



**NEW YORK STATE  
ORNITHOLOGICAL ASSOCIATION, INC.**  
*For the Birders and Birds of the Empire State since 1948*

March 7, 2007

Glenn Cooke, Executive Director  
Seneca County Industrial Development Agency  
1 DiPronio Drive  
Waterloo, NY 13165

Dear Mr. Cooke:

I am writing on behalf of our organization to express serious concerns over the finding of no significant environmental impact from the proposed development of ethanol and biofuels plants and related conversion of lands to grow fuels for these plants at the former Seneca Army Depot.

This negative declaration under the State Environmental Quality Review means that a full Environmental Impact Statement will not be prepared. We feel strongly that the project in fact will bring about significant impacts to wildlife and wildlife habitat, and particularly to bird species that are at risk in the state and beyond. It is essential that this project receive a full and thorough environmental review.

Lands of the former Seneca Army Depot are of major environmental importance for several reasons. Analyses of satellite imagery have shown that the former Army lands consist of about 80% shrubland habitat. This is the largest contiguous shrubland habitat in New York (New York GAP data). Birds and mammals of this habitat are in rapid decline, in contrast to, e.g., increased populations for birds of wetlands and of forests<sup>1</sup>. Conversion of a large portion of the wildlife habitat on these lands into corn fields and other biofuels would clearly have a negative impact on wildlife that uses the shrubland habitat. Environmental loss due to the extensive development of corn and biofuels on a proposed 4,500 acres of exceptionally valuable wildlife habitat must be balanced by careful landscape analyses to identify ways to minimize the negative impact and extensive efforts to provide mitigation for the loss of wildlife habitat.

The importance of this natural habitat for wildlife is evidenced in several ways. The former Depot lands have an exceptionally high concentration of shrubland birds, many of which are rapidly declining in the eastern US. Breeding bird abundance was surveyed in the former Depot lands by J. Confer and compared to the abundance determined by the federal Breeding Bird Survey for the eastern US. In the following table, shaded species are declining and bolded species have a statistically significant decline in eastern US. The striking feature of the results of this survey is that so many of the species that are declining elsewhere are maintained in high abundance on the lands of the former Depot.

**Shrubland Birds at the Seneca Army Depot Lands,  
Surveyed 9 June, 1998 by J. L. Confer**

<b>Bird Species</b>	<b>Ratio of Abundance on Seneca Army Depot Lands vs. Abundance in eastern US</b>	<b>US Breeding Bird Survey Trends for eastern US (Annual population trend--%)</b>
Willow Flycatcher	49.2	3.1
<b>Song Sparrow</b>	<u>27.3</u>	<u>-1.3</u>
American Bittern	26.3	4.0
Blue-winged Warbler	16.0	1.8
<b>Brown Thrasher</b>	<u>14.6</u>	<u>-3.8</u>
Red-tailed Hawk	11.1	3.4
Yellow Warbler	10.7	0.9
<b>Field Sparrow</b>	<u>7.9</u>	<u>-4.0</u>
Bank Swallow	7.3	-1.8
Gray Catbird	4.0	<u>-0.1</u>
Eastern Kingbird	3.9	-1.6
Common Yellowthroat	3.7	<u>-0.2</u>
<b>American Goldfinch</b>	<u>3.6</u>	<u>-2.3</u>
<b>Ring-necked Pheasant</b>	<u>3.6</u>	<u>-4.9</u>
Great Crested Flycatcher	2.9	-0.5
Turkey Vulture	2.9	3.9
<b>Eastern Towhee</b>	<u>2.8</u>	<u>-4.2</u>
Brown-headed Cowbird	2.7	-2.8
Alder Flycatcher	2.6	1.9
White-breasted Nuthatch	2.5	0.4
Baltimore Oriole	1.9	-0.7
<b>Eastern Meadowlark</b>	<u>1.6</u>	<u>-4.9</u>
Black-capped Chickadee	1.6	1.8
Red-bellied Woodpecker	1.5	1.6

Mourning Dove	1.4	2.1
Killdeer	1.4	-0.4
Chestnut-sided Warbler	0.9	<b><u>-0.4</u></b>
Wood Thrush	0.8	-1.9
Blue Jay	0.8	-1.2
Tree Swallow	0.7	1.2
Bobolink	0.6	0.2
Cedar Waxwing	0.6	0.9
House Wren	0.6	<b><u>-0.1</u></b>
American Robin	0.5	-0.4
Northern Cardinal	0.5	0.2
American Crow	0.4	1.3
<b>Red-winged Blackbird</b>	<b><u>0.3</u></b>	<b><u>-2.8</u></b>
European Starling	0.2	-1.9
Common Grackle	0.1	-1.9

Another survey of birds in the former Depot lands was conducted by Jeff Gerbracht and Julie Hart. The number of species (63) and the abundance of individual species that were detected are unusually high for a survey in the end of July, well past the breeding season when birds are more conspicuous.

**Avian survey in Seneca Army Depot Lands-North,  
Surveyed 31 July, 2003 by J. Gerbrecht and J. Hart**

<b>Number of species: 63</b>		<b>Individuals</b>
Canada Goose -	<i>Branta canadensis</i>	32
Wood Duck -	<i>Aix sponsa</i>	48
Mallard -	<i>Anas platyrhynchos</i>	15
Wild Turkey -	<i>Meleagris gallopavo</i>	23
Great Egret -	<i>Ardea alba</i>	3
Green Heron -	<i>Butorides virescens</i>	1
Osprey -	<i>Pandion haliaetus</i>	8
Red-tailed Hawk -	<i>Buteo jamaicensis</i>	5
American Kestrel -	<i>Falco sparverius</i>	17
Virginia Rail -	<i>Rallus limicola</i>	3
Killdeer -	<i>Charadrius vociferus</i>	1
Least Sandpiper -	<i>Calidris minutilla</i>	1
Ring-billed Gull -	<i>Larus delawarensis</i>	1
Mourning Dove -	<i>Zenaida macroura</i>	35
Yellow-billed Cuckoo -	<i>Coccyzus americanus</i>	2
Chimney Swift -	<i>Chaetura pelagica</i>	5
Belted Kingfisher -	<i>Ceryle alcyon</i>	3

Red-headed Woodpecker	-Melanerpes erythrocephalus	2
Downy Woodpecker	- Picoides pubescens	2
Northern Flicker	- Colaptes auratus	15
Eastern Wood-Pewee	- Contopus virens	3
Alder Flycatcher	- Empidonax alnorum	5
Willow Flycatcher	- Empidonax traillii	8
Eastern Phoebe	- Sayornis phoebe	4
Eastern Kingbird	- Tyrannus tyrannus	12
Warbling Vireo	- Vireo gilvus	1
Red-eyed Vireo	- Vireo olivaceus	3
Blue Jay	- Cyanocitta cristata	8
American Crow	- Corvus brachyrhynchos	6
Purple Martin	- Progne subis	12
Tree Swallow	- Tachycineta bicolor	360
Bank Swallow	- Riparia riparia	138
Barn Swallow	- Hirundo rustica	44
Black-capped Chickadee	- Poecile atricapillus	26
Tufted Titmouse	- Baeolophus bicolor	2
White-breasted Nuthatch	- Sitta carolinensis	5
Marsh Wren	- Cistothorus palustris	2
Eastern Bluebird	- Sialia sialis	1
Wood Thrush	- Hylocichla mustelina	2
American Robin	- Turdus migratorius	69
Gray Catbird	- Dumetella carolinensis	25
Northern Mockingbird	- Mimus polyglottos	9
European Starling	- Sturnus vulgaris	628
Cedar Waxwing	- Bombycilla cedrorum	32
Blue-winged Warbler	- Vermivora pinus	4
Yellow Warbler	- Dendroica petechia	11
Common Yellowthroat	- Geothlypis trichas	14
Scarlet Tanager	- Piranga olivacea	1
Eastern Towhee	- Pipilo erythrophthalmus	30
Chipping Sparrow	- Spizella passerina	6
Field Sparrow	- Spizella pusilla	22
Grasshopper Sparrow	- Ammodramus savannarum	4
Song Sparrow	- Melospiza melodia	18
Swamp Sparrow	- Melospiza georgiana	3
White-throated Sparrow	- Zonotrichia albicollis	1
Northern Cardinal	- Cardinalis cardinalis	5
Rose-breasted Grosbeak	- Pheucticus ludovicianus	1
Indigo Bunting	- Passerina cyanea	1
Red-winged Blackbird	- Agelaius phoeniceus	84
Eastern Meadowlark	- Sturnella magna	16
Common Grackle	- Quiscalus quiscula	14
Baltimore Oriole	- Icterus galbula	1
American Goldfinch	- Carduelis tristis	43

Both of the surveys listed above show an unusually high concentration of migratory wildlife using shrubland habitat that would be greatly reduced or even eliminated by conversion of these lands into agricultural use. The project will significantly reduce the wildlife that occurs on the former Depot lands as the survey data supports. Contrary to the unsubstantiated statement of the Negative Declaration which says the environmental benefits will be “positive”, the project certainly will have a negative impact on wildlife.

Early in the consideration of the disposal of the Seneca Army Depot lands, both the Finger Lakes Land Trust and Ithaca College each submitted a formal petition requesting transfer of ownership of portions of this land. Both institutions were motivated by the exceptional environmental value of these lands and by an interest in their conservation and in the use of this area for environmental recreation and education. Neither institution would have had the slightest interest in a corn field with its low environmental value.

The New York State Department of Environmental Conservation (NYSDEC) also considered requesting transfer of ownership. NYSDEC’s interest in the preservation of these lands demonstrates its recognition of their environmental value, although the state eventually decided that administrative costs would be too large.

Audubon New York has compiled a list of the *Important Bird Areas of New York*<sup>ii</sup>. Surveys of habitat throughout all of New York by academicians, wildlife biologists, and dedicated amateurs have produced a list of only 136 areas especially worthy of protection for their unusual avian community. The lands of the former Seneca Army Depot are included as one of these Important Bird Areas of New York. The account explicitly emphasizes the primary importance for this site of the abundance of shrubland birds that occur on these lands but are declining elsewhere.

Conversion of 4,500 acres of the wildlife habitat into row crops and dense willow plantings will cause a substantial loss of habitat and wildlife. Almost none of the migratory species listed above would nest in corn fields and only in very low numbers. Although dense planting of willow provide habitat used for nesting by a very few individuals, experimental studies have shown that dense shrub habitat supports far fewer individuals and species of birds than shrublands dominated by open space and herbaceous plants<sup>iii</sup>.

The rationale for the Notice of a Determination of Non-Significance is based on erroneous statements that have major environmental consequences. The Notice claims that conversion of the shrubland habitat into agricultural uses will have “a positive impact on vegetation and wildlife”. Data supporting the great value to wildlife of the existing shrubland habitat is well substantiated and widely recognized. Conversion of this shrubland habitat into agricultural uses would

have a major negative effect on migratory birds that nest in shrubland. It would also have a negative effect on winter forage for deer that browse on shrubs. The Notice states that "The Project will not substantially interfere with or impact any resident or migratory fish or wildlife species." This claim disregards the extensive destruction of nesting habitat for many migratory species, as this large area of shrubland habitat is converted to agricultural lands. The Notice further states that the existing habitat consists "of low-value shrub and brush". In contrast, an environmentally sound assessment would recognize that the habitat is a very high value ecosystem, one of the 136 Important Bird Areas of New York largely because of the presence of the extensive shrubland habitat. The Notice claims that "The Project will not have a significant impact on open space and recreational uses". However, the loss of the potential to view natural habitat and its wildlife will be a significant loss for many.

The assessment of the value of shrubland habitat that would be lost by this project is significantly in error. An Environmental Impact Statement is unquestionably needed for this project. If the project should proceed, we strongly urge that development of green energy minimize negative impacts on wildlife and that habitat mitigation be provided that is at least equivalent in area and quality to the wildlife habitat that will be lost.

Sincerely,



Andrew Mason, President

1039 Peck St.  
Jefferson, NY 12093  
(607) 652-2162  
AndyMason@earthling.net

cc:

Patrick Hooker, Commissioner, New York State Department of Agriculture and Markets

Peter Grannis, Commissioner Nominee, New York State Department of Environmental Conservation

Sean Hanna, Regional Director, New York State Department of Environmental Conservation

David Kaiser, Town Supervisor, Romulus

Joan Teichner, Town Supervisor, Varick

Donna Karlsen, Town Clerk, Varick

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<sup>i</sup> US Breeding Bird Survey at Sauer, J. R., J. E. Hines, and J. Fallon. 2005. *The North American Breeding Bird Survey, Results and Analysis 1966 - 2005*. URL <[USGS Patuxent Wildlife Research Center](#)>, Laurel, MD, and *Early-Successional Forests and Shrubland Habitats*. 2003. A special issue on in the journal of Forest Ecology and Management.

<sup>ii</sup> Berger, M. and J. Liner. 2005. *Important Bird Areas of New York*. New York Audubon.

<sup>iii</sup> Confer, John L. 2002. Management, vegetative structure and shrubland birds on rights-of-way. *In Environmental Concerns in Rights-of-Way Management, Seventh International Symposium* (J. W. Goodrich-Mahoney, Ed.). Electric Power Research Institute, Washington, D.C. and Confer, J. L., T. Hauck, M. E. Silvia, V. Frary. in press. *Managing Rights-of Way Shrublands for the Avian Community*. *In Environmental Concerns in Rights-of-Way Management, Seventh International Symposium* (J. W. Goodrich-Mahoney, Ed.). Electric Power Research Institute, Washington, D.C.