



**Homeland
Security**

**Environmental Planning and Historic Preservation
Decision Support System**

USCG-2024-0551- Safety Zone for Bank Dinner Drone Show - Project Approved

Status

- In Preparation (07/22/2024)
- Environmental Review (07/23/2024)
- Senior Environmental Review (07/23/2024)
- Proponent Review (07/24/2024)
- Project Approved (07/24/2024)

Project Information

General

Name: USCG-2024-0551- Safety Zone for Bank Dinner Drone Show

DSS ID: DSS-USCG-2024-20045

Security: Unclassified

Description: The Coast Guard's federal action involves the establishment of a safety zone for a drone light show consisting of approximately 500 drones which will be flying above the water on the Hudson River in New York City, NY, in the vicinity of Pier 90 on July 30, 2024, between 9:00 p.m. and 11:00 pm. There will be a safety zone with a 400-foot radius from 40° 46' 07.7" N, 74° 00' 03.3" W.

Funded through IRA?: No

Funded through the IIJA?: No

Critical Infrastructure?: No

Adopting Another Agency Catex, or CATEX Determination?: No

Project Type: Administrative & Regulatory Activities - Regulations for Regulated Navigation Areas and security or safety zones: Regulations establishing or increasing the size of Regulated Navigation Areas and security or safety zones.(CATEX *L60a)

Existing EA/EIS?: No

Requires EA/EIS?: No

Project Priority: Normal

Federal Assistance: No

Type of Permit: N/A

Estimated Project Cost: \$0

Component

Component: USCG - U.S. Coast Guard

Region/Area/Unit: USCG Civil Engineering Unit – Providence RI

Tracking Number: USCG-2024-0551

Dates

FY Funding: 2024

Proposed Project Start: 07/30/2024

Proposed Project End: 07/30/2024

Review Start: 07/11/2024

Project Location

- State-/Territory-Wide: New York

Team

- Document Preparer, Kathryn Veal, kathryn.m.veal@uscg.mil
- Collaborator-Document Preparation, Melanie Hughes, melanie.a.hughes1@uscg.mil
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- Collaborator-Document Preparation, richard hilliard, richard.c.hilliard@uscg.mil
- Environmental Reviewer, Madeleine McNamara (Level I), madeleine.w.mcnamara@uscg.mil
- Senior Environmental Reviewer, Madeleine McNamara (Level I), madeleine.w.mcnamara@uscg.mil
- Proponent, Jonathan Andrechik, jonathan.a.andrechik@uscg.mil

Categorical Exclusions

- L60(a)* - Regulations for Regulated Navigation Areas and security or safety zones: Regulations establishing or increasing the size of Regulated Navigation Areas and security or safety zones.

Required Conditions

1. Any change to the Proposed Action that may cause a physical interaction with the human environment will require re-evaluation for compliance with NEPA and other EP&HP requirements before the action can proceed.
2. This review addresses NEPA and other EP&HP requirements as described in DHS Directive 023-01. This review may identify the need for additional federal, state, and/or local permits, approvals, etc. required for the Proposed Action. However, this review may not satisfy those requirements and the Proponent is responsible for ensuring that all other appropriate federal, state, and/or local permits, approvals, etc. have been obtained.

Decision Documents

- Record of Environmental Consideration (REC), 12.40kB

Attachments

- Chartlet.png, 325.10kB

- ERMA Bird.png, 664.33kB
- ERMA Fish and Marine Mammals.png, 958.48kB
- ERMA Flood Zones.png, 1.01MB
- ERMA National Wetlands.png, 963.49kB
- ERMA NY Natural Heritage Comm.png, 656.05kB
- ERMA Report Pg 1.png, 110.11kB
- ERMA Report Pg 2.png, 101.24kB
- ERMA Shellfish.png, 659.31kB
- National ESA Critical Habitat, 38.39kB
- NOAA ESI, 1.18MB
- Pier 90 Site Map 1 (2).pdf, 567.55kB
- USCG-2024-0551_TFR_SZ_Bank Dinner Drone Show, 37.26kB
- USFWS IPaC, 10.12MB

Comments

- Madeleine McNamara (Level I), Environmental sensitivity determination of no effect by D1 EPS is limited to the federal action related to the on-water activity associated with the establishment of the temporary safety zone on the Hudson River. A marine event permit will not be issued.
(07/23/2024 03:04:00)
- Madeleine McNamara (Level I), The northern long-eared bat, monarch butterfly, bald eagle, and golden eagle are not present in the area of this on-water activity as each habitat is land-based. In addition, establishment of the safety zone does not include wind turbine operations. Shellfish/invertebrates are not present; this uncertified area is within a shellfish closure. Sea turtles (green, Kemp's ridley, loggerhead, and leatherback), sturgeon (shortnose), essential fish habitat, and wetlands may be present in the area but will not be impacted by the proposed action. Whales and eelgrass are not present. (07/23/2024 03:02:17)
- Madeleine McNamara (Level I), The safety zone will not create significant effect on public health or safety. The proposed action will not have significant effect to environmental justice considerations; air quality; noise impacts; hazardous wastes and/or contamination; wastewater; potable water; or changes in modes or safety of transportation. The proposed action does not employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity. There is nothing designated for protection under NHPA Section 106 within the area. There are no known effects waterside. Native lands are not present near the proposed on-water activity per mapping tool by the Bureau of Indian Affairs. The proposed activity has no intersection to Section 10 of the Rivers and Harbors Act as the safety zone does not involve the construction of any structure in or over the navigable water.

(07/23/2024 03:00:14)

- Madeleine McNamara (Level I), The following natural resource agency mapping tools were utilized for effect determinations: USFWS Information for Planning and Consultation (IPaC), NOAA Environmental Response Management Application (ERMA), NOAA Essential Fish Habitat Mapper (EFH), NOAA Environmental Sensitivity Index (ESI), NOAA National Endangered Species Act (ESA) Critical Habitat Mapper, various state mapping tools for eelgrass, and the mapping tool for land areas of Federally-Recognized Tribes by the Bureau of Indian Affairs. (07/23/2024 02:59:31)
- Madeleine McNamara (Level I), Environmental sensitivity determination of no effect by D1 EPS for the on-water activity associated with the establishment of a temporary safety zone on the Hudson River. (07/23/2024 02:47:33)
- Madeleine McNamara (Level I), The Coast Guard's proposed action is the establishment of a safety zone. Environmental review for this question is specific to the safety zone. (07/23/2024 02:46:02)
- Madeleine McNamara (Level I), Wetlands may be present in the area but will not be impacted by the proposed action. (07/23/2024 02:44:24)
- Madeleine McNamara (Level I), Changed to 'no.' Species will not be impacted by the Coast Guard's on-water activity associated with the establishment of the safety zone. (07/23/2024 02:32:20)
- Madeleine McNamara (Level I), The Coast Guard is establishing a temporary safety zone in the navigable waters of the Hudson River in the vicinity of Pier 90 located in New York City, NY. The temporary safety zone is scheduled for July 30, 2024 from 9:00 p.m. through 11:00 p.m. (07/23/2024 02:27:47)
- Madeleine McNamara (Level I), Coast Guard environmental review is limited to the federal action related to establishment of the safety zone. A marine event permit will not be issued. (07/23/2024 02:10:26)

EPHP Review

Environmental Resources

- Is the Proposed Action a piece of a larger action or connected to another action? -- No
Please explain how you came to this determination. : No other associated events have been applied for.
- Will the Proposed Action have a potentially significant effect on public health or safety? Areas to consider include, but are not limited to: environmental justice considerations; air quality; noise impacts; hazardous wastes and/or contamination; wastewater; potable water; and changes in modes or safety of transportation. -- No
Explain how the proposed action would not have a potentially significant effect on public health or safety. : Will not have significant effect on public health or safety. This includes air quality, environmental justice considerations, noise impact, hazardous waste & contamination, and safety of transportation are all not impacted

- Would the proposed action place a disproportionately high and adverse human health or environmental effect on minority populations and low-income populations? -- No
- Will the Proposed Action have a potentially significant effect on species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or Magnuson-Stevens Fishery Conservation and Management Act? -- No

Provide a conclusion under which statute the determination was made (e.g., no effect, NLAA, LAA, for ESA, etc.), how the determination was made, why it is considered significant, and copies of any consultation (informal and/or formal). : The IPAC lists a species of bat and species of butterfly that are either threatened or endangered in the area. Additionally, there is a probability that there will be bald eagles, golden eagles and many other migratory birds in the area. However due to the nature of the drone shows being 500 feet above the water and the show lasting less than 15 minutes in length there will not be significant effects on these species.

Attachments: FWS, NMFS, or Wildlife Agency Consultation: (No files uploaded yet.)

Comments:

Madeleine McNamara (Level I), Changed to 'no.' Species will not be impacted by the Coast Guard's on-water activity associated with the establishment of the safety zone. (07/23/2024 14:32:20)

- What is your Endangered Species Act (ESA) finding and determination? -- No effect
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: The northern long-eared bat, monarch butterfly, bald eagle, and golden eagle are not present in the area of this on-water activity as each habitat is land-based. In addition, establishment of the safety zone does not include wind turbine operations.

Attachments: ESA consultation: (No files uploaded yet.)

- What is your Marine Mammal Protection Act (MMPA) finding and determination? -- No effect or negligible effect
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect or negligible effects? why?). Although not required, recommend attaching any consultation or correspondence conducted.: Sea turtles (green, Kemp's ridley, loggerhead, and leatherback) may be present in the area but will not be impacted by the proposed action. Whales are not present in the proposed area.

Attachments: MMPA consultation: (No files uploaded yet.)

- Would the proposed action adversely affect a species protected under the Bald and Golden Eagle Protection Act or Migratory Bird Treaty Act or habitat for such species? -- No
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no adverse effect or no significant effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: The bald eagle and golden eagle are not present in the area of this on-water activity as each habitat is land-based.

Attachments: BGEPA MBTA consultation: (No files uploaded yet.)

- What is your Magnuson-Stevens Fishery Conservation and Management Act (essential fish habitat) finding and determination? -- No effect

Attachments: EFH consultation: (No files uploaded yet.)

- Will the Proposed Action have a potentially significant effect on an environmentally sensitive area? Examples include, but are not limited to: areas having special designation or recognition such as prime or unique agricultural lands, coastal zones, designated wilderness study areas, wild and scenic rivers, 100-year floodplains, wetlands, sole source aquifers, Marine Sanctuaries, National Wildlife Refuges, National Parks, National Monuments, etc. -- No
- Special Flood Hazard Area (i.e. floodplains) -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): Not applicable due to being a drone show over the water.
- Jurisdictional wetlands and Other Waters of the U.S. -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): (USFWS) (NWI) present however aerial drone shows will not impact them thus no effect.

Comments:

Madeleine McNamara (Level I), Wetlands may be present in the area but will not be impacted by the proposed action. (07/23/2024 14:44:24)

- Coastal Barrier Unit -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No coastal barrier unit present in proposed action, thus no effect.
- Coastal Zone Management Area -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No Coastal Zone Management Area present with proposed action thus no effect.
- Section 10 navigable waterway -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): The event is not in navigable waterways. The landing zones for all drone shows are on land. The proposed action of the safety zone does not impact the navigable waterways and has no effect.
- Sole Source Aquifers and Wellheads -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No sole source aquifers and wellheads. Thus not applicable to proposed action. Resulting in no impact and no effect.

- Prime Farmland -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No prime farmland present. Thus proposed action has no impact and no effect.

- Designated land (i.e., Wilderness Area, Wild and Scenic River, Marine Sanctuary, National Park, National Monument, National Natural Landmark, Wildlife Refuge, and Wilderness Area -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No designated land present. Thus proposed action has no impact and no effect.

- Will the Proposed Action result in the potential violation of a Federal, State, or local law or requirement imposed to protect the environment? -- No

Please summarize determination. : The proposed action will not impact the result in potential violation of federal, state, or local law to protect marine environment as all safety measures are put in place for marine event to ensure it obeys all laws correctly for entire duration of event itself.

- Will the Proposed Action have an effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks? -- No

Required: Please explain. : The proposed action will not affect the quality of the human environment, thus no impact and effect.

- Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity? -- No

Required: Please explain.: The proposed action will not employ new technology, thus no impact and no effect.

- Will the Proposed Action establish a precedent for future actions that have significant effects? -- No

Please explain how you came to this determination. : The proposed action will not establish a precedent for future actions that have significant effects, thus no effect and no impact.

- Is the Proposed Action significantly greater in scope or size than normally experienced for its particular category of action? -- No

Required: Please summarize determination.: The proposed action is not significantly greater in scope or size than normally experienced for its particular category of action, thus no impact and no effect.

- Will the Proposed Action have the potential to result in the significant degradation of existing poor environmental conditions? Will the Proposed Action initiate a potentially significant environmentally degrading influence, activity, or effect in areas not already significantly modified from their natural condition? -- No

Please explain how you came to this determination. : The proposed action will not have the potential to result in the significant degradation of existing poor environmental conditions, nor will it initiate a

potentially significantly modified from their natural condition. Thus no impact and no effect.

- Is the Proposed Action related to other actions with individually insignificant but cumulatively significant impacts? -- No

Please explain how you came to this determination. : Proposed action is not related to other actions with individually insignificant but cumulatively significant impacts. Thus no impact and no effect.

- Are there any other requirements for the protection of the environment that need to be considered for this proposed action? -- No

Historic Preservation & Cultural Resources

- Is the Proposed Action a piece of a larger action or connected to another action? -- No

Please explain how you came to this determination. : No other associated events have been applied for.

- Will the Proposed Action have a potentially significant effect on public health or safety? Areas to consider include, but are not limited to: environmental justice considerations; air quality; noise impacts; hazardous wastes and/or contamination; wastewater; potable water; and changes in modes or safety of transportation. -- No

Explain how the proposed action would not have a potentially significant effect on public health or safety. : Will not have significant effect on public health or safety. This includes air quality, environmental justice considerations, noise impact, hazardous waste & contamination, and safety of transportation are all not impacted

- Would the proposed action place a disproportionately high and adverse human health or environmental effect on minority populations and low-income populations? -- No
- Will the Proposed Action have a potentially significant effect on species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or Magnuson-Stevens Fishery Conservation and Management Act? -- No

Provide a conclusion under which statute the determination was made (e.g., no effect, NLAA, LAA, for ESA, etc.), how the determination was made, why it is considered significant, and copies of any consultation (informal and/or formal). : The IPAC lists a species of bat and species of butterfly that are either threatened or endangered in the area. Additionally, there is a probability that there will be bald eagles, golden eagles and many other migratory birds in the area. However due to the nature of the drone shows being 500 feet above the water and the show lasting less than 15 minutes in length there will not be significant effects on these species.

Attachments: FWS, NMFS, or Wildlife Agency Consultation: (No files uploaded yet.)

Comments:

Madeleine McNamara (Level I), Changed to 'no.' Species will not be impacted by the Coast Guard's on-water activity associated with the establishment of the safety zone. (07/23/2024 14:32:20)

- What is your Endangered Species Act (ESA) finding and determination? -- No effect

Explain how the determination was made (e.g., are species present in the area but your proposed

action will have no effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: The northern long-eared bat, monarch butterfly, bald eagle, and golden eagle are not present in the area of this on-water activity as each habitat is land-based. In addition, establishment of the safety zone does not include wind turbine operations.

Attachments: ESA consultation: (No files uploaded yet.)

- What is your Marine Mammal Protection Act (MMPA) finding and determination? -- No effect or negligible effect

Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect or negligible effects? why?). Although not required, recommend attaching any consultation or correspondence conducted.: Sea turtles (green, Kemp's ridley, loggerhead, and leatherback) may be present in the area but will not be impacted by the proposed action. Whales are not present in the proposed area.

Attachments: MMPA consultation: (No files uploaded yet.)

- Would the proposed action adversely affect a species protected under the Bald and Golden Eagle Protection Act or Migratory Bird Treaty Act or habitat for such species? -- No

Explain how the determination was made (e.g., are species present in the area but your proposed action will have no adverse effect or no significant effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: The bald eagle and golden eagle are not present in the area of this on-water activity as each habitat is land-based.

Attachments: BGEPA MBTA consultation: (No files uploaded yet.)

- What is your Magnuson-Stevens Fishery Conservation and Management Act (essential fish habitat) finding and determination? -- No effect

Attachments: EFH consultation: (No files uploaded yet.)

- Will the Proposed Action have a potentially significant effect on an environmentally sensitive area?

Examples include, but are not limited to: areas having special designation or recognition such as prime or unique agricultural lands, coastal zones, designated wilderness study areas, wild and scenic rivers, 100-year floodplains, wetlands, sole source aquifers, Marine Sanctuaries, National Wildlife Refuges, National Parks, National Monuments, etc. -- No

- Special Flood Hazard Area (i.e. floodplains) -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): Not applicable due to being a drone show over the water.

- Jurisdictional wetlands and Other Waters of the U.S. -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): (USFWS) (NWI) present however aerial drone shows will not impact them thus no effect.

Comments:

Madeleine McNamara (Level I), Wetlands may be present in the area but will not be impacted by the

proposed action. (07/23/2024 14:44:24)

- Coastal Barrier Unit -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No coastal barrier unit present in proposed action, thus no effect.

- Coastal Zone Management Area -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No Coastal Zone Management Area present with proposed action thus no effect.

- Section 10 navigable waterway -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): The event is not in navigable waterways. The landing zones for all drone shows are on land. The proposed action of the safety zone does not impact the navigable waterways and has no effect.

- Sole Source Aquifers and Wellheads -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No sole source aquifers and wellheads. Thus not applicable to proposed action. Resulting in no impact and no effect.

- Prime Farmland -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No prime farmland present. Thus proposed action has no impact and no effect.

- Designated land (i.e., Wilderness Area, Wild and Scenic River, Marine Sanctuary, National Park, National Monument, National Natural Landmark, Wildlife Refuge, and Wilderness Area -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): No designated land present. Thus proposed action has no impact and no effect.

- Will the Proposed Action result in the potential violation of a Federal, State, or local law or requirement imposed to protect the environment? -- No

Please summarize determination. : The proposed action will not impact the result in potential violation of federal, state, or local law to protect marine environment as all safety measures are put in place for marine event to ensure it obeys all laws correctly for entire duration of event itself.

- Will the Proposed Action have an effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks? -- No

Required: Please explain. : The proposed action will not affect the quality of the human environment, thus no impact and effect.

- Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity? -- No
Required: Please explain.: The proposed action will not employ new technology, thus no impact and no effect.
- Will the Proposed Action establish a precedent for future actions that have significant effects? -- No
Please explain how you came to this determination. : The proposed action will not establish a precedent for future actions that have significant effects, thus no effect and no impact.
- Is the Proposed Action significantly greater in scope or size than normally experienced for its particular category of action? -- No
Required: Please summarize determination.: The proposed action is not significantly greater in scope or size than normally experienced for its particular category of action, thus no impact and no effect.
- Will the Proposed Action have the potential to result in the significant degradation of existing poor environmental conditions? Will the Proposed Action initiate a potentially significant environmentally degrading influence, activity, or effect in areas not already significantly modified from their natural condition? -- No
Please explain how you came to this determination. : The proposed action will not have the potential to result in the significant degradation of existing poor environmental conditions, nor will it initiate a potentially significantly modified from their natural condition. Thus no impact and no effect.
- Is the Proposed Action related to other actions with individually insignificant but cumulatively significant impacts? -- No
Please explain how you came to this determination. : Proposed action is not related to other actions with individually insignificant but cumulatively significant impacts. Thus no impact and no effect.
- Are there any other requirements for the protection of the environment that need to be considered for this proposed action? -- No
- Will the proposed action have a potentially significant effect on a district, highway, structure, or object that is listed, or eligible for listing, on the National Register of Historic Places, a historic or cultural resource, traditional or sacred site, or result in the destruction of a significant scientific, cultural, or historic resource? -- No
Attachments: HR - Consultation: ERMA NY Natural Heritage Comm.png (ERMA NY Natural Heritage Comm.png, 656.05kB)
- What is the National Historic Preservation Act Section 106 effect determination? -- No effect
Please explain how you came to this determination. : The proposed event is a drone show over the water. Therefore, no effect or impact.
Attachments: Section 106 consultation: (No files uploaded yet.)
Comments:
Madeleine McNamara (Level I), The Coast Guard's proposed action is the establishment of a safety

zone. Environmental review for this question is specific to the safety zone. (07/23/2024 14:46:02)

- Does the proposed action limit access to, and ceremonial use of, Indian sacred sites on federal lands, by Indian religious practitioners, and/or adversely affect the physical integrity of such sites. -- No

DHS Record of Environmental Consideration (REC) for Categorically Excluded Actions under NEPA

INTRODUCTION
<p>The purpose of this Record of Environmental Consideration (REC) is to provide a record that the potential for impacts to the quality of the human environment has been considered in the decision to implement the Proposed Action described below, in accordance with the National Environmental Policy Act of 1969 (NEPA) and DHS Directive 023-01 and Instruction Manual 023-01-001-01 on implementation of NEPA. DHS integrates the NEPA process with review and compliance requirements under other Federal laws, regulations, Executive Orders, and other requirements for the stewardship and protection of the human environment, as reflected in Section II (8) of this REC. Signature of the DHS Proponent on this REC demonstrates that they have considered the potential for impacts to the human environment in their decision to implement the Proposed Action as required by NEPA, and are committing to any conditions listed in Section IV of this REC that may be required for implementation of the project. When completed, the form is to be signed by the Preparer, the Environmental Approver, and the Action Proponent. The completed REC becomes a part of the administrative record for the Proposed Action.</p>
SECTION I - Description of Proposed Action
<p>1. Name of Component Authorizing the Proposed Action: U.S. Coast Guard USCG Civil Engineering Unit – Providence RI</p>
<p>2. Title of Proposed Action: USCG-2024-0551- Safety Zone for Bank Dinner Drone Show</p>
<p>3. Identifying Number of Proposed Action: DSS-USCG-2024-20045</p>
<p>4. Estimated Start Date and Useful Life of Proposed Action: Start Date: 07/30/2024 - End Date: 7/30/202</p>
<p>5. Location of Proposed Action: State-/Territory-Wide: New York</p>
<p>6. Description of Proposed Action: The Coast Guard's federal action involves the establishment of a safety zone for a drone light show consisting of approximately 500 drones which will be flying above the water on the Hudson River in New York City, NY, in the vicinity of Pier 90 on July 30, 2024, between 9:00 p.m. and 11:00 pm. There will be a safety zone with a 400-foot radius from 40° 46' 07.7" N, 74° 00' 03.3" W.</p>
SECTION II - Analysis of Extraordinary Circumstances
<p>7. <input checked="" type="checkbox"/> Proposed Action is not a piece of a larger action <input type="checkbox"/> Proposed Action is a piece of a larger action Remarks:</p>
8. For A through K, check the appropriate box and provide an explanation when appropriate. Include a summary of any coordination or consultation that occurred with a resource or regulatory agency, if relevant.
<p><input type="checkbox"/> <input checked="" type="checkbox"/> A. Will the Proposed Action have a potentially significant effect on public health or safety? Yes No Remarks:</p>

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>B. Will the Proposed Action have a potentially significant effect on species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or Magnuson-Stevens Fishery Conservation and Management Act?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>C. Will the Proposed Action have a potentially significant effect on a district, highway, structure, or object that is listed or eligible for listing on the National Register of Historic Places (NRHP)? Will the Proposed Action have a potentially significant effect on a historic or cultural resource, traditional or sacred site, or result in the destruction of a significant scientific, cultural, or historic resource?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>D. Will the Proposed Action have a potentially significant effect on an environmentally sensitive area?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>E. Will the Proposed Action result in the potential violation of a Federal, State, or local law or requirement imposed to protect the environment?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>F. Will the Proposed Action have an effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>G. Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>H. Will the Proposed Action establish a precedent for future actions that have significant effects?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>I. Is the Proposed Action significantly greater in scope or size than normally experienced for its particular category of action?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>J. Does the Proposed Action have the potential to result in significant degradation of existing poor environmental conditions? Will the Proposed Action initiate a potentially significant environmentally degrading influence, activity, or effect in areas not significantly modified from their natural condition?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>K. Is the Proposed Action related to other actions with individually insignificant but cumulatively significant impacts?</p>
<p>Remarks:</p>	
<p>SECTION III - Categorical Exclusion (CATEX) Determination</p>	

9. This action is not expected to result in any significant adverse environmental impacts as described in the National Environmental Policy Act of 1969 (NEPA). The proposed action has been thoroughly reviewed by the U.S. Coast Guard and it has been determined, by the undersigned, that this action is categorically excluded under current DHS CATEX **L60(a)*** from further environmental documentation, in accordance with Section 3 of DHS Directive 023-01, Environmental Planning Program since implementation of this action:

I. Clearly fits within one or more of the categories of excludable actions listed in Appendix A of DHS Instruction 023-01-001-01;

II. Is not a piece of a larger action which has been segmented into smaller parts in order to avoid a more extensive evaluation of the potential for significant environmental impacts;

III. Does not involve any extraordinary circumstances, as defined in DHS Instruction 023-01-001-01, Section V(B)(2), that would create the potential for a normally excluded action to have a significant environmental effect.

SECTION IV - Conditions

10. The following conditions are required to implement the Proposed Action:

Any change to the Proposed Action that may cause a physical interaction with the human environment will require re-evaluation for compliance with NEPA and other EP&HP requirements before the action can proceed.

This review addresses NEPA and other EP&HP requirements as described in DHS Directive 023-01. This review may identify the need for additional federal, state, and/or local permits, approvals, etc. required for the Proposed Action. However, this review may not satisfy those requirements and the Proponent is responsible for ensuring that all other appropriate federal, state, and/or local permits, approvals, etc. have been obtained.

SECTION V - Signatures

11a. Preparer of this REC

Name: Kathryn Veal	Digitally signed by Kathryn Veal at 07/22/2024 3:32 PM <i>Kathryn Veal</i>	Date: 07/22/2024
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11b. Environmental Approver of this REC

Name: Madeleine McNamara (Level I)	Digitally signed by Madeleine McNamara (Level I) at 07/23/2024 3:04 PM <i>Madeleine McNamara (Level I)</i>	Date: 07/23/2024
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11c. Action Proponent

<p>Name: Jonathan Andrechik</p>	<p>Digitally signed by Jonathan Andrechik at 07/24/2024 11:37 AM <i>Jonathan Andrechik</i></p>	<p>Date: 07/24/2024</p>
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Preview of Attachments

The following pages will display this project's attachments that are of these file types:

- .jpg /.jpeg
- .png
- .gif
- .txt
- .pdf

The attachments of compatible file types from this project are:

- Pier 90 Site Map 1 (2).pdf
- National ESA Critical Habitat (National ESA Critical Habitat.pdf)
- NOAA ESI (NOAA ESI.pdf)
- USFWS IPaC (USFWS IPaC.pdf)
- Chartlet.png
- ERMA Bird.png
- ERMA Fish and Marine Mammals.png
- ERMA Flood Zones.png
- ERMA National Wetlands.png
- ERMA NY Natural Heritage Comm.png
- ERMA Report Pg 1.png
- ERMA Report Pg 2.png
- ERMA Shellfish.png

Note:

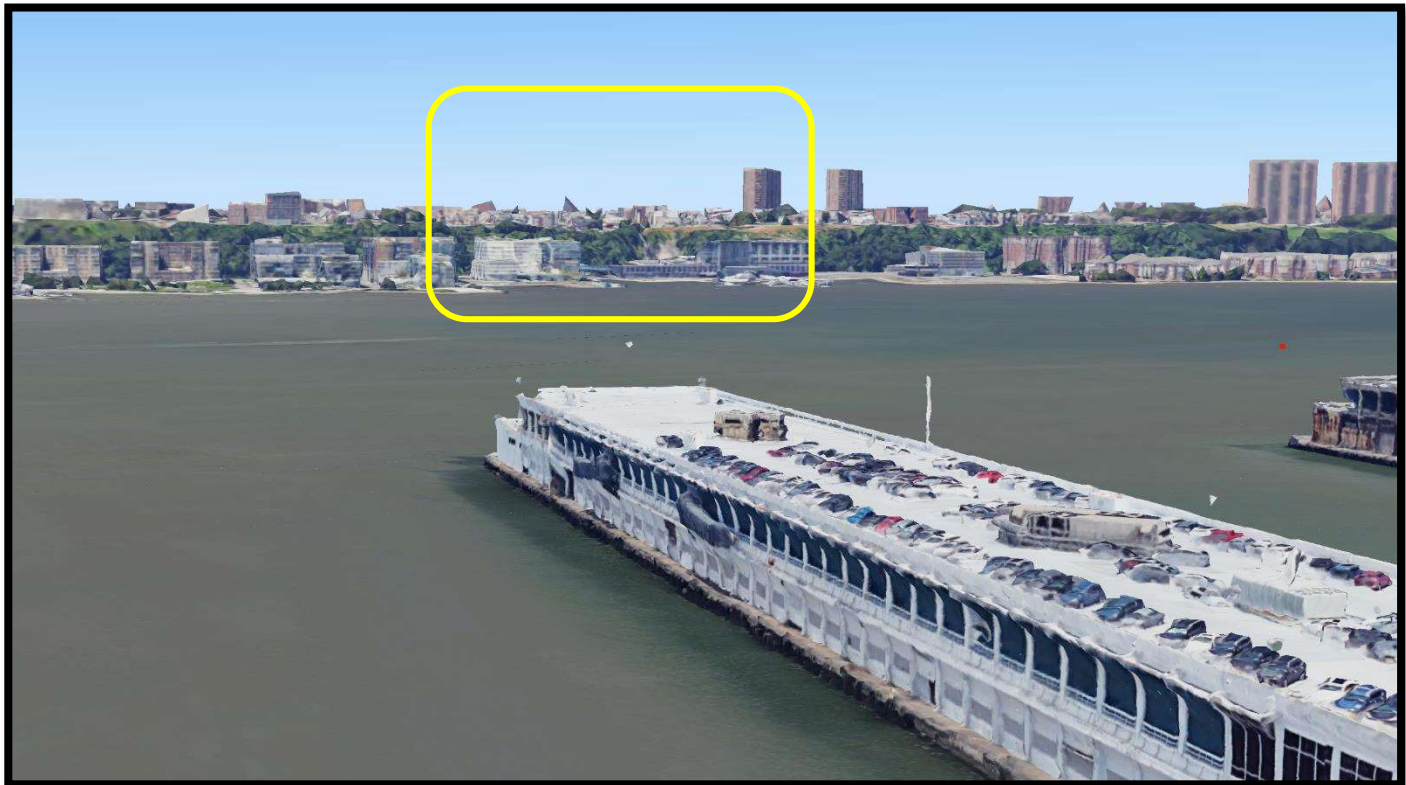
All project attachments can be downloaded at the 'File Upload/Manage Attachments' page.




Pier 90 300 Drones Site Map
50TH W 50th St, New York, NY 10006

July30th, 2024

Wide Angle View






 Flight Area (Approx. 400' W X 300' D X 400' AGL)

Wide Angle View (angled perspective)



Landing Zone View

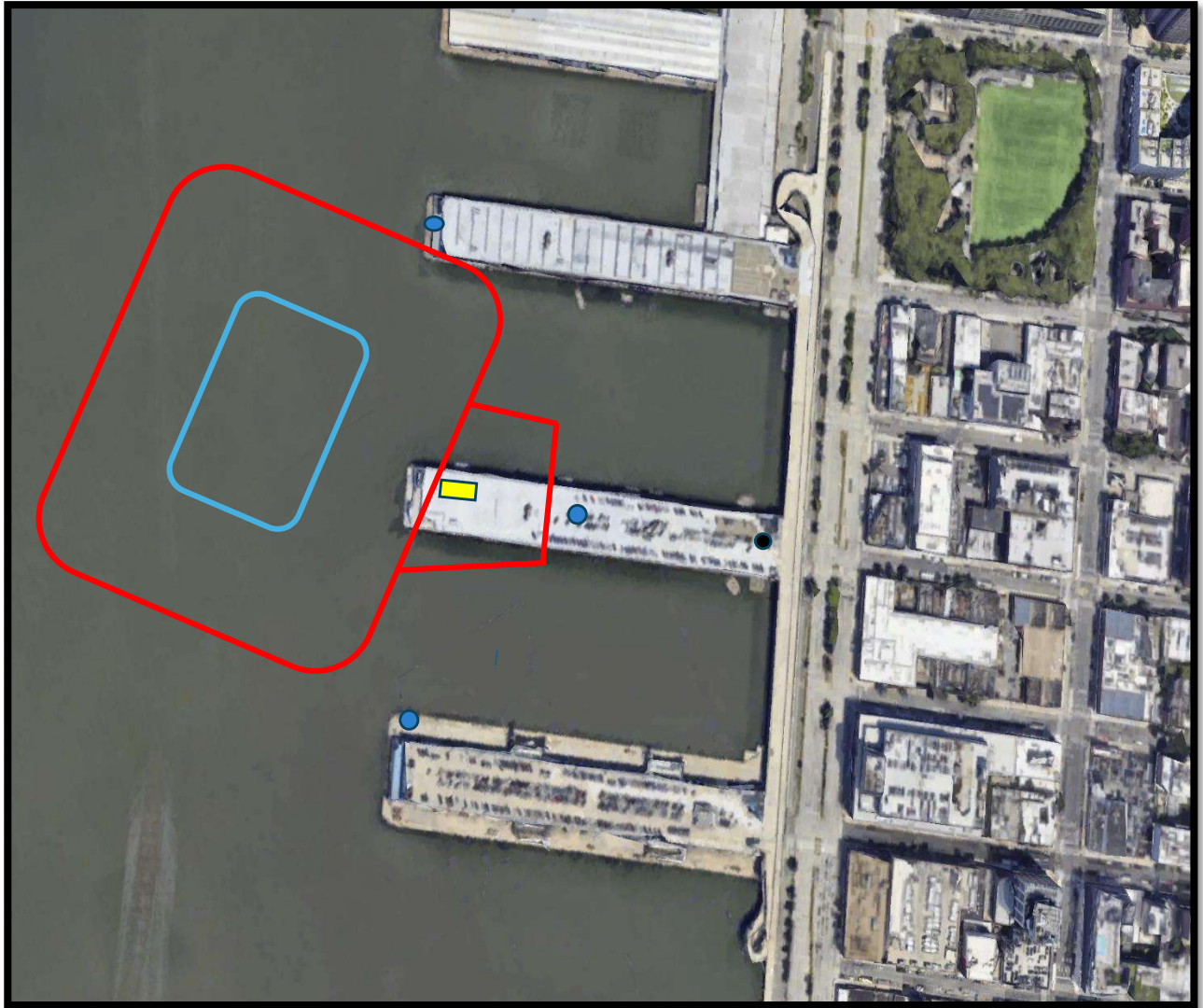






-  Landing Zone: 100' D X 33', 4" W Drone Configuration: 10W X 30D (1M)
10M W X 30M D
-  Ground Control Tent
-  Honda EU 3000W Generator

Landing Zone: 40°46'05.3"N 73°59'59.9"W
Flight Area: 40°46'07.7"N 74°00'03.3"W
Viewing Area: 40°45'56.0"N 73°59'49.0"W

Distance to Viewing Location: 1,600'

Landing Zone & Flight Area View



-  Landing Zone
-  Flight Area: 400' W X 300' D X 400' AGL
-  Safety Perimeter at 200'
-  Visual Observers Security

NOTES:

- Airspace: Class B 0' Show Time: TBD
- Considerations
 - Area within Safety Perimeter to be clear of people & active vehicles during the show.



Critical Habitat Report

Area of Interest (AOI) Information

Area : 0.14 km²

Jul 11 2024 14:36:36 Eastern Daylight Time

Summary

Name	Count	Area(km ²)	Length(m)
All Critical Habitat Polyline	0	N/A	0
All Critical Habitat Polygon	0	0	N/A

Environmental Sensitivity Index: Resources at Risk



This report was generated on 7/11/24, 2:22 PM

Atlas(es) used in this report: **New York and New Jersey**

Months selected in this report: Jul

Summary Results

*Species listed in **bold red** are considered threatened, endangered or of conservation concern by the state or federal government

[New York and New Jersey Benthic Habitats](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Bird Habitat](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Birds \(point\)](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Fish Habitat](#)

Species of concern (1):

Shortnose sturgeon

[New York and New Jersey Habitats \(point\)](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Invertebrates](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Marine Mammals](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Reptiles](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Terrestrial Mammals](#)

No features of concern for this resource in the area drawn

[New York and New Jersey Vegetation Habitats](#)

No features of concern for this resource in the area drawn

Download ICS232 PDF

Download All ESI Tables to Excel

AOI Total Area
7 acres

© OpenStreetMap contributors.

Layer Results

New York and New Jersey Benthic Habitats

[^ Return to Summary](#)

Did not intersect any features.

New York and New Jersey Bird Habitat

[^ Return to Summary](#)

Did not intersect any features.

New York and New Jersey Birds (point)

[^ Return to Summary](#)

Did not intersect any features.

New York and New Jersey Fish Habitat

[^ Return to Summary](#)

Species of concern (1):

Shortnose sturgeon

[Download Table](#)

Search X

Name	F&E	State	Federal	Spawning	Eggs	Larvae	Juveniles	Adults
Shortnose sturgeon <i>Species: Acipenser brevirostrum</i>	*	E/E	E	-	-	-	Jan-Dec	Jan-Dec
Alewife <i>Species: Alosa pseudoharengus</i>				-	-	-	May-Nov	Mar-Jul
American eel <i>Species: Anguilla rostrata</i>				-	-	-	Jan-Dec	Sep-Nov
American shad <i>Species: Alosa sapidissima</i>				-	-	-	May-Nov	Mar-Jul
Atlantic menhaden <i>Species: Brevoortia tyrannus</i>				-	-	Apr-Jul	Apr-Nov	May-Nov
Atlantic tomcod <i>Species: Microgadus tomcod</i>				Dec-Feb	Dec-Mar	Jan-Jul	Jan-Dec	Jan-Dec
Bay anchovy <i>Species: Anchoa mitchilli</i>				May-Aug	May-Aug	May-Aug	Jul-Dec	Apr-Nov
Blueback herring <i>Species: Alosa aestivalis</i>				-	-	-	May-Nov	Mar-Jul
Bluefish <i>Species: Pomatomus saltatrix</i>				-	-	-	May-Oct	May-Oct
Killifish <i>Species: Fundulus spp.</i>				May-Aug	May-Aug	May-Aug	Jan-Dec	Jan-Dec
Northern kingfish <i>Species: Menticirrhus saxatilis</i>				-	-	-	Jun-Oct	Jun-Oct
Scup <i>Species: Stenotomus chrysops</i>				-	-	-	Jun-Oct	Jun-Oct
Silversides				May-Aug	May-Aug	May-Aug	Jan-Dec	Jan-Dec
Spot <i>Species: Leiostomus xanthurus</i>				-	-	-	Jun-Nov	Jun-Nov
Striped bass <i>Species: Morone saxatilis</i>				-	-	-	Jan-Dec	Jan-Dec
Summer flounder <i>Species: Paralichthys dentatus</i>				-	-	-	May-Oct	May-Oct
Tautog <i>Species: Tautoga onitis</i>				-	Jun	Jun	Apr-Dec	Apr-Nov
Weakfish <i>Species: Cynoscion regalis</i>				Jun-Aug	Jun-Aug	Jun-Aug	Jun-Nov	May-Dec
White perch <i>Species: Morone americana</i>				May-Jul	May-Jul	May-Jul	Jan-Dec	Jan-Dec
Windowpane <i>Species: Scopthalmus aquosus</i>				Apr-Nov	Apr-Nov	Apr-Nov	Jan-Dec	Jan-Dec
Winter flounder <i>Species: Pleuronectes americanus</i>				Nov-Mar	Nov-Mar	Nov-Mar	Jan-Dec	Oct-Jun

Showing 21 of 21 entries

Summarized from 1 total records

New York and New Jersey Habitats (point)

[Return to Summary](#)

Did not intersect any features.

New York and New Jersey Invertebrates

[Return to Summary](#)

Species of concern (0):

No features of concern for this resource in the area drawn

[Download Table](#)

Search X

Name	T&E	State	Federal	Spawning	Eggs	Larvae	Juveniles	Adults
Blue crab <i>Species: Callinectes sapidus</i>				Aug-Nov	-	-	Jan-Dec	Jan-Dec

Showing 1 of 1 entries

Summarized from 1 total records

Did not intersect any features.

New York and New Jersey Reptiles

[^ Return to Summary](#)

Did not intersect any features.

New York and New Jersey Terrestrial Mammals

[^ Return to Summary](#)

Did not intersect any features.

New York and New Jersey Vegetation Habitats

[^ Return to Summary](#)

Did not intersect any features.

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

New York County, New York



Local office

Long Island Ecological Services Field Office

☎ (631) 286-0485

📠 (631) 286-4003

USCG 340 Smith Road Safety Zone for Bank Dinner Drone Show
340 Smith Road
Shirley, NY 11967-2258

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

U.S. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> Wherever found This species only needs to be considered if the following condition applies: <ul style="list-style-type: none">This species only needs to be considered if the project includes wind turbine operations. No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization that plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1626</p>	Breeds Oct 15 to Aug 31
<p>Golden Eagle <i>Aquila chrysaetos</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1680</p>	Breeds elsewhere

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

ECG guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935</p>	Breeds Apr 15 to Aug 31
<p>Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626</p>	Breeds Oct 15 to Aug 31
<p>Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234</p>	Breeds May 20 to Sep 15
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Blue-winged Warbler <i>Vermivora cyanoptera</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds May 1 to Jun 30
<p>Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Jul 31
<p>Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Aug 10

Breeds Apr 29 to Jul 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/2974>

Chimney Swift *Chaetura pelagica*

Breeds Mar 15 to Aug 25

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Eastern Whip-poor-will *Antrostomus vociferus*

Breeds May 1 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Golden Eagle *Aquila chrysaetos*

Breeds elsewhere

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Grasshopper Sparrow *Ammodramus savannarum*
perpallidus

Breeds Jun 1 to Aug 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/8329>

Hudsonian Godwit *Limosa haemastica*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Kentucky Warbler *Geothlypis formosa*

Breeds Apr 20 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Least Tern *Sternula antillarum antillarum*

Breeds Apr 25 to Sep 5

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Lesser Yellowlegs *Tringa flavipes*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9679>

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3631>

Breeds Mar 1 to Jul 15

Pectoral Sandpiper *Calidris melanotos*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Prairie Warbler *Setophaga discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

Prothonotary Warbler *Protonotaria citrea*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 1 to Jul 31

Purple Sandpiper *Calidris maritima*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Red-headed Woodpecker *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Ruddy Turnstone *Arenaria interpres morinella*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Rusty Blackbird *Euphagus carolinus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Saltmarsh Sparrow *Ammodramus caudacuta*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9719>

Breeds May 15 to Sep 5

Scarlet Tanager *Piranga olivacea*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds May 10 to Aug 10

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Short-billed Dowitcher *Limnodromus griseus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9480>

Whimbrel *Numenius phaeopus hudsonicus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Willet *Tringa semipalmata*

Breeds Apr 20 to Aug 5

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wood Thrush *Hyllocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

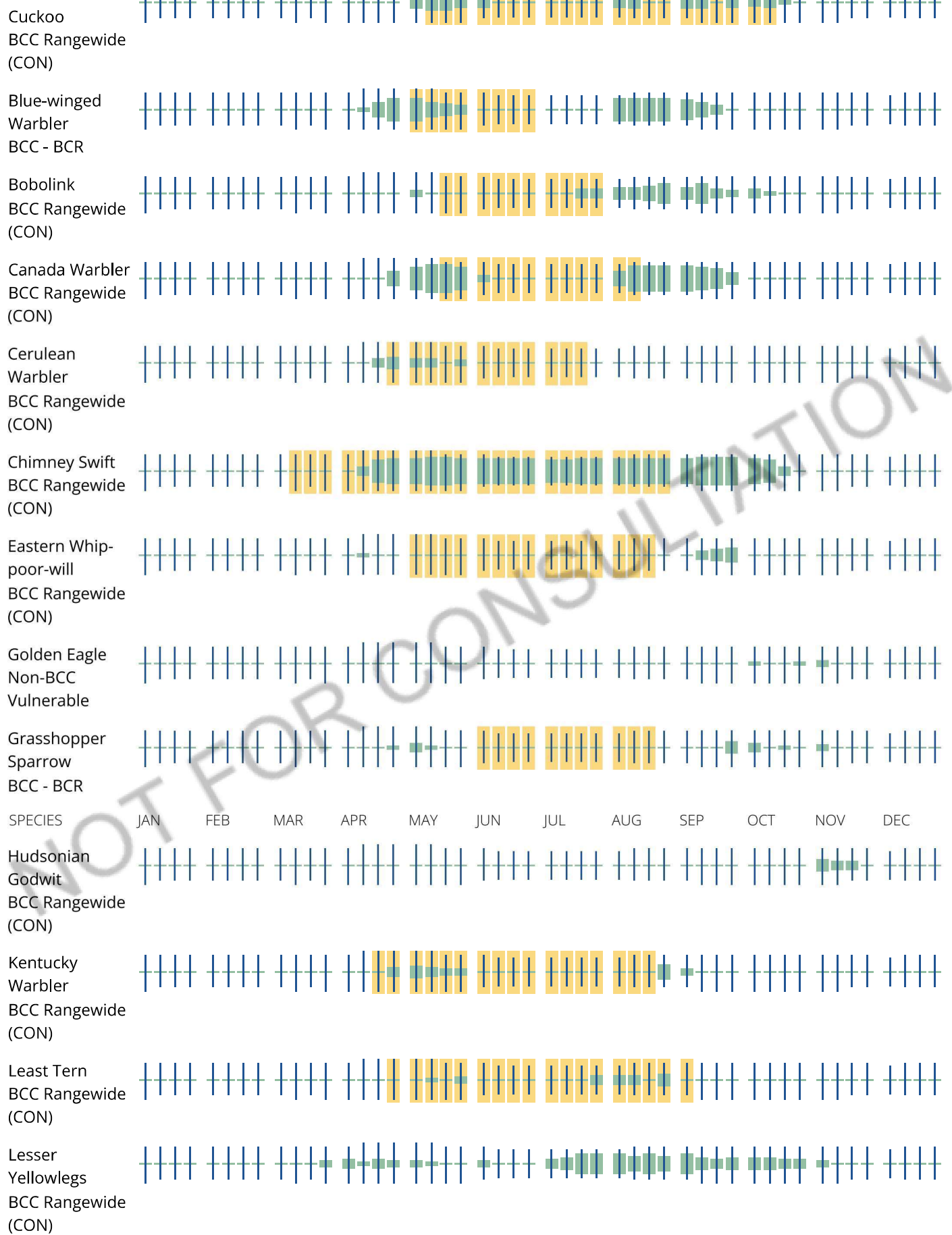
The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

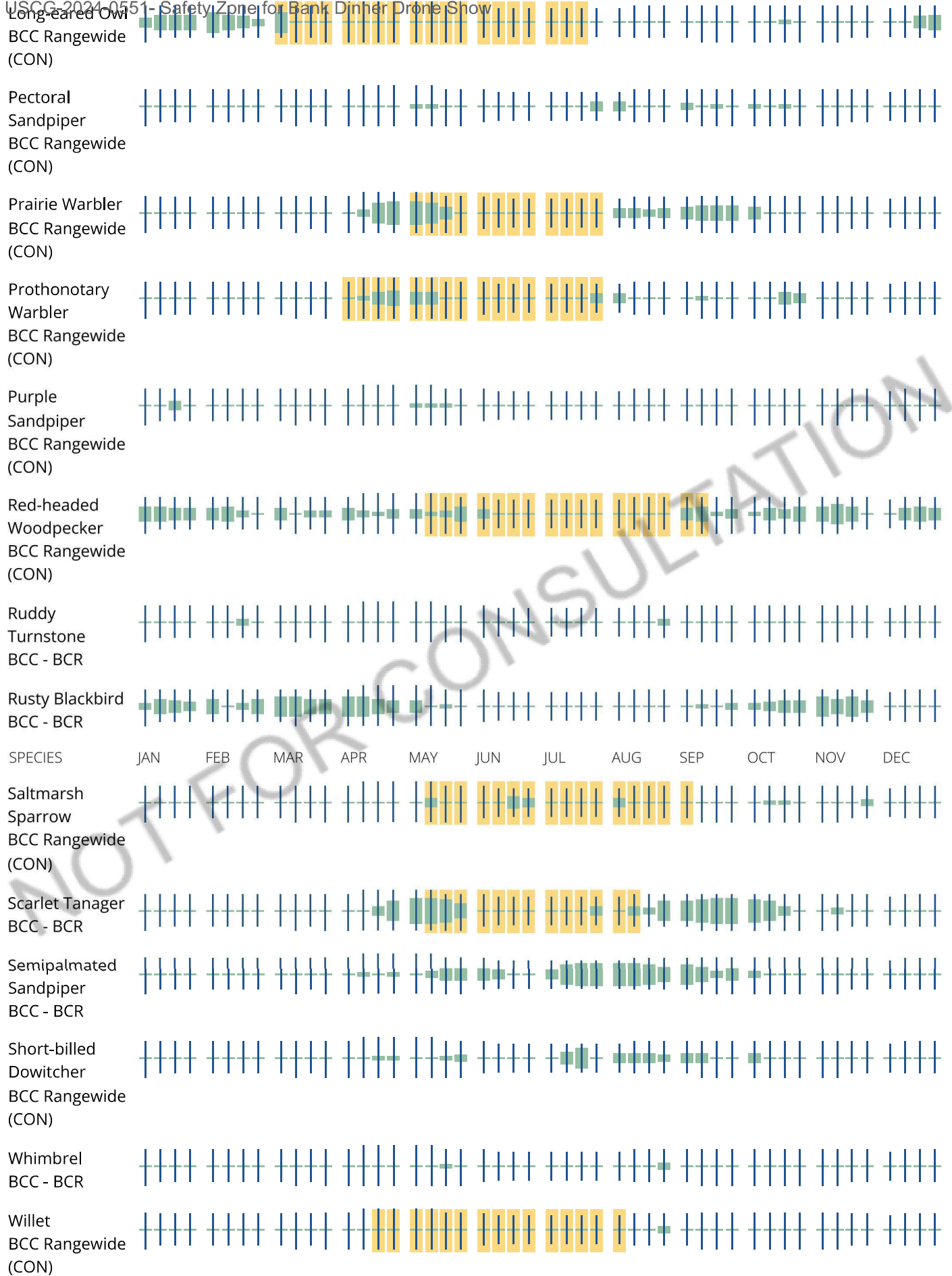
Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted



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Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird

As your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key

component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

[E1UBL](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

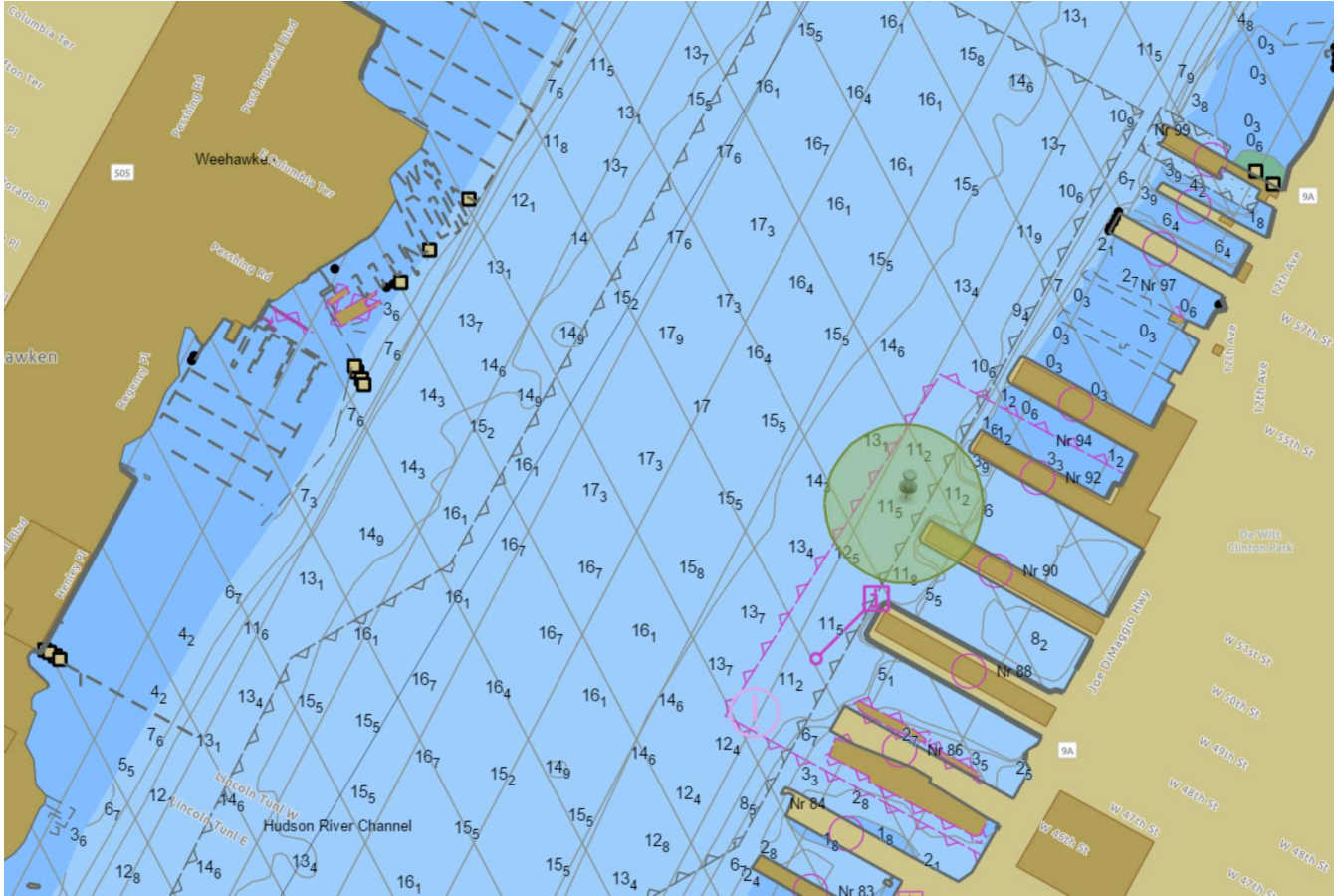
Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

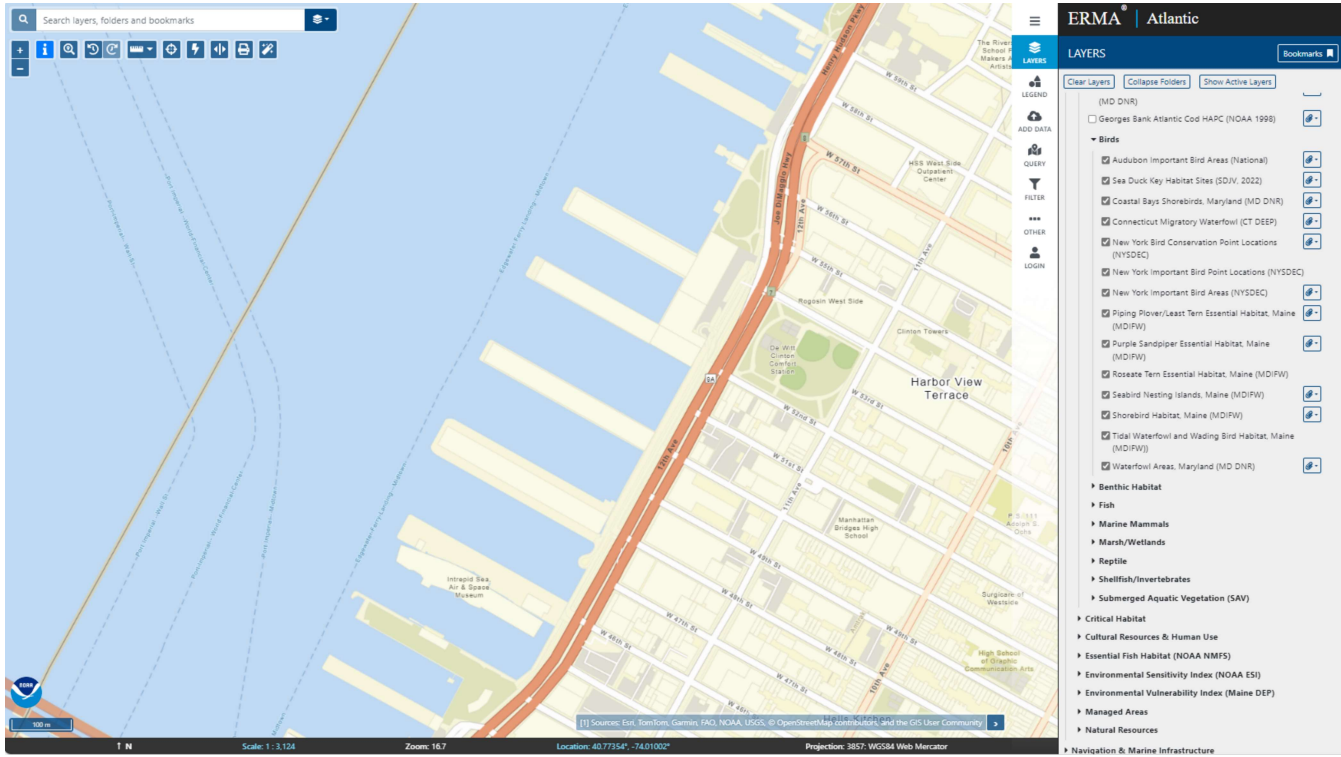
Data exclusions

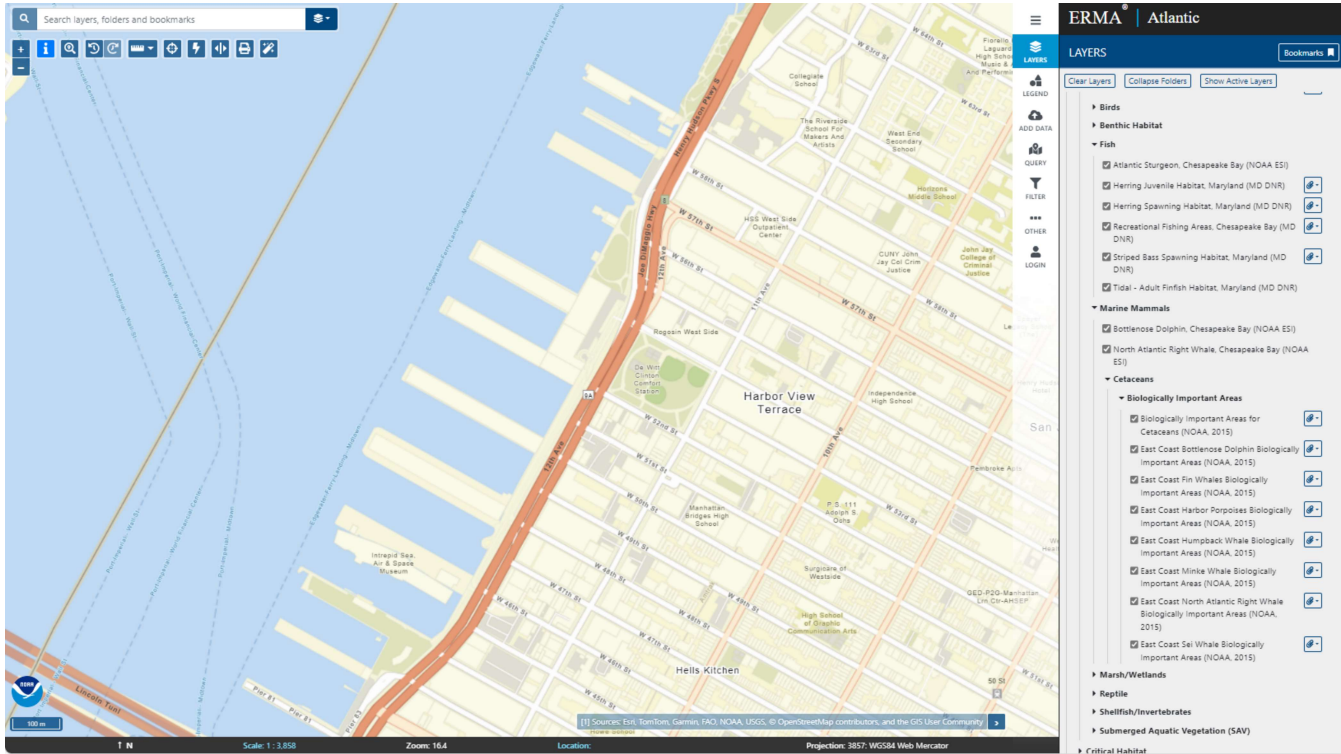
Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

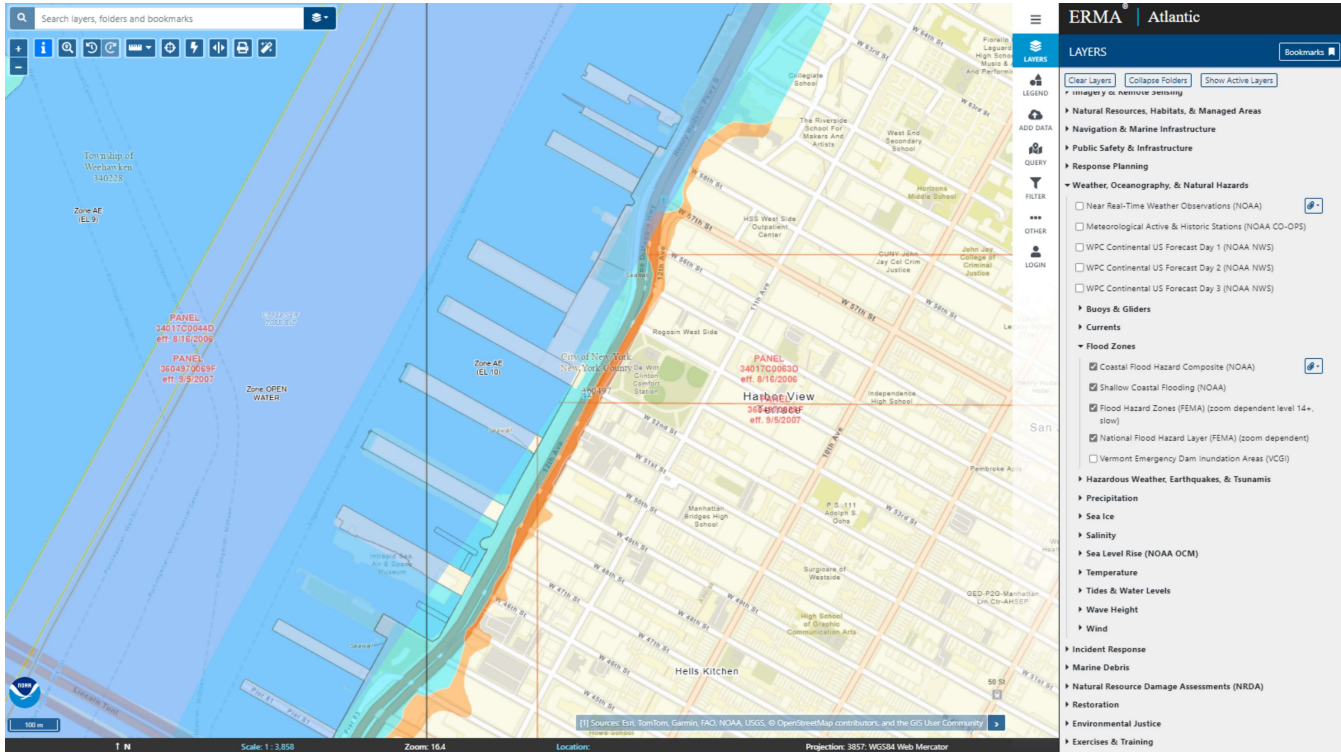
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

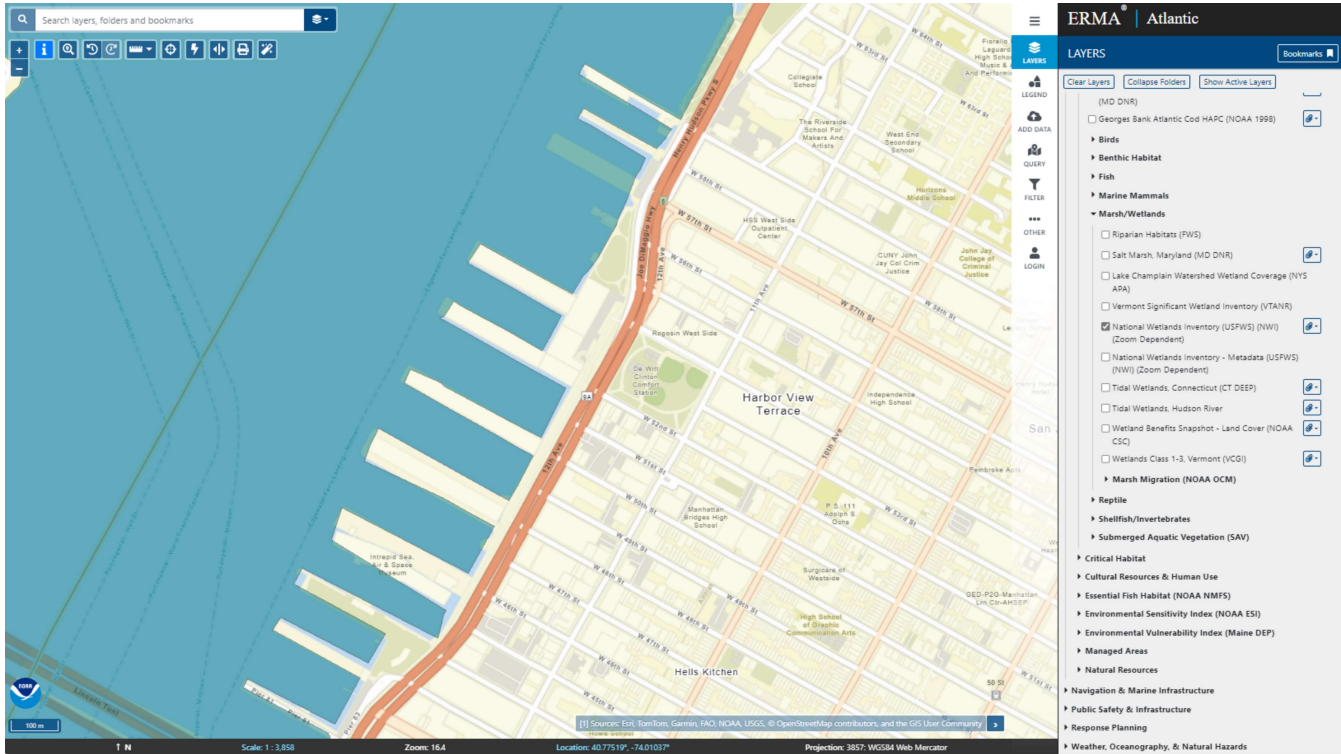


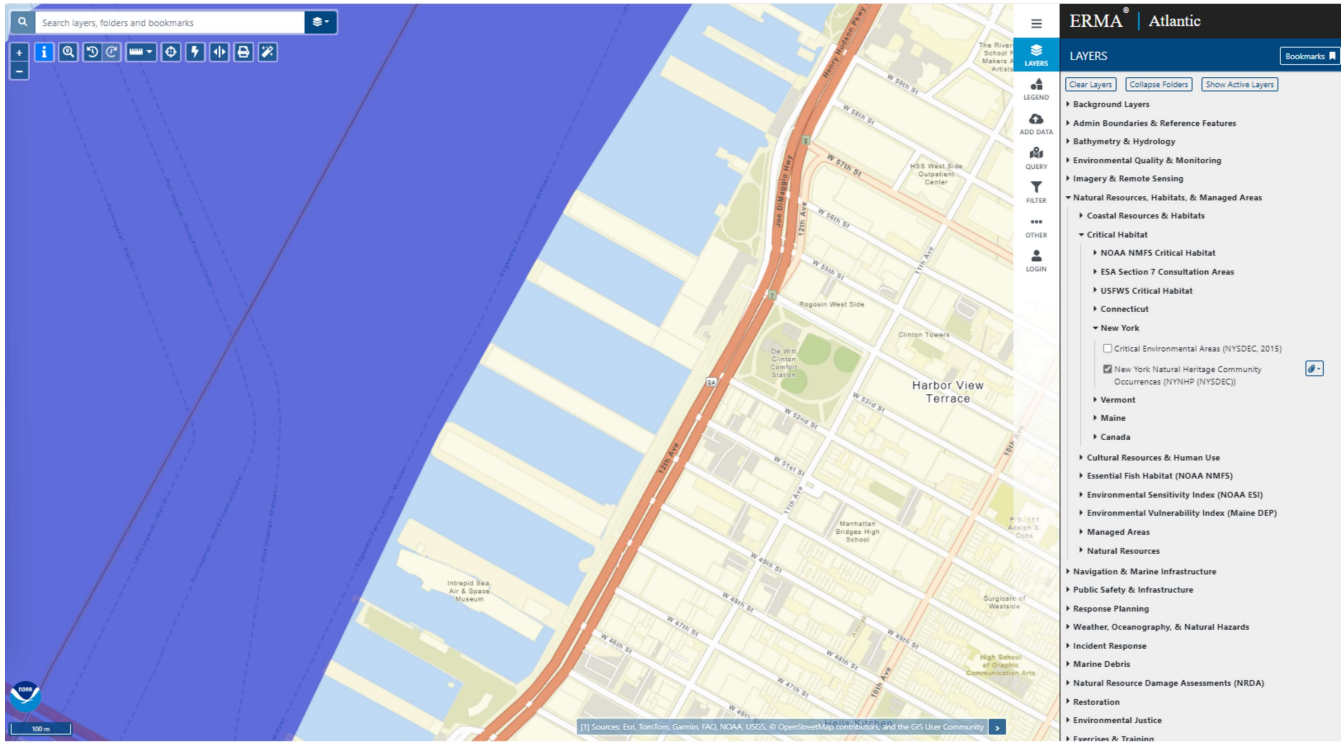




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[Summary](#)
[Layer 1083](#)
[Layer 11809](#)
[Layer 18232](#)
[Layer 18276](#)
[Layer 18277](#)
[Layer 18278](#)
[Layer 18279](#)
[Layer 18280](#)
[Layer 18281](#)
[Layer 36422](#)
[Layer 36423](#)
[Layer 36424](#)
[Layer 36638](#)
[Layer 41192](#)
[Layer 41193](#)
[Layer 49944](#)
[Layer 5992](#)
[Layer 6275](#)
[Layer 6520](#)
[Layer 6579](#)

Layer Name	Layer ID	Result Count	Comments	Information	Export
New York Bird Conservation Point Locations (NYSDEC)	1083	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Biologically Important Areas for Cetaceans (NOAA, 2015)	11809	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Coastal Flood Hazard Composite (NOAA)	12010	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
National Flood Hazard Layer (FEMA) (zoom dependent)	12030	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Flood Hazard Zones (FEMA) (zoom dependent level 14+, slow)	12031	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
East Coast Humpback Whale Biologically Important Areas (NOAA, 2015)	18232	Access to this data has been restricted by the data owner.	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	X
East Coast Bottlenose Dolphin Biologically Important Areas (NOAA, 2015)	18276	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
East Coast Fin Whales Biologically Important Areas (NOAA, 2015)	18277	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
East Coast Harbor Porpoises Biologically Important Areas (NOAA, 2015)	18278	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
East Coast Minkie Whale Biologically Important Areas (NOAA, 2015)	18279	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
East Coast North Atlantic Right Whale Biologically Important Areas (NOAA, 2015)	18280	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
East Coast Sei Whale Biologically Important Areas (NOAA, 2015)	18281	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Audubon Important Bird Areas (National)	21370	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
	3540			Information	
Atlantic Sturgeon, Chesapeake Bay (NOAA ES)	36422	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Bottlenose Dolphin, Chesapeake Bay (NOAA ES)	36423	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
North Atlantic Right Whale, Chesapeake Bay (NOAA ES)	36424	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Tidal - Adult Finfish Habitat, Maryland (MD DNR)	36560	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Herring Spawning Habitat, Maryland (MD DNR)	36561	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X

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Striped Bass Spawning Habitat, Maryland (MD DNR)	36562	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Herring Juvenile Habitat, Maryland (MD DNR)	36564	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Recreational Fishing Areas, Chesapeake Bay (MD DNR)	36565	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Waterfowl Areas, Maryland (MD DNR)	36566	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Coastal Bays Shorebirds, Maryland (MD DNR)	36568	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Shellfish Habitats, New England (TNC 2013)	36638	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Tidal Waterfowl and Wading Bird Habitat, Maine (MDIFW)	41192	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Roseate Tern Essential Habitat, Maine (MDIFW)	41193	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Sea Duck Key Habitat Sites (SDIV, 2022)	49944	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Shallow Coastal Flooding (NOAA)	579	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
Shorebird Habitat, Maine (MDIFW)	5992	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Purple Sandpiper Essential Habitat, Maine (MDIFW)	6275	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Piping Plover/Least Tern Essential Habitat, Maine (MDIFW)	6320	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Seabird Nesting Islands, Maine (MDIFW)	6579	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
National Wetlands Inventory (USFWS) (NWI) (Zoom Dependent)	6935	Data not available.	This layer is external to ERMA, such layers are not queryable using this tool.	Information	X
New York Natural Heritage Community Occurrences (NYNHP (NYSDEC))	800	1		Information	<input type="checkbox"/>
Connecticut Migratory Waterfowl (CT DEEP)	855	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
Shellfish Areas (NJ DEP)	898	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
New York Important Bird Point Locations (NYSDEC)	936	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	
New York Important Bird Areas (NYSDEC)	946	0	Your polygon(s) did not intersect any of the features in this layer, you might consider a larger polygon.	Information	

