW9XQWwwQTdmMONvTXUwRFJmdz09>