



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

Mr. William LaPan, Chairman
Town of Fort Edward Planning Board
118 Broadway
Fort Edward, NY 12828

April 16, 2009

Dear Mr. LaPan:

I am writing on behalf of our organization regarding the Draft Environmental Impact Statement (DEIS) for the proposed Killian's View Residential Subdivision. The NY State Ornithological Assoc. (NYSOA) is the umbrella group for bird clubs and related organizations in the state with 45 member organizations representing over 25,000 members, in addition to our 650 individual members.

The objectives of NYSOA are:

to document the ornithology of the state, to foster interest in and appreciation of birds and to protect birds and their habitats.

Our comments are in the spirit of our objective to protect bird habitat, particularly those areas that support bird species that are at risk.

The location of the proposed development is in grassland habitat that has declined dramatically in New York State and elsewhere. It is well documented that this decline has had a parallel impact on the numbers of bird species that require these open areas for breeding, migration and wintering habitat. This decline has been so severe that several species of grassland birds are considered threatened or endangered—approaching extinction.

Species such as Henslow's Sparrow, Short-eared Owl, Northern Harrier, and others use the area of the proposed subdivision, and surrounding lands, and would unquestionably be negatively affected by construction and the resulting lost habitat. It is essential that the dangers to these already at risk birds be addressed as the highest priority in the environmental review of the project.

Unfortunately, the DEIS does just the opposite, and minimizes the importance of the habitat for grassland birds, in the face of evidence of the birds using this land

and adjacent areas. The loss of even a small portion of a critical habitat is a serious matter, and all efforts to avoid such an impact should be considered.

There are alternative designs for the development that would minimize the threats to grassland bird species, and still allow the developer to construct housing. A smaller number of units, located closer to already developed areas, would allow the developer to profit and preserve much of the habitat. All of the construction alternatives included in the DEIS would negatively impact these threatened and endangered species, and are unacceptable.

The DEIS also fails to adequately consider the magnitude and impacts of further growth and development—with resulting loss of grassland habitat—from the proposed construction. The availability of municipal utilities will encourage this further development, and induce construction of supporting facilities. Again, the critical nature of the surrounding habitat must be given the highest priority in assessing the impacts of the proposal.

We urge the Planning Board to fully carry out its responsibilities in the environmental review of this proposal, and ensure that the DEIS is accurate, complete, and that it gives adequate weight and consideration to the significance of this habitat to the birds that depend upon it.

Sincerely,

A handwritten signature in cursive script that reads "Andrew Mason".

Andrew Mason
Conservation Committee

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