

B. LAING ASSOCIATES

ENVIRONMENTAL CONSULTING
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March 21, 2023

Kenneth Kovalchik, AICP
Town Planner
Guilderland Town Hall – 2nd Floor
5209 Western Turnpike
P.O. Box 339
Guilderland, NY 12084

**Re: Existing Trees at the Proposed Costco Location
Development at Crossgates Mall, Town of Guilderland, Albany County**

Mr. Kovalchik,

B. Laing Associates is the environmental consulting firm which has provided Pyramid Management Group, LLC (“Pyramid”) with numerous ecological and environmental services with regard to the proposed projects/developments at Crossgates Mall, in the Town of Guilderland, Albany County. In this case, we are providing guidance regarding the northern long-eared bat (*Myotis septentrionalis*, NLEB) based on the email you sent to Jim Soos.

At this point, we do not see the need to undertake additional tree surveying at the project site. The reason for that opinion is:

1. The trees on site were surveyed as a part of the original SEQR work for this project. The majority of the trees standing along the long-abandoned section of “Old Rapp Road,” are largely cottonwood (*Populus deltoides*) in addition to black locust (*Robinia pseudoacacia*), among others. Shagbark hickory (*Carya ovata*), or other common NLEB habitat trees were not observed anywhere on the proposed Costco site. The remaining trees which exist throughout the unoccupied residential lots are mostly white pine (*Pinus strobus*) and ornamental trees which also not considered suitable NLEB habitat.
2. The seasonal tree cutting restriction is not required by the NYSDEC at this site. Paul Novak, Wildlife Diversity Biologist at the NYSDEC, wrote that the “project site is beyond the distance to the nearest Northern long-eared bat hibernaculum that would require that all tree cutting be done within the November 1-March 31 window.” See enclosed documentation. Regardless of the species of trees that exist, the project can clear most of the trees during the unrestricted winter time frame (i.e., when bats are in underground winter hibernaculum).

3. The NYSDEC does not show the Town of Guilderland as a location with the potential for summer-occurrences of NLEB and, as such, the potential for summer-roosting of this species is very low (as described in our January 9 letter). To date, B. Laing Associates has not observed or recorded northern long-eared bats on any of the Crossgates Mall sites during the summer breeding season.
4. The loss of habitat (i.e., trees) is not a primary factor in this species' decline¹. As such, the routine removal of trees on site will not affect NLEB.

In summary, it is of the opinion of this office that the recent reclassification of this species does not require further environmental review (including additional field efforts) and the Town of Guilderland should be able to rely on previous findings under the State Environmental Quality Review Act. If I can be of any assistance in this matter, please do not hesitate to contact me as provided in our letterhead, above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Taylor Sturm', written over a horizontal line.

Taylor Sturm
Senior Project Scientist

¹ Per USFWS. See the B. Laing Associates letter, dated January 9, 2023, for more information.

From: Novak, Paul G (DEC) <paul.novak@dec.ny.gov>
Sent: Wednesday, April 1, 2020 2:38 PM
To: GM175 - Gately, Michael <MichaelGately@pyramidmg.com>; Barrie, Mary O (DEC) <mary.barrie@dec.ny.gov>
Cc: Clark, Michael D (DEC) <michael.clark@dec.ny.gov>; Gabriel, Trish M (DEC) <trish.gabriel@dec.ny.gov>
Subject: RE: Crossgates and recent tree cutting bat habitat

Michael,

Your project site is beyond the distance to the nearest Northern long-eared bat hibernaculum that would require that all tree cutting be done within the November 1-March 31 window. See link below:

<http://www.dec.ny.gov/animals/106090.html>

I did confirm with our Bat Specialist that the recommendations I discussed with you yesterday are appropriate.

Should you have any further questions regarding this matter please contact our Regional Wildlife Manager at 518-944-6565.

Paul

Paul Novak
Wildlife Diversity Biologist
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