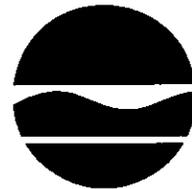


## INNER LOOP SCOPING REPORT ATTACHMENTS

- A. Go/No Go Traffic Assessment
- B. Safety Considerations, Accident History and Analysis
- C. I-490 Ramp Evaluation and Analysis
- D. Main Street Alternatives
- E. Minimum Lane Requirements
- F. Hazardous Waste
- G. Endangered Species
- H. Probable Cost and Benefit/Cost Assessment
- I. Memorandum of Understanding - Draft

## G. Endangered Species

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Division of Fish, Wildlife & Marine Resources**  
New York Natural Heritage Program  
625 Broadway, Albany, New York 12233-4757  
Phone: (518) 402-8935 • FAX: (518) 402-8925



Alexander B. Grannis  
Commissioner

September 29, 2008

Nancy S. Gillette  
Ravi Engineering & Land Surveying  
Blackwatch Office Park, Suite E-5  
6605 Pittsford-Palmyra Road  
Fairport, NY 14450

**RECEIVED**

OCT 01 2008

RAVI ENGINEERING, P.C.

Dear Ms. Gillette:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Re-alignment Study - Inner Loop to East Main Street, Project 220 333, area as indicated on the map you provided located in the City of Rochester, Monroe County..

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

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 Data bases. 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 appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

  
Tara Seoane, Information Services  
NY Natural Heritage Program

Enc.

cc: Reg. 8, Wildlife Mgr.



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

New York Field Office

3817 Luker Road

Corland, NY 13045

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo>



Project Number: 80735

To: Nancy Gillette

Date: Sep 25, 2008

Regarding: Inner Loop Study - Phase II, I-490 to East Main Street

Town/County: City of Rochester / Monroe County

We have received your request for information regarding occurrences of Federally-listed threatened and endangered species within the vicinity of the above-referenced project/property. Due to increasing workload and reduction of staff, we are no longer able to reply to endangered species list requests in a timely manner. In an effort to streamline project reviews, we are shifting the majority of species list requests to our website at <http://www.fws.gov/northeast/nyfo/es/section7.htm>. Please go to our website and print the appropriate portions of our county list of endangered, threatened, proposed, and candidate species, and the official list request response. Step-by-step instructions are found on our website.

As a reminder, Section 9 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) prohibits unauthorized taking\* of listed species and applies to Federal and non-Federal activities. Additionally, endangered species and their habitats are protected by Section 7(a)(2) of the ESA, which requires Federal agencies, in consultation with the U.S. Fish and Wildlife Service (Service), to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. An assessment of the potential direct, indirect, and cumulative impacts is required for all Federal actions that may affect listed species. For projects not authorized, funded, or carried out by a Federal agency, consultation with the Service pursuant to Section 7(a)(2) of the ESA is not required. However, no person is authorized to "take"\* any listed species without appropriate authorizations from the Service. Therefore, we provide technical assistance to individuals and agencies to assist with project planning to avoid the potential for "take," or when appropriate, to provide assistance with their application for an incidental take permit pursuant to Section 10(a)(1)(B) of the ESA.

Project construction or implementation should not commence until all requirements of the ESA have been fulfilled. If you have any questions or require further assistance regarding threatened or endangered species, please contact the Endangered Species Program at (607) 753-9334. Please refer to the above document control number in any future correspondence.

Endangered Species Biologist: Sandra Doran *Sandra Doran*

\*Under the Act and regulations, it is illegal for any person subject to the jurisdiction of the United States to take (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect; or to attempt any of these), import or export, ship in interstate or foreign commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any endangered fish or wildlife species and most threatened fish and wildlife species. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. "Harm" includes any act which actually kills or injures fish or wildlife, and case law has clarified that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife.

National Marine Fisheries Service  
Habitat Conservation Division  
Milford Field Office, 212 Rogers Avenue  
Milford, Connecticut 06460

RECEIVED  
APR 08 2009  
RAVI ENGINEERING, P.C.

TO: Nancy S. Gillette, P.E.  
Environmental Department Manager  
Ravi Engineering & Land Surveying, P.C.  
Blackwatch Office Park Suite E-5  
6605 Pittsford-Palmyra Road  
Fairport, New York 14450

DATE: 7 April 2009

SUBJECT: EFH and Fish and Wildlife Coordination Act Species Information Request;  
Inner Loop Study - Phase 2; I-490 to East Main Street, Project No. 220333;  
City of Rochester, Monroe County, NY

  
Diane Ruzanowsky  
(Reviewing Biologist)

We have completed our review of the subject information request and offer the following preliminary comments pursuant to the Endangered Species Act, the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act:

Endangered and Threatened Species

- No endangered or threatened species under the jurisdiction of NOAA Fisheries Service in the immediate project area
- Endangered or threatened species under the jurisdiction of NOAA Fisheries Service's jurisdiction may be present in the project area.

For details regarding what coordination may be necessary, please contact:

Ms. Mary Colligan  
ARA for Protected Resources  
55 Great Republic Drive  
Gloucester, MA 01930

Fish and Wildlife Coordination Act Species

- The following may be present in aquatic portions of the general project area: Diadromous and resident fish, forage and centric species.

Habitat use by some species or life stages may be seasonal (e.g. over-wintering.)

Essential Fish Habitat

- Aquatic habitats in the project vicinity have been designated as Essential Fish Habitat (EFH) for one or more species. For a listing of EFH and further information, please go to our website at: <http://www.nero.nmfs.gov/ro/doc/webintro.html>.

- No EFH presently designated in the immediate project area.