

PETER D. TORGERSEN,
ENVIRONMENTAL SCIENCES

110 Town Line Road, Pearl River New York 10965, 845 642 8939 petertorger271@gmail.com

John D. Fuller PE
4 South Street
Port Jervis, New York, 12771

July 13, 2021

Re: Endangered Species Report for New Century Film

Dear Mr. Fuller,

The above 40.66 acre site is bordered to the north by Route 209, to the east by Neversink Drive, to the west by existing residential development and to the south by the Neversink River. This site previously was used as an equestrian facility and there currently is a barn, a large indoor riding area, an office and two private residences. Much of the site is either lawn or private use agriculture field/gardens. Very little of the site has not been impacted by man, even the narrow band of floodplain forest along the riverbank appears to have been somewhat cleared of brush. The proposed development is limited to renovating the existing indoor riding area into a professional office/ film studio type of use. There are no proposed outdoor disturbances, site clearing or grading to occur.

The NYSDEC has provided the names of 5 animals and one type of a rare natural community as being located at or around this specific location. These species are the Bald Eagle, Dwarf Wedgemussel, The Brook Floater, The Timber Rattlesnake and Floodplain Forest. While onsite I saw a Bald Eagle flying along the river 3 times in three hours. Odds are it was the same bird. I saw no nests in any onsite trees. The Bald Eagle has made a successful comeback and is no longer listed as federally rare or endangered; in fact the population is steadily increasing with documented nest sites now located in both Orange and Rockland County. The proposed renovation of the riding arena will have no impacts to either eagle roost trees or eagle feeding areas.

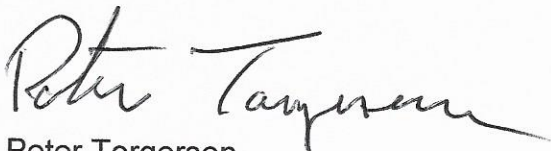
The Timber Rattlesnake has been documented within 1 mile of this site. During the site review I saw a Black Snake approximately 36" long as well as 2 Garter Snakes, no rattlesnakes were observed. Located just to the north is a steep, stony hillside between Big Pond Road and Peenpack Trail that is textbook rattlesnake habitat. The hillside faces to the south so it receives the maximum amount of sunlight. There are cracks and fissures in the rocks as well as small tallus piles that can provide winter den sites. Across the Neversink River is also a steep stony hillside that also meets almost all requirements for optimum snake habitat, the only negative is that the hillside faces to the north. Perfect habitat or not the Neversink River represents an insurmountable obstacle for any snakes that wander that far from their winter den. While male snakes are known to travel a few miles from their winter den sites females usually stay very close to the den. The snakes located to the north must cross 4 or 5 roads as well as numerous residential yards to ever make it to the project site. While not

impossible this seems highly unlikely because suitable habitat is to be found much closer with much less risk or effort. I feel that the project site does not represent potential snake habitat in any useful way.

The Dwarf Wedgemussel, Brook Floater and the Alewife Floater are freshwater mussels that are listed as endangered, threatened and critically imperiled respectively. All three have been documented in the Neversink River. While conducting my review I found what I believe to be Alewife Floater shells just upstream from the project site. The stretch of river this property fronts appears to be quite suitable habitat for the three species of mussels mentioned by DEC. The main threats to these species are pollution and siltation caused by riverbank development. This project has no proposed outside disturbances and there are no buildings or paved areas within 300 to 400 feet of the existing banks. The onsite agriculture use is organic in philosophy and does not use any chemicals that could potentially impact any water quality. This current proposal will not impact any freshwater mussels locate directly next to or downstream from the project site.

Along the riverbank is a narrow band of what is called floodplain forest. While there mature trees remain it would appear that this area has been somewhat impacted by the removal of brush. The forest is wider at the east end of the site and is quite narrow at the west end. There are no signs of invasive species such as Phragmites, Japanese Knotweed, Purple Loosestrife or Barberry, 4 plant species that are present on the adjacent property just east across Neversink Drive. There are no proposed impacts to the existing onsite floodplain forest.

Yours truly,

A handwritten signature in black ink, appearing to read "Peter Torgersen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Peter Torgersen