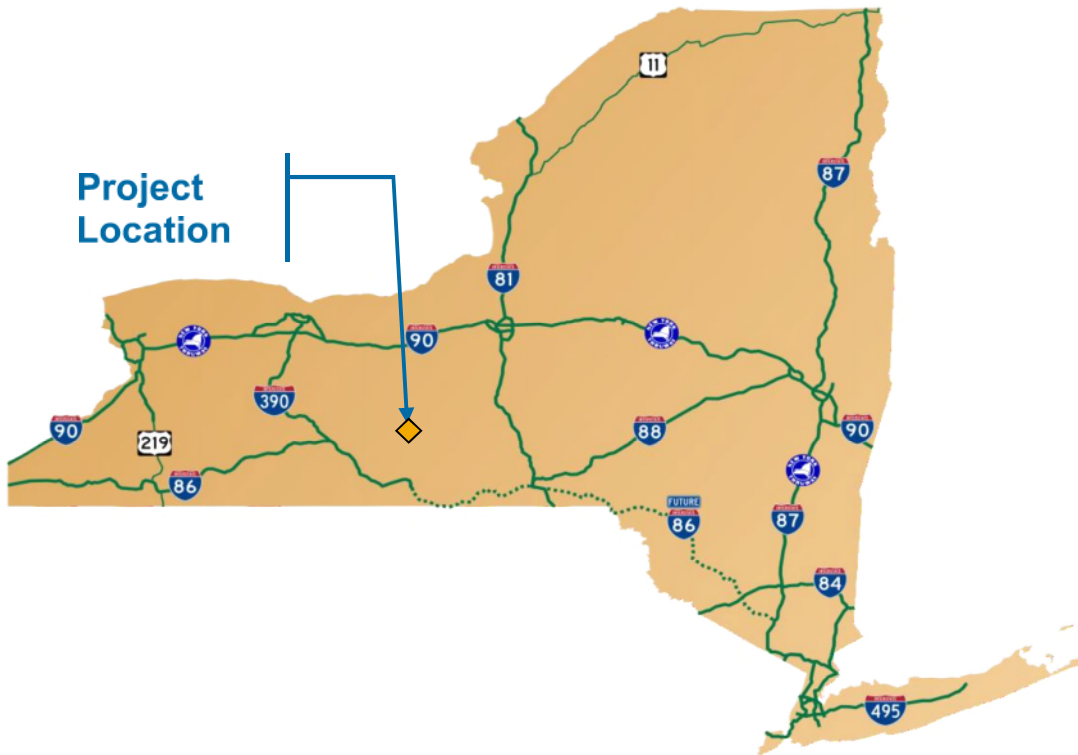


# Transportation Project Report

## Final Initial Project Proposal/Final Design Report

November 2022

Walking Safe – Cayuga Heights  
Project Identification Number (PIN): 3950.69  
Village of Cayuga Heights  
Tompkins County



Department of  
Transportation



U.S. Department of Transportation  
Federal Highway Administration



Project Approval Sheet

Milestones

Signatures

Dates

A. Recommendation for, Initiation, Scope and Design Approval:

The project cost and schedule are consistent with the Regional Capital Program.

Signature: Helena J. Bergman For D. Roth Date: 12/5/2022
David N. Roth, Acting Regional Program Manager Date

B. Recommendation for Scope, and Design, Approval:

All requirements requisite to these actions and approvals have been met, the required independent quality control reviews separate from the functional group reviews have been accomplished, and the work is consistent with established standards, policies, regulations and procedures, except as otherwise noted and explained.

No nonstandard features have been identified, created, or retained.

Signature: Peter Wlodarczyk Date: 11/23/22
Peter Wlodarczyk, P.E. Fisher Associates Date

C. Categorical Exclusion Determination on Behalf of FHWA:

This project qualifies as a Categorical Exclusion under the National Environmental Policy Act per the NYSDOT/FHWA Programmatic Agreement Regarding Categorical Exclusion.

Signature: David P. Smith Date: 12/5/22
David P. Smith, P.E. Regional Director Date

D. Public Hearing Certification (Pursuant to 23 USC 128 and 23 CFR 771.111):

A public hearing was not required.

Signature: Brent Cross Date:
Brent Cross, Superintendent of Public Works Date
Village of Cayuga Heights

E. Local Project Nonstandard Feature Approval

No nonstandard features are being retained or created on Non-NHS local roadways.

Signature: Brent Cross Date:
Brent Cross, Superintendent of Public Works Date
Works, Village of Cayuga Heights

F. Local Project Scope and Design Approval

The required environmental determinations have been made, and the preferred alternative for this project is ready for final design.

Signature: Brent Cross Date:
Brent Cross, Superintendent of Public Works Date
Works, Village of Cayuga Heights

**CONTACT:** Superintendent of Public Works

**PHONE:** (607) 257-5536

**PROJECT MANAGER:** Brent Cross

## List of Preparers

### Group Director Responsible for Production of this Initial Project Proposal/Final Design Report (IPP/FDR):

Peter Wlodarczyk, PE,

Project Manager Fisher Associates, P.E., L.S., L.A., D.P.C.

Description of Work Performed: Directed the preparation of the IPP/FDR in accordance with established standards, policies, regulations, and procedures, except as otherwise explained in this document.



**Note:** It is a violation of law for any person, unless they are acting under the direction of a licensed professional engineer, architect, landscape architect, or land surveyor, to alter an item in any way. If an item bearing the stamp of a licensed professional is altered, the altering engineer, architect, landscape architect, or land surveyor shall stamp the document and include the notation "altered by" followed by their signature, the date of such alteration, and a specific description of the alteration.



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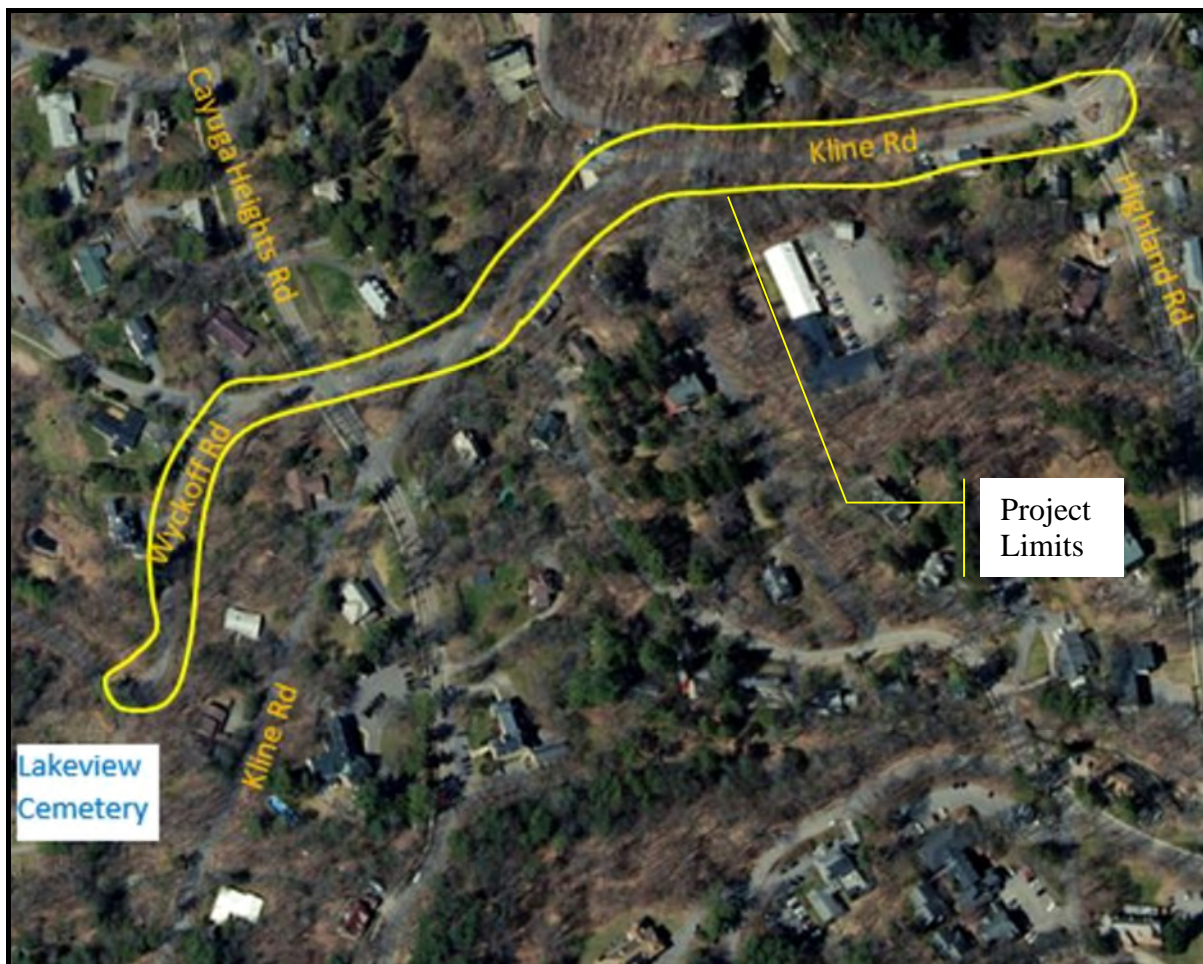
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## 1.1 PUBLIC FRIENDLY DESCRIPTION OF PROJECT

This project will complete a critical gap in the walkability of the Village of Cayuga Heights. A continuous sidewalk will be constructed along Kline Rd from Highland Rd to Wyckoff Rd and on Wyckoff Rd from Kline Rd to the Lake View Cemetery east entrance. This will complete the connection to the existing multi use trail adjacent to Ithaca High School just off East Shore Drive. This pedestrian network will also include high-visibility crosswalks and signage. The benefits of the project include providing a safe walking route to and from school, reduced vehicular traffic on this hilly corridor that has a number of blind spots that reduce visibility and environmental benefits from the reduction in traffic.

## 1.2 PROJECT LOCATION



- A. Route number: NA
- B. Route name: Kline Rd/Wyckoff Rd/Lake View Cemetery Access Rd
- C. SH (state highway) number and official highway description: NA
- D. Village: Cayuga Heights
- E. County: Tompkins
- F. Length: Kline Rd – 1000 ft  
Wyckoff Rd – 900 ft
- G. From: Kline Rd – Highland Rd to Wyckoff Rd



Wyckoff Rd – Kline Rd to Lake View Cemetery

- H. Federal Aid System: Non-NHS
- I. Functional Class: Local Road
- J. Existing AADT: N/A
- K. Trucks (%): N/A

**1.3 PROJECT NEED**

Existing Characteristics of Concern	
Element	Measure/Indicator
Curb Ramp/Pedestrian Facility Deficiencies	There are no sidewalks along the roadways within the limits of the project. Compliant facilities will be constructed to meet ADA Standards.

**Project Element(S) To Be Addressed:**

- Highway Element-Specific
- Operational Maintenance
- Bridge Element-Specific
- Where & When
- Other: Sidewalk

- Priority Results:**
- Mobility & Reliability
  - Safety
  - Security
  - Economic Competitiveness
  - Environmental Stewardship

**1.4 PURPOSE/OBJECTIVES**

- (1) Increase the walkability, connectivity, and safety of the pedestrians within the Village of Cayuga Heights.

**1.5 DESCRIPTION OF PROPOSED WORK**

**Null Alternative:** The null alternative retains the project limits with no improvements. As the null alternative does not satisfy the project objectives, the null alternative will not be considered further but will be retained for comparison.

**Alternative 1:** Alternative 1 would construct the new 4-foot sidewalk along the south side of Kline Rd from Highland Rd for approximately 250 feet and then a 5-foot sidewalk to Wyckoff Rd. The sidewalk would cross at the intersection of Wyckoff Rd and would continue on the north side of Wyckoff Rd as a 5-foot wide sidewalk to the Lake View Cemetery. Under this alternative a 3-foot grass buffer would be maintained between the roadway and the new sidewalk in the area of the 5-foot sidewalk. In the area of the 4-foot sidewalk, the sidewalk will be curbed with no grass buffer. There would be new drainage structures required to maintain proper flow of water. High visibility crosswalks will be installed at all road crossings and drainage will be modified as needed to construct the new facilities.

The project cost for Alternative 1 is approximately \$466,700. Alternative 1 is the preferred alternative as it does not require shifting of the centerline of the roadway and the construction of additional pavement to maintain the current roadway width. In addition, it does not require the stabilization of the existing slopes on the northside of the roadway. Alternative 1 falls within the

budget that is available for construction. Alternative 1 is the preferred alternative.

**Alternative 2:** Alternative 2 would construct a new 4-foot sidewalk along the north side of Kline Rd from Highland Rd to Overlook Rd and shift the road centerline approximately 2 feet south to minimize the need for a retaining wall. A 5-foot sidewalk will be constructed from Overlook Rd to the Lake View Cemetery. Under this alternative Kline Rd would be curbed with the new sidewalk constructed immediately adjacent to the roadway. Due to the existing topography a new closed drainage system would be installed. High visibility crosswalks will be installed at all road crossings and drainage will be modified as needed to construct the new facilities.

The project cost for Alternative 2 is approximately \$550,700. Alternative 2 has been ruled out as it requires the shifting of the centerline of the roadway and additional pavement on the south side of Kline Road to minimize the need for retaining wall on the north side. In addition, the crossing of Overlook Road will be very complex due to the grades of Kline Road and Overlook Road and would likely need a design exception for ADA compliance. The slopes on the north side of the road would also need stabilization and require additional trees to be cleared. Alternative 2 exceeds the budget available for construction.

## 2.1 DESIGN STANDARDS

Design Standards	
Project Type	NYSDOT Design Guidance
Drainage System Restoration	NYSDOT Highway Design Manual Chapters 8 & 19
Bicycle and Pedestrian Facilities	NYSDOT Highway Design Manual Chapters 17 & 18

All applicable sidewalk design criteria will be followed. See Appendix E – Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities for a listing of all applicable design standards.

## 2.2 OTHER DESIGN PARAMETERS

No other design parameters have been established for this project.

## 2.3 NONSTANDARD/NONCONFORMING FEATURES

There are no nonstandard or nonconforming roadway features within the project limits.

Existing pedestrian facilities within the scope of this project (at the intersections of Highland Road/Kline Road and Cayuga Heights Drive/Wyckoff Road) will be evaluated in final design for conformance with the applicable standards in the NYSDOT Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities found on the NYSDOT Highway Design Manual [Chapter 18 webpage](#). If the work at any facility will not meet the applicable standards, then the procedural requirements identified in ED 15-004 - Design, Construction and Inspection of Pedestrian Facilities in the Public Right of Way will be followed and the facility will be justified as nonstandard.

**2.4 SPECIAL TECHNICAL ACTIVITIES REQUIRED**

No special technical activities are required.

**2.5 WORKZONE SAFETY AND MOBILITY**

The Village of Cayuga Heights has determined that this project is not significant per 23 CFR 630.1010.

A Transportation Management Plan (TMP) will be prepared for the project consistent with 23 CFR 630.1012. The TMP will consist of a Temporary Traffic Control (TTC) plan. Transportation Operations (TO) and Public Information (PI) components of a TMP will be considered during final design.

**2.6 ASSET MANAGEMENT**

Applies  Not Applicable

**2.7 POTENTIAL UTILITY INVOLVEMENT**

Yes  No

**2.8 RIGHT OF WAY**

All proposed work can be accomplished within the existing right of way, therefore, it is anticipated that no right of way acquisitions will be required for the project. The ROW Clearance Certificate will be attached to the PS&E transmittal memo.

**3.1 ENVIRONMENTAL CLASSIFICATION**

NEPA (National Environmental Policy Act):

This project is being progressed as a NEPA Class II action (Categorical Exclusion).

In accordance with the Federal Highway Administration’s regulations in 23 CFR 771.117(c) this is an action which will not have significant environmental effects and does not normally require additional federal approval regarding NEPA. Specifically, this action meets the description in 23 CFR 771.117 c(3) "Construction of bicycle and pedestrian lanes, paths, and facilities" and meets the constraints listed in 23 CFR 771.117(e). This is further detailed in the Federal Environmental Approvals Worksheet (FEAW) included in Appendix B.

SEQRA (State Environmental Quality Review Act):

The Village of Cayuga Heights as Lead Agency has determined that this project is a SEQRA Unlisted Action in accordance with 6 NYCRR, Part 617. The project has been identified as an Unlisted Action as it does not fall into any recognized NYSDEC Type I or Type II category, per 6 NYCRR Section 617.

Since there are no significant impacts to the SEQR compliance criteria based on the investigations

discussed herein, the project complies with SEQR, does not require an Environmental Assessment (EA), and no further processing is required under SEQR.

The following Checklist(s) are attached:

- Federal Environmental Approvals Worksheet (FEAW)
- Social, Economic and Environmental Resources Checklist
- Capital Projects Complete Streets Checklist

## 3.2 ENVIRONMENTAL DOCUMENTATION

### 3.2.1 Social

#### *Neighborhoods and Community Cohesion*

This project is located in the Village of Cayuga Heights which consists of residential areas that are adjacent to the Lake View Cemetery. Activity for this project is anticipated to take place within the residential areas and will include the alteration of the road or adjacent right-of-way. The project is expected to have a positive impact on the neighborhood transportation options and may enhance community cohesion as it should provide a connection between the residential areas west of Lake View Cemetery and the existing multi-use trail along East Shore Rd.

#### *General Social Groups Benefited or Harmed*

The project does not result in the harm of any social groups. Instead, it will provide beneficial safe access between the intersection of Highland Rd and Kline Rd, through the intersection of Cayuga Heights Rd and Wyckoff Rd, to the entrance to the Lake View Cemetery.

### 3.2.2 Economic

#### *Business Districts*

This project will have a positive impact on area business districts by providing improved pedestrian access and allowing more residents to safely access the existing multi-use trail along East Shore Rd.

### 3.2.3 Environmental

#### *Endangered Species*

Letters inquiring about the presence of endangered, threatened or rare animals and plants were sent to the following agencies to determine if there is potential for impact:

- United States Fish and Wildlife Service (USFWS)
- NYSDEC – Permits Department, Region 7

An online request for information was also submitted to the NYSDEC – Division of Fish and Wildlife, New York Natural Heritage Program (NYNHP) on April 14, 2022. A response was received from the NYNHP, dated July 14, 2022, and did not identify any records of rare or state-listed animals or plants, or significant natural communities within the vicinity of the project.

The United States Fish and Wildlife (USFWS) Information for Planning and Consultation (IPaC) database was also consulted, and one (1) threatened/endangered species may potentially be present in the project vicinity, the Northern Long-eared Bat (*Myotis septentrionalis*), or NLEB. Additionally, one (1) candidate species, the Monarch Butterfly (*Danaus plexippus*), is listed as

potentially occurring within project vicinity. Candidate species are not protected under Section 7 of the Endangered Species Act (ESA). Consultation or conference (formal or informal) with USFWS is not required at this time for the Monarch Butterfly.

The NLEB was identified by the USFWS IPaC as potentially located within the project area, but it is not likely that there will be any incidental take of NLEB from within the project area. In a letter dated July 14, 2022 received from NYNHP they indicated that they “have no records of rare or state-listed animals, plants, or significant natural communities at the project site or in its immediate vicinity”. NLEB is a state-listed threatened species.

Multiple individual trees located in the immediate vicinity of the proposed sidewalk are planned for removal in association with this project. The tree removal area does include trees that are greater than 3-inches diameter breast height (dbh) and are less than 1,000-feet from a wooded area that contains snag trees. The tree cutting for the project will be conducted during the standard tree-cutting window under the Final 4(d) Rule during the winter months (November 1<sup>st</sup> through March 31<sup>st</sup>).

The IPaC FHWA Programmatic Consultation Determination Key for Transportation Projects Affecting NLEB or Indiana Bat was completed. A preliminary determination of “not likely to adversely affect” was reached. The project will implement Avoidance and Minimization Measures (AMMs); Tree Removal AMM 2, Tree Removal AMM 3, and Tree Removal AMM 4. The project was submitted to USFWS via the IPaC for concurrence.

Refer to the ESA Section 7 associated attachments in Appendix B for documentation of this finding.

### *Section 106*

The New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) Cultural Resources Information System (CRIS) website was reviewed to determine the location of any properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) adjacent to the proposed Project. The eastern portion of the project, from approximately Cayuga Heights Rd to Highland Rd, borders a historic building district. There are four (4) properties listed within 200 feet of the Area of Potential Effect (APE). A Project Submittal Package (PSP) report was generated and submitted to the NYSDOT for review. Comments were received from NYSDOT and due to potential impacts of the preferred alternative on one listed property and potential listing of five additional properties, an architectural study was requested.

The architectural study was completed in August 2021 for the project areas. A field survey, completed on June 25, 2021 determined that there were four additional properties within the APE that are also eligible for listing. As part of the preferred alternative, the sidewalk was re-aligned in one area to avoid the removal of a tree that was considered to be contributing to the setting of a structure that was eligible for listing. A statement of findings was prepared and submitted to NYSDOT Region 3 Cultural Resource Coordinator, NYSOPRHP and the Federal Highway Administration (FHWA) for concurrence that the project would not significantly impact these properties as currently proposed. In a letter from FHWA, dated April 6, 2022, a finding of “No Adverse Effect” on historic resources was received. Thus, consultation with NYSOPRHP is complete and the consultation requirements under 36 CFR Part 800 and 23 CFR Part 774 have been met.

### *Hazardous Waste and Contaminated Materials*

A Hazardous Waste/Contaminated Materials Database Screening has been conducted for this site in accordance with NYSDOT The Environmental Manual (TEM) 2010 Section 4.4.20, in order to

document the likely presence or absence of hazardous/contaminated environmental conditions. A hazardous/contaminated environmental condition is the presence or likely presence of any hazardous substances or petroleum products (including products currently in compliance with applicable regulations) on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property.

A Hazardous Waste/Contaminated Materials Database Screening consisted of a review of publicly available New York State and Federal regulatory databases conducted by Environmental Risk Information Services (ERIS). The report provided by ERIS identified two (2) spills within 1/8 of a mile from the project corridor. Spill No. 1401551 and 0800183 were both the result of damaged transformers that leaked oil. Records indicate that the spills were cleaned up and closed.

The database search indicated two (2) records of leaking underground storage tanks (USTs) within 1/8 of a mile from the eastern end of the project corridor (Spill No. 0265030) and western end of the project corridor (Spill No. 9209253). Spill No. 0265030 occurred at the Lakeland Apartments. Notes in the spill record indicate that two (2) unregistered USTs were removed, along with free product and contaminated soil. Spill report was closed. Spill No. 9209253 occurred at a gasoline station along East Shore Rd as a result of reported gasoline contamination of the groundwater monitoring well on site. Inspection and sampling of the groundwater did not indicate any gasoline contamination present, and the spill was closed.

Given the nature, distance, and topography associated with these spills, they do not appear to present a concern to the project at this time.

<b>Comparison of Alternatives</b>			
Category	Alternatives Evaluated		Alternatives Considered and Dismissed
	Null	Reasonable/Preferred Alternative – Alt. 1	Alt. 2
Property Impacts	None	None	None
Construction Cost	None	\$466,700	\$550,700

### 3.3 ANTICIPATED PERMITS/CERTIFICATIONS/COORDINATION

#### Permits

None are applicable to the project

#### Others

Historic or Archaeological Impacts to National Historic Preservation Act (NHPA)  
Section 106 resources  
Endangered Species Act (ESA) Section 7 concurrence with USFWS

#### Coordination

Federal Highway Administration  
New York State Historic Preservation Officer (SHPO)  
US Fish and Wildlife Service

New York Natural Heritage Program  
City of Ithaca

**3.4 NYS SMART GROWTH PUBLIC INFRASTRUCTURE POLICY ACT (SGPIPA)**

To the extent practicable this project has met the relevant criteria as described in ECL § 6-0107. The Smart Growth Screening Tool was used to assess the project’s consistency and alignment with relevant Smart Growth criteria; the tool was completed by the Consultant and reflects the current project scope.

**4.1 FUNDING**

**FUNDING SOURCE:**  100% State  Federal

**MPO INVOLVEMENT:**  No  Yes  
TIP Name: ITCTC TIP No.: 3950.69

**TIP AMENDMENT REQUIRED:**  No  Yes; Needed by:

**STIP STATUS:**  On STIP  Not on STIP

**4.2 COST AND SCHEDULE**

- Public Meeting  4(f)/106 FHWA sign-off
- Permits  Consultant(s) for: Design
- Other – Identify e.g., utilities, endangered species (ESA)

Schedule and Cost				
Project Phase	Activity Duration	Estimated Cost	Fund Source	Obligation Date
Design I-VI	8 Months	\$144,800	TAP/Town	<b>July 2019</b>
Construction	4 Months	\$466,700	TAP/Town	<b>February 2023</b>
Construction Inspection	4 Months	\$110,000	TAP/Town	<b>February 2023</b>
<b>TOTAL ESTIMATED COST</b>		<b>\$721,500</b>		

**BASIS OF ESTIMATE:** Engineers Estimate

**PROGRAM DISPOSITION/LETTING:** Scheduled for letting in SFY 22/23 and FFY 22/23

**STATEWIDE SIGNIFICANCE:**  No Remarks:

Design approval is scheduled for December 2022 with construction scheduled to begin in February 2023.

Project Schedule	
Activity	Date Occurred/Tentative
Scope Approval	December 2022
Design Approval	December 2022
ROW Acquisition	NA
Construction Start	February 2023
Construction Complete	September 2023

Project Cost			
Activities		Alternative 1 (Preferred Alternative)	Alternative 2
Construction Costs	Bridge	N/A	N/A
	Highway	\$326,375	\$385,050
	Field Change Item (5%)	\$16,300	\$19,300
Incidentals (14%)		\$45,700	\$53,900
<b>Subtotal 1</b>		\$388,375	\$458,250
Contingency (15%)		\$58,200	\$68,700
Mobilization (4%)		\$15,500	\$18,300
<b>Subtotal 2</b>		\$462,075	\$545,250
Expected Award Amount (Inflate current costs/prices at 1%/yr. to midpoint of construction to arrive at \$ amount to be entered here) See HDM 21.6.3.2 B		\$466,700	\$550,700
Construction Inspection		\$110,000	\$110,000
ROW Costs		N/A	N/A
<b>Total Alternative Costs</b>		\$576,700	\$660,700



## 5.1 PUBLIC INVOLVEMENT

Notifications to public officials and potential stakeholders were completed. Meetings with key residents in the corridor were held along with a public meeting in November. Initially the public meeting was intended to be in-person however due to Covid-19 the meeting needed to be switched to a virtual public meeting. In addition, a website was be created with the project plans and a description of the project that allowed for public comment. A summary of the comments that were received are contained in Appendix D.

<b>Public Involvement Plan Schedule of Milestone Dates</b>	
<b>Activity</b>	<b>Date Occurred/Tentative</b>
Website	October 2020
Public Informational Meeting	November 17, 2020

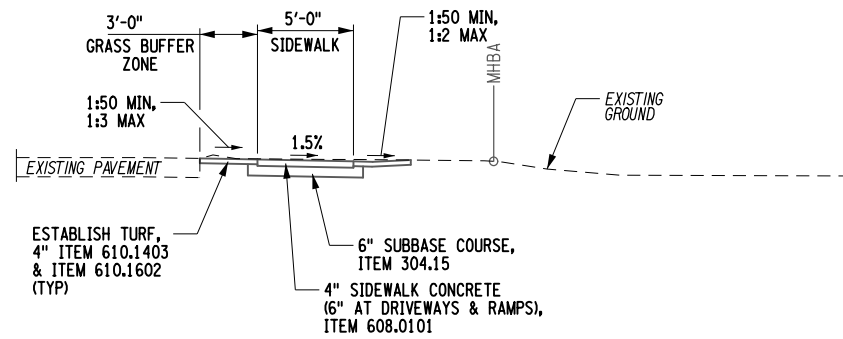
## 5.2 SPECIAL CIRCUMSTANCES

### 6.1 LIST OF ATTACHMENTS / APPENDICES

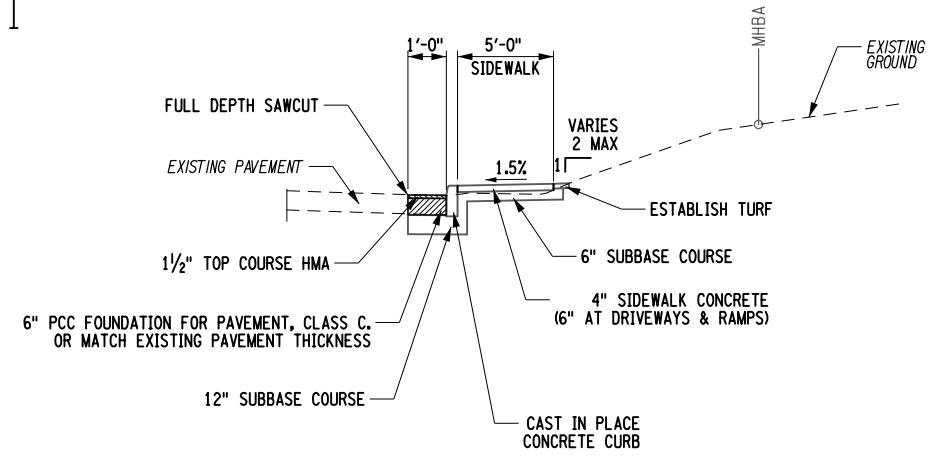
- Appendix A – Plans
- Appendix B – Environmental Information
- Appendix C – Smart Growth Screening Tool
- Appendix D – Public Input

# APPENDIX A

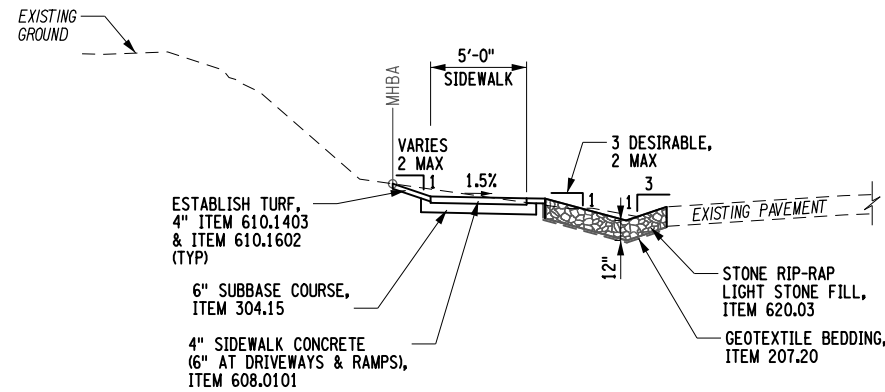
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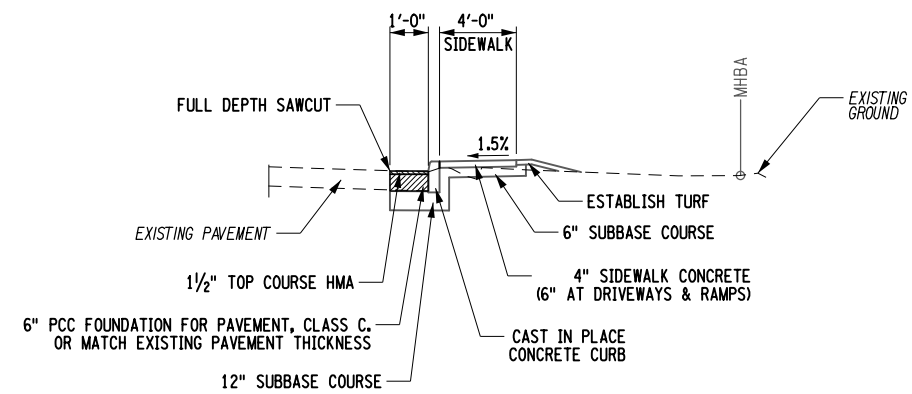
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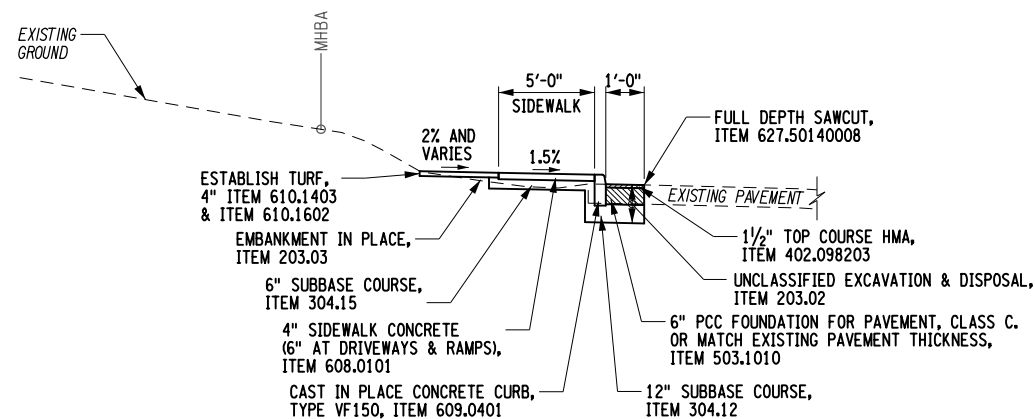
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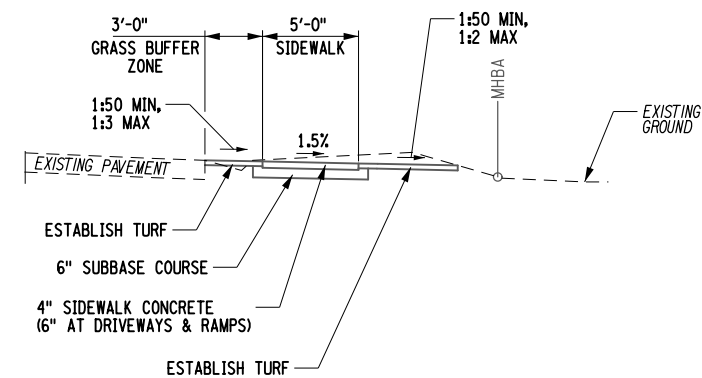
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NOT TO SCALE



**KLINE ROAD - CURBED FILL SECTION**  
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NOT TO SCALE



**WYKOFF ROAD - FILL SECTION**  
STA. WN 0+05 TO STA. K 0+87  
NOT TO SCALE



**KLINE ROAD - GRASS BUFFER ZONE CUT SECTION**  
STA. K 5+60 TO STA. K 8+38  
NOT TO SCALE

REV	DESCRIPTION	DATE	BY
7			
6			
5			
4			
3			
2			
1			

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the notation "prepared by" followed by  
the name of the preparer, and a specific  
description of the alteration.

EA PROJECT NO.  
190368  
PROJECT MANAGER  
T. FAULKNER  
DRAWN BY  
C. CLARK  
SCALE  
AS SHOWN  
ISSUE DATE  
6/2020

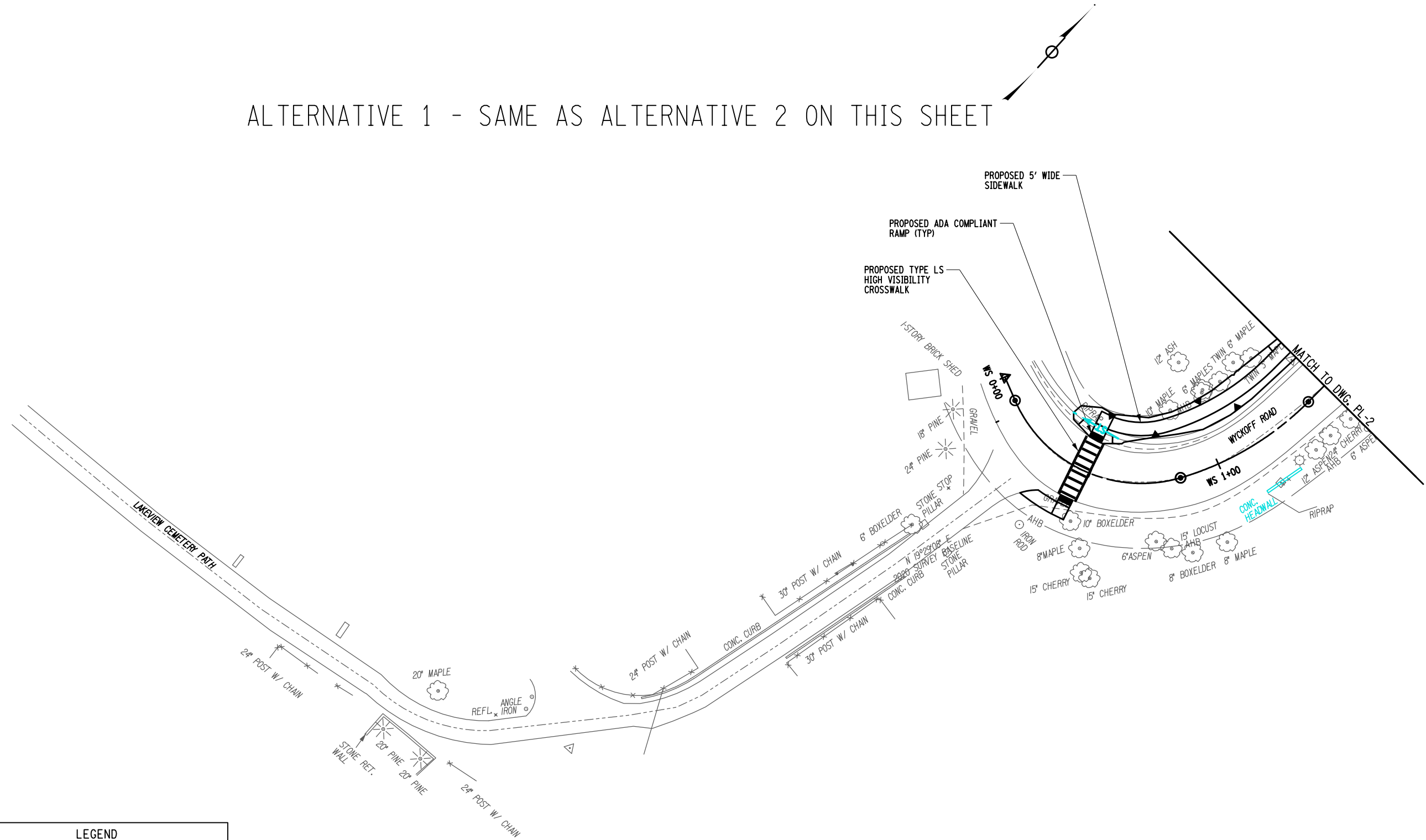


PROJECT  
WALKING SAFE - CAYUGA HEIGHTS  
FROM EAST SHORE DRIVE TO HIGHLAND ROAD  
VILLAGE OF CAYUGA HEIGHTS  
P.I.N. 3950.69  
TOMPKINS COUNTY, NEW YORK  
TITLE OF DRAWING  
TYPICAL SECTION - ALTERNATIVE 1

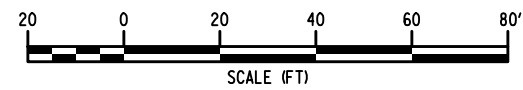
DRAWING NO.  
**TYP-1A**  
SHEET OF 12

395069\_sph\_TYP\_01A.dgn  
26-JAN-2022 15:28 @TIME@  
Jajmes

ALTERNATIVE 1 - SAME AS ALTERNATIVE 2 ON THIS SHEET



LEGEND	
	DRAINAGE PIPE
	CUT LIMIT
	FILL LIMIT
	DETECTABLE WARNING

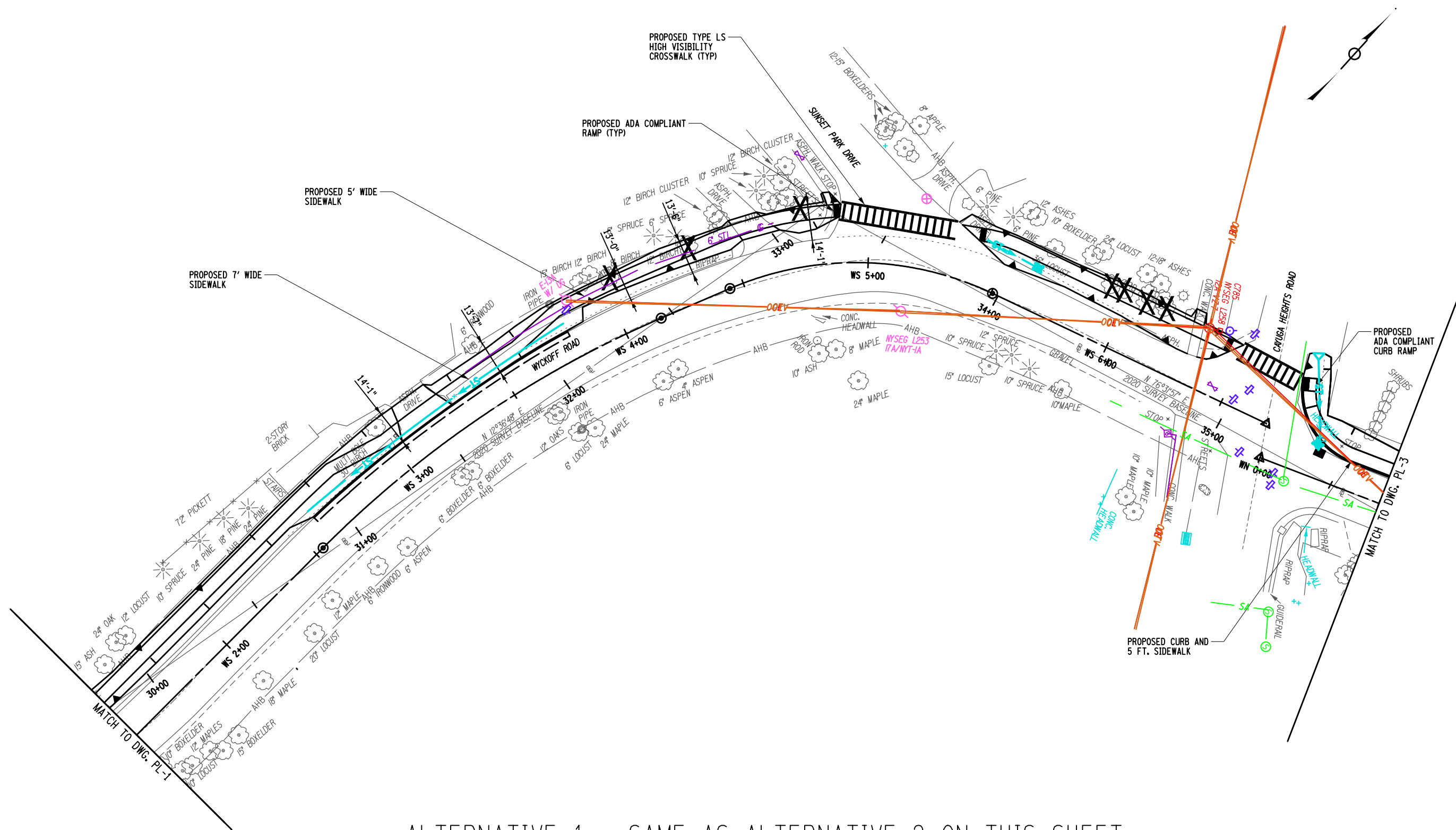


3950659\_sph\_snp\_pl-1a.dgn  
26-JAN-2022 15:23 JTIME  
Jajmes

<p>PROJECT WALKING SAFE - CAYUGA HEIGHTS FROM EAST SHORE DRIVE TO HIGHLAND ROAD VILLAGE OF CAYUGA HEIGHTS P.I.N. 3950.69 TOMPKINS COUNTY, NEW YORK</p>		<p>FISHER ASSOCIATES WWW.FISHERASSOC.COM</p>	<p>FA PROJECT NO. 190368</p>	<p>PROJECT MANAGER T. FAULKNER</p>	<p>ISSUE DATE 6/2020</p>	
<p>TITLE OF DRAWING PLAN - ALTERNATIVE 1</p>			<p>SCALE AS SHOWN</p>	<p>DESIGNED BY C. CLARK</p>	<p>DATE 6/2020</p>	
<p>DRAWING NO. PL-1A</p>		<p>DESCRIPTION</p>		<p>REV</p>	<p>DATE</p>	<p>BY</p>
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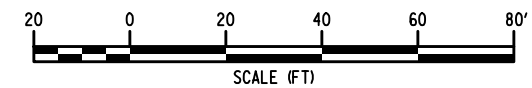
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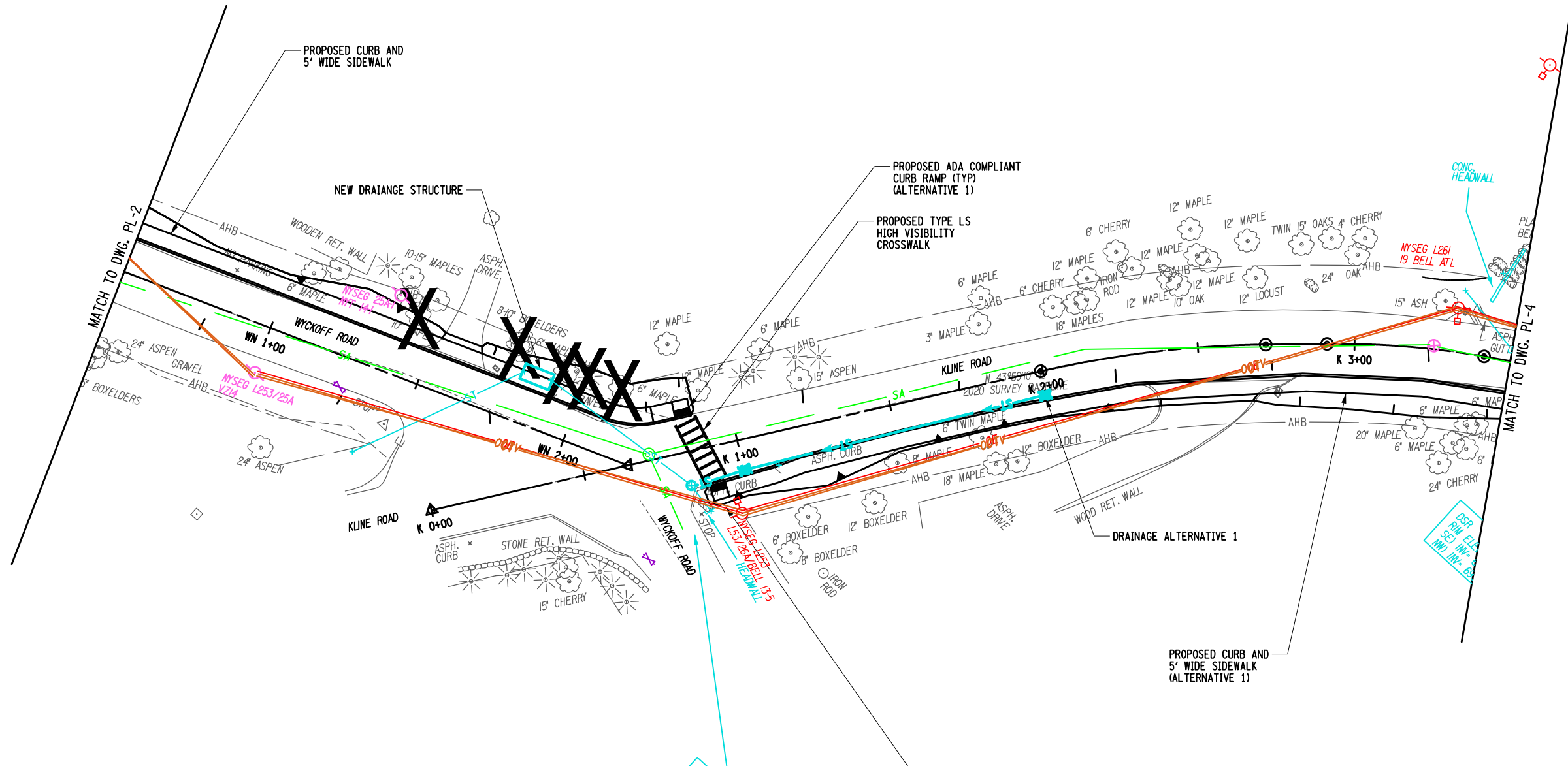
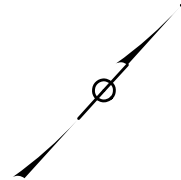
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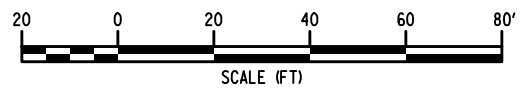
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DRAWING NO. <b>PL-2A</b>		SHEET OF 12	
PROJECT NO. 190368		PROJECT MANAGER T. FAULKNER	
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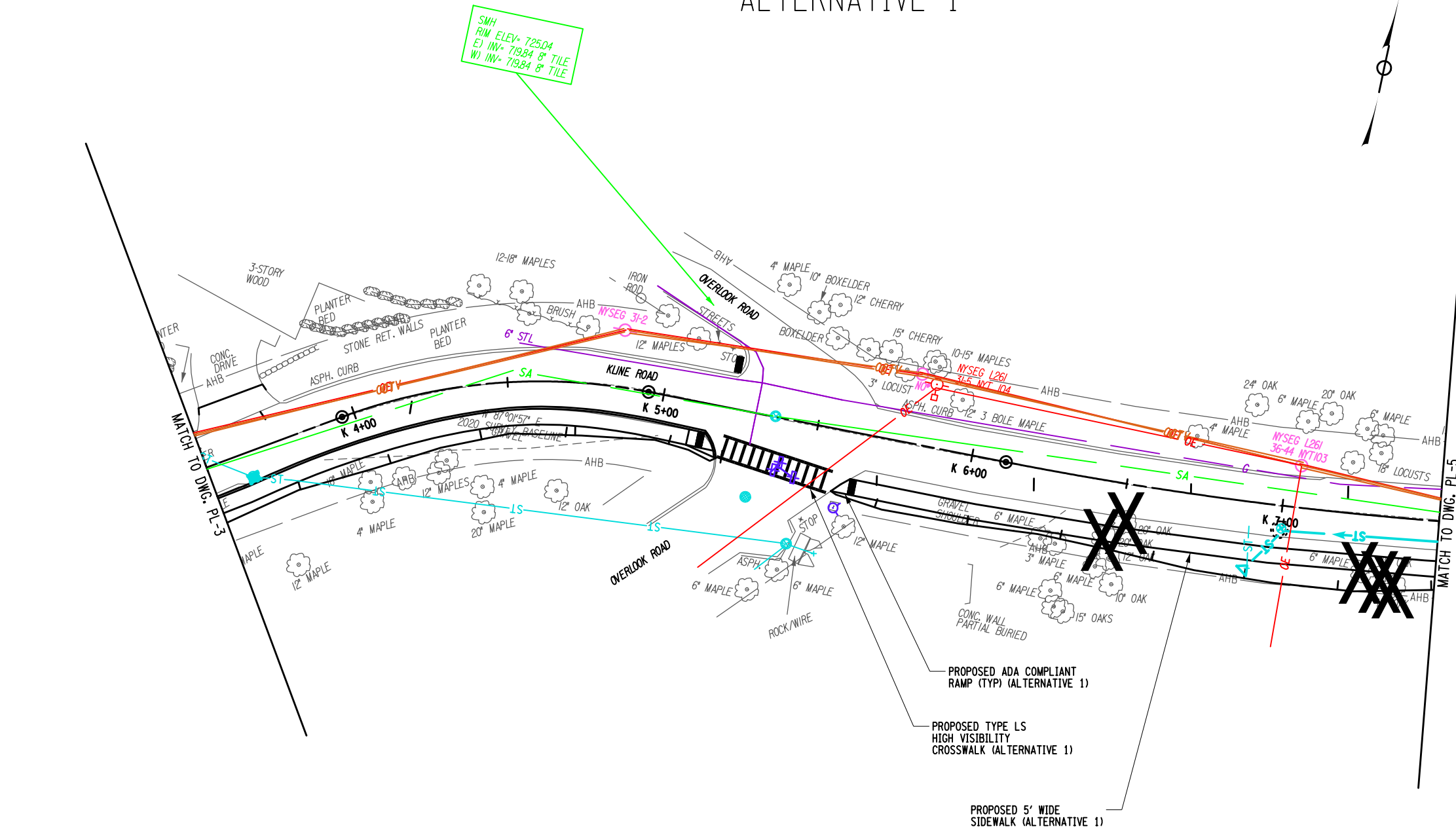
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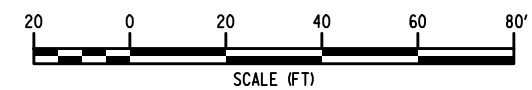
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# ALTERNATIVE 1



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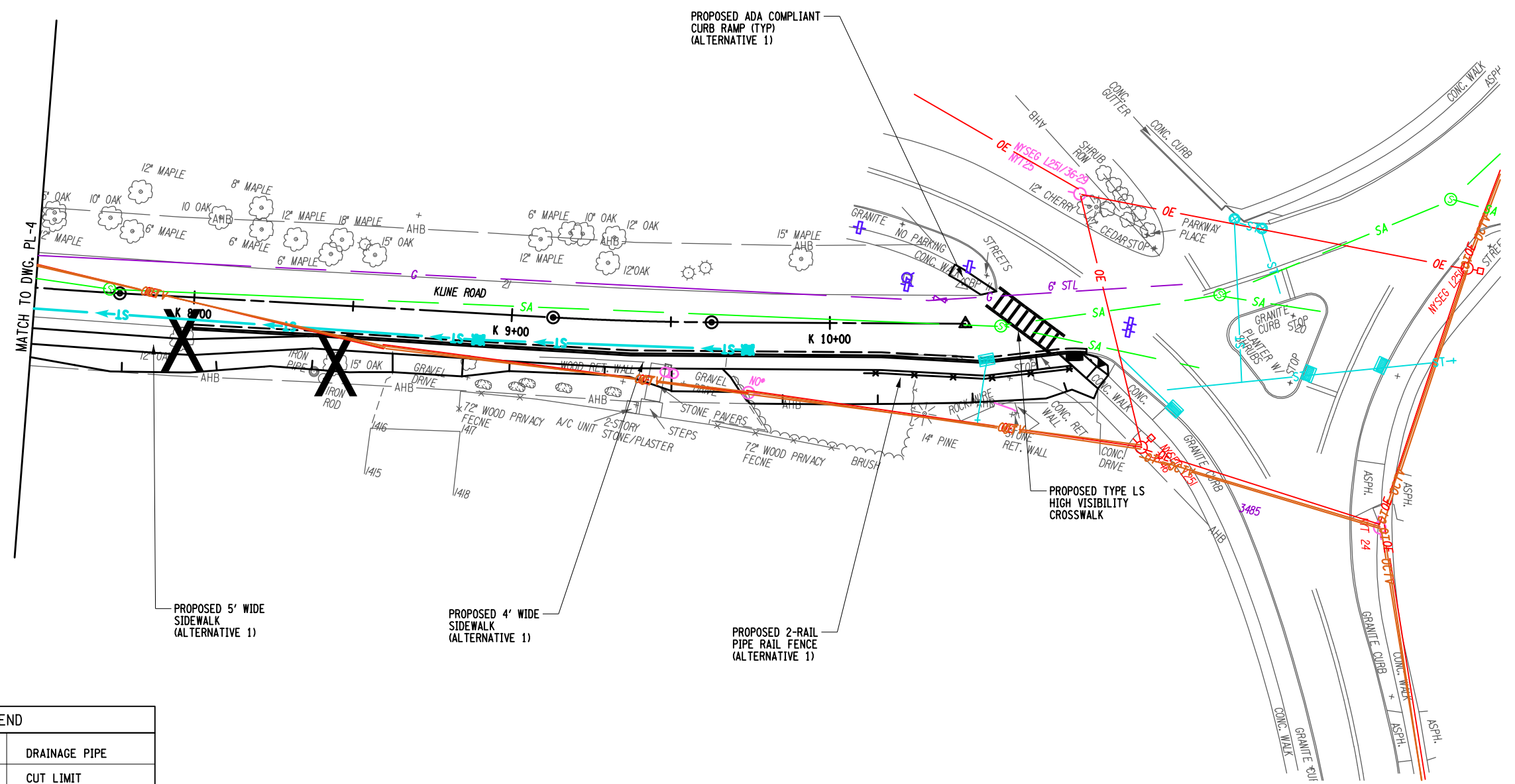
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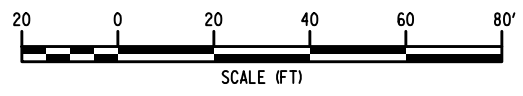
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FROM EAST SHORE DRIVE TO HIGHLAND ROAD  
VILLAGE OF CAYUGA HEIGHTS  
P.I.N. 3950.69  
TOMPKINS COUNTY, NEW YORK  
TITLE OF DRAWING  
PLAN - ALTERNATIVE 1

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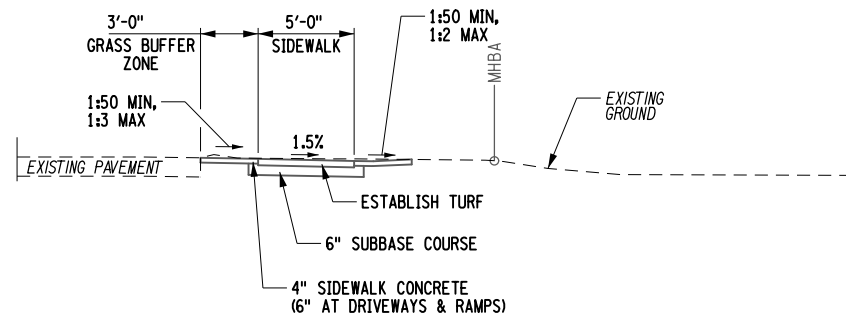
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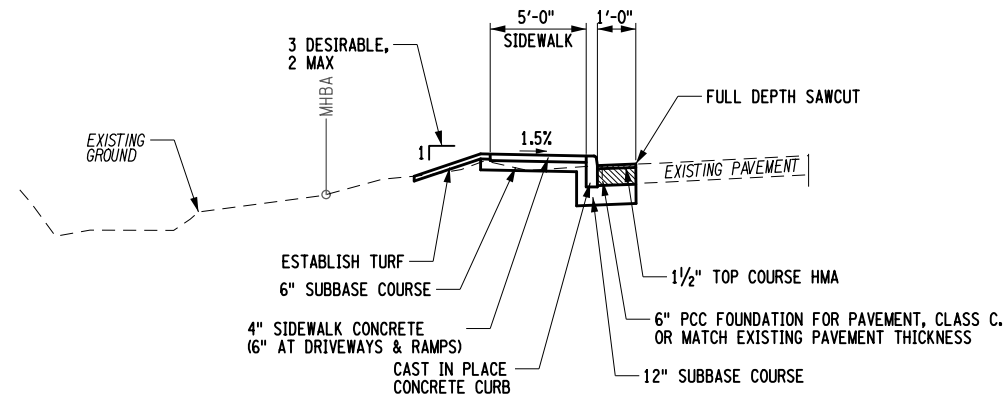




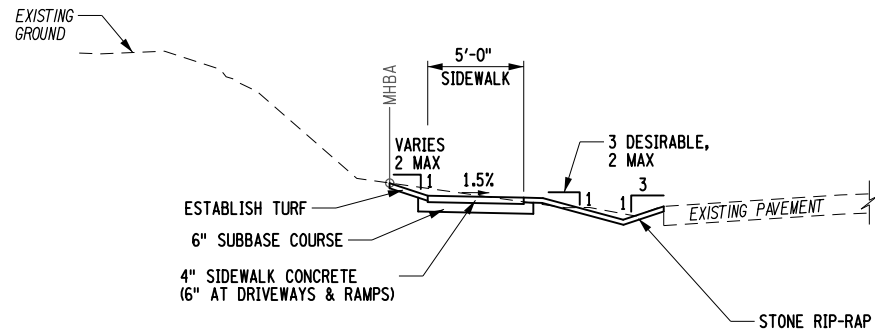
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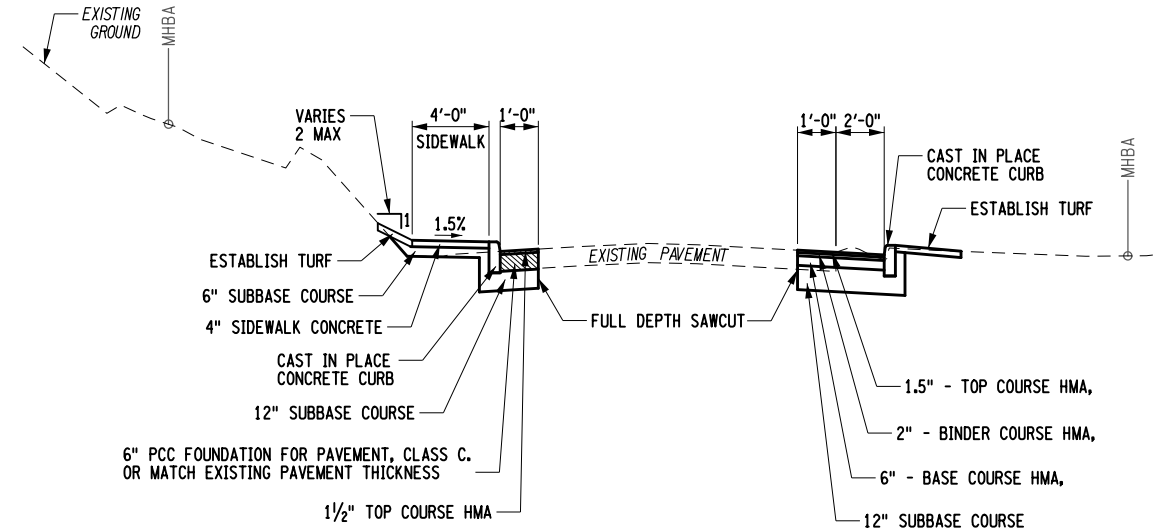
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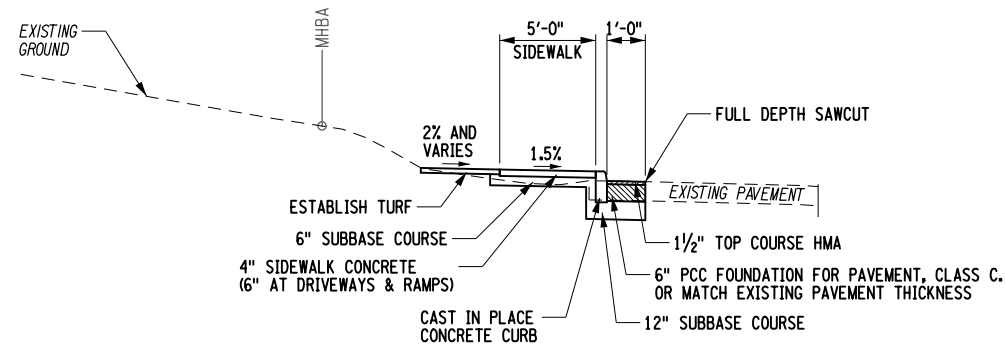
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NOT TO SCALE



**KLINE ROAD SECTION**  
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**WYKOFF & KLINE ROAD SECTION**  
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ISSUE DATE  
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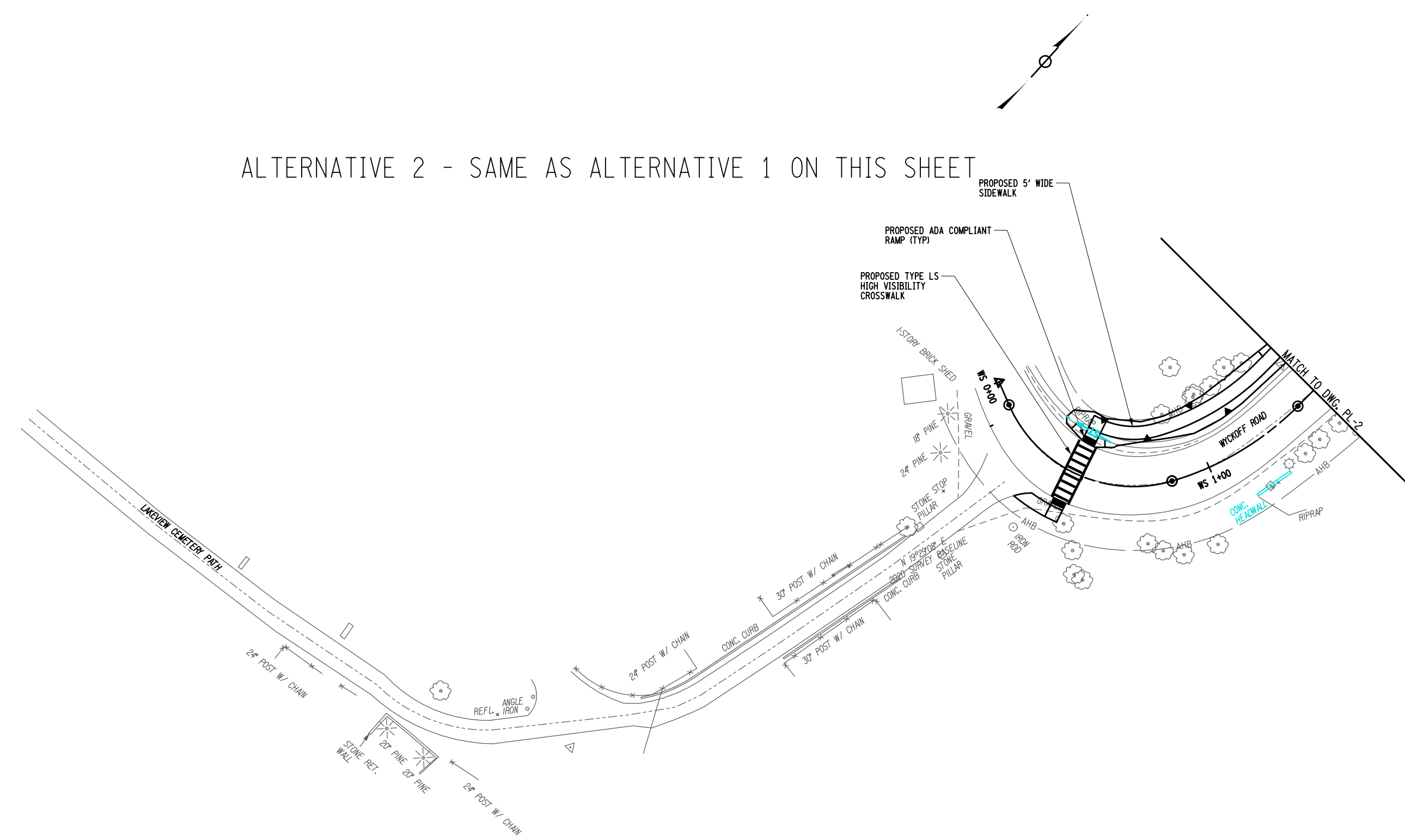


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FROM EAST SHORE DRIVE TO HIGHLAND ROAD  
VILLAGE OF CAYUGA HEIGHTS  
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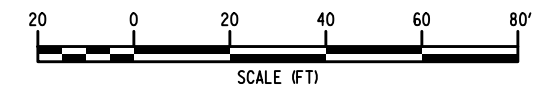
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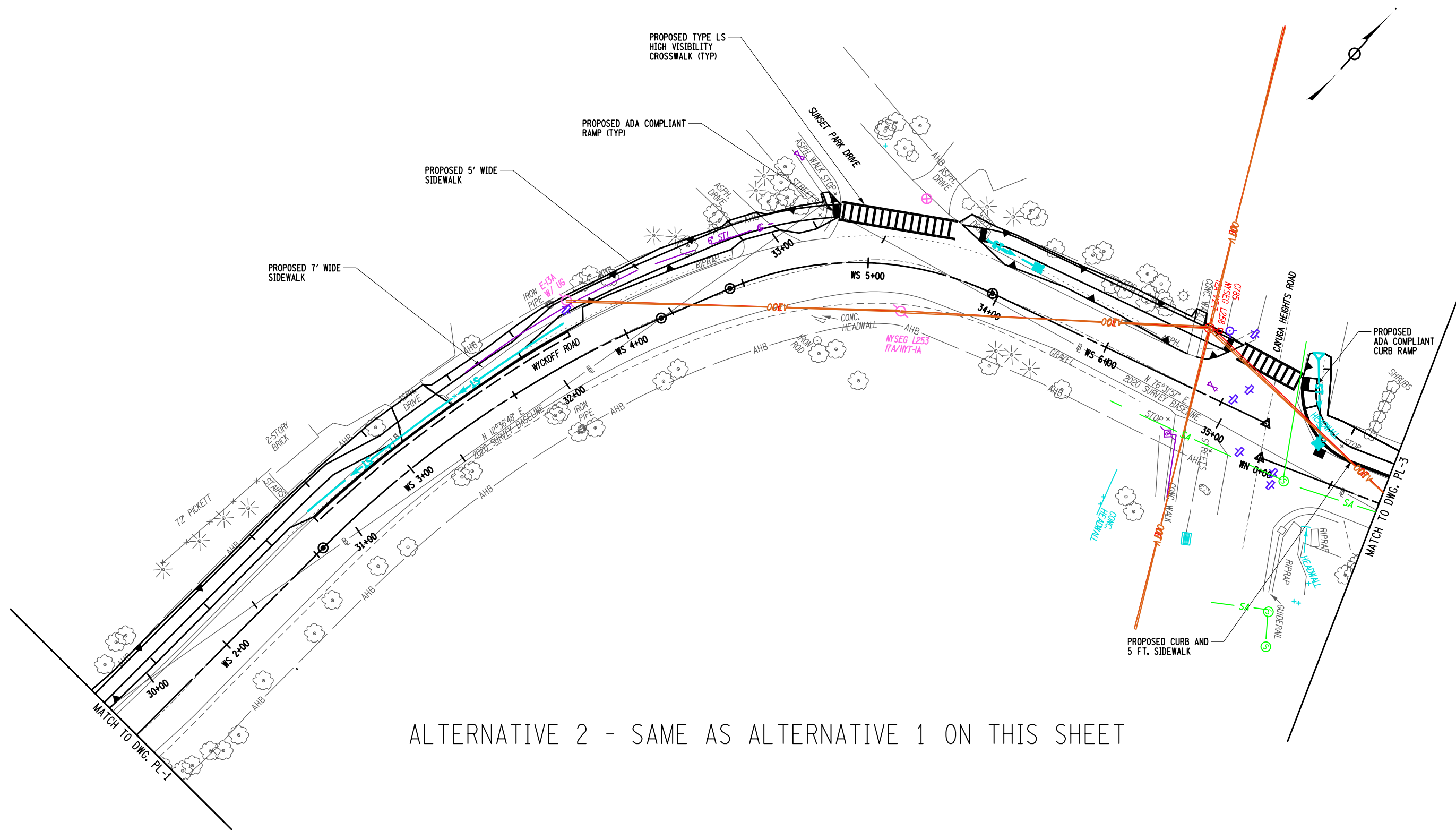
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VILLAGE OF CAYUGA HEIGHTS  
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TITLE OF DRAWING  
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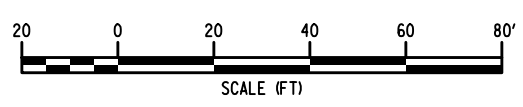
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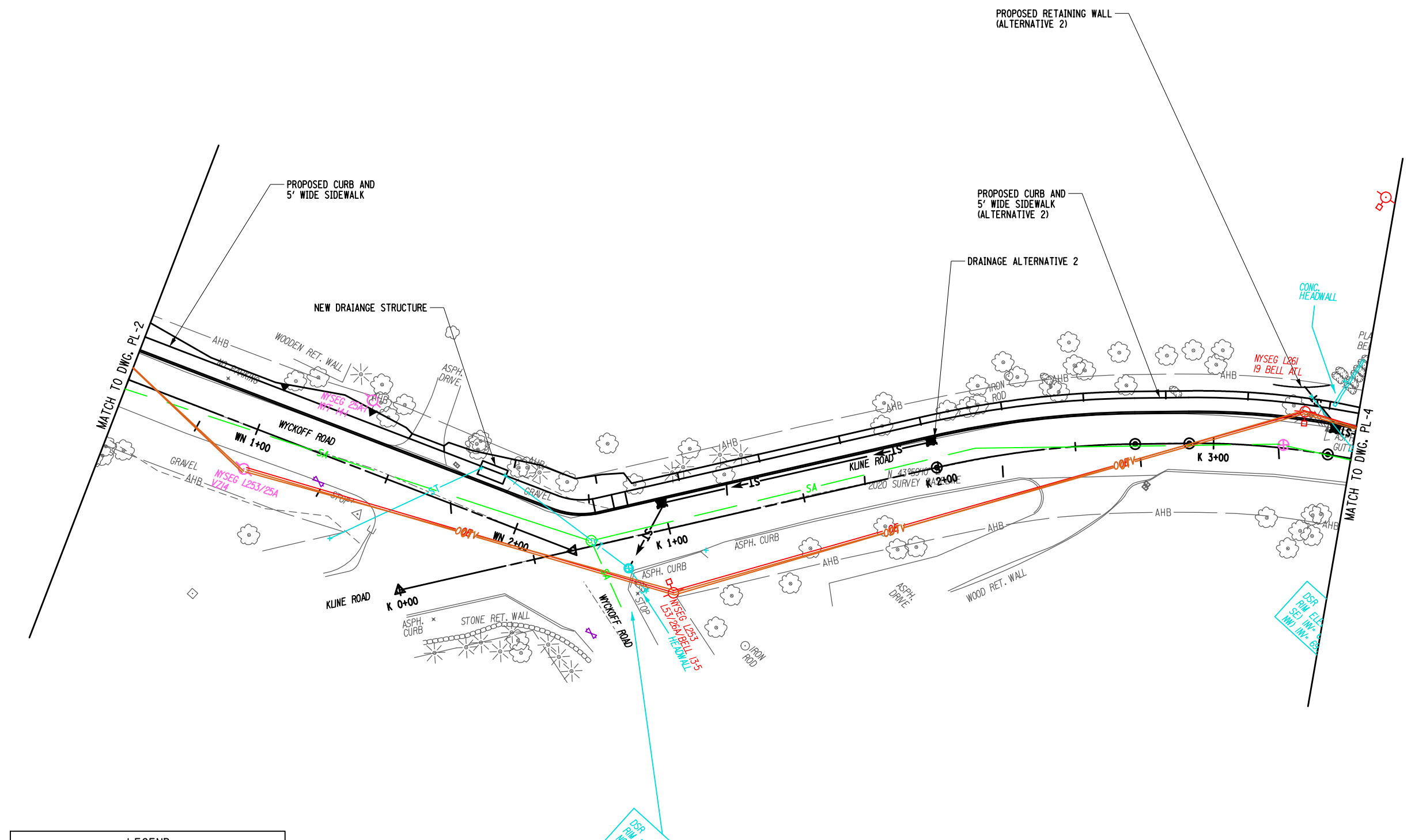
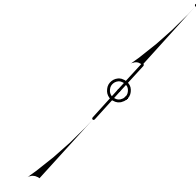
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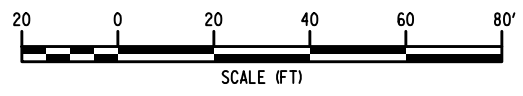
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# ALTERNATIVE 2



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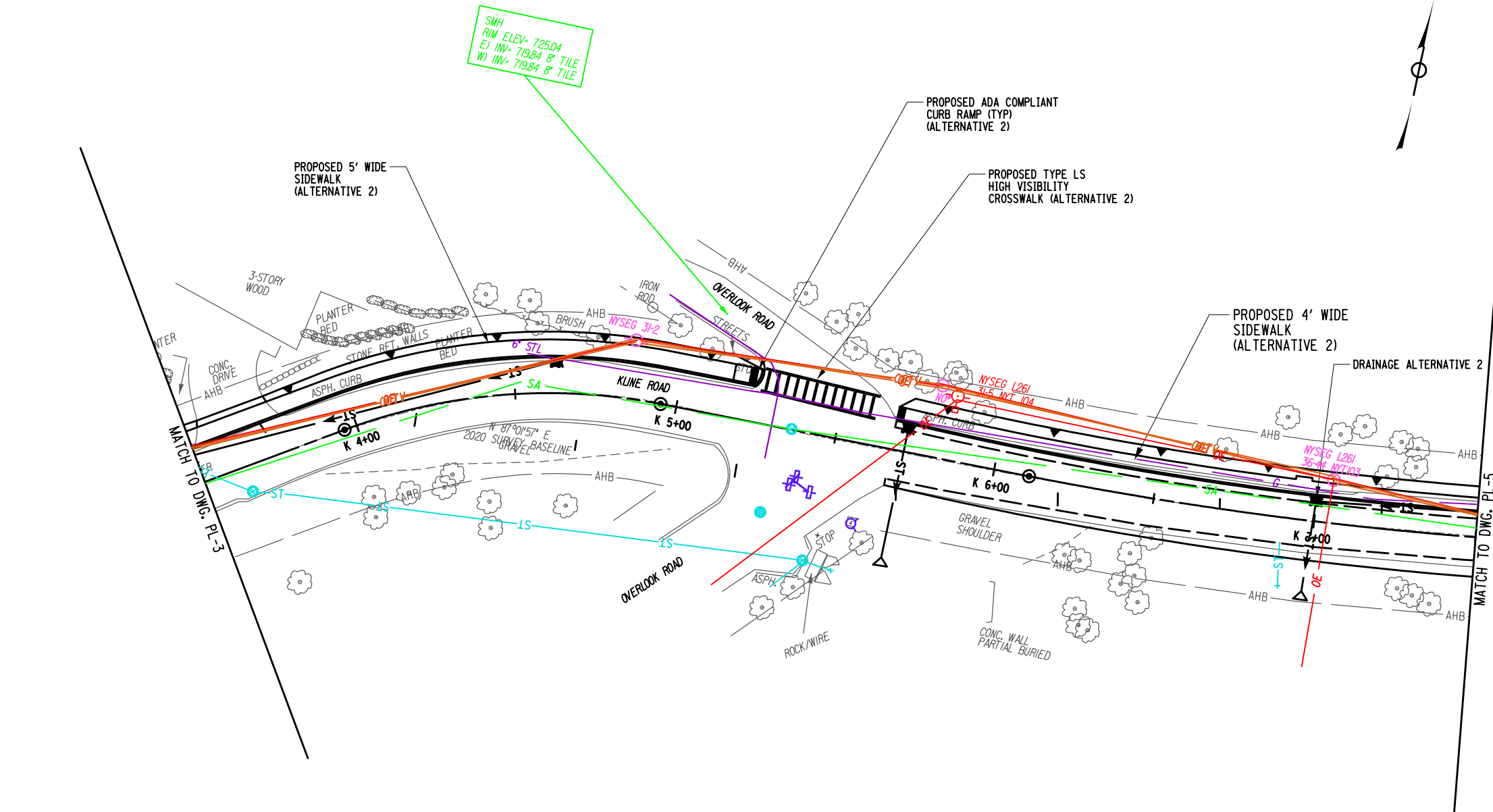
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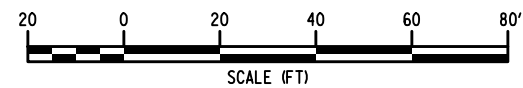
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# ALTERNATIVE 2



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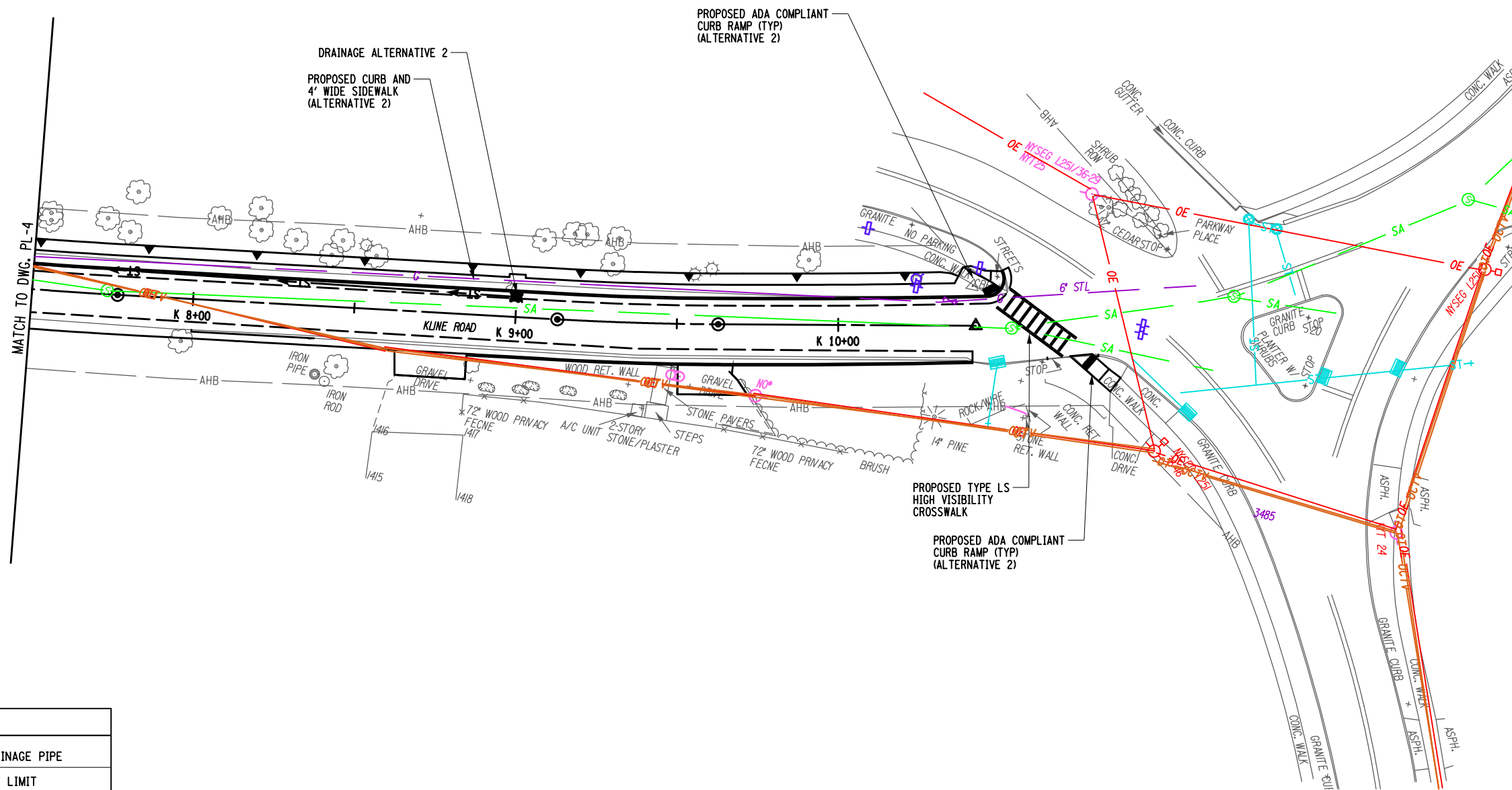
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ISSUE DATE  
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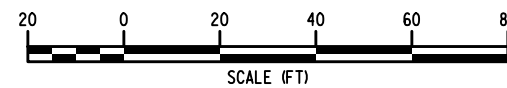
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WALKING SAFE - CAYUGA HEIGHTS  
FROM EAST SHORE DRIVE TO HIGHLAND ROAD  
VILLAGE OF CAYUGA HEIGHTS  
P.I.N. 3950.69  
TOMPKINS COUNTY, NEW YORK  
TITLE OF DRAWING  
PLAN - ALTERNATIVE 2

DRAWING NO.  
**PL-4B**  
SHEET OF 12

# ALTERNATIVE 2



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PROJECT  
 WALKING SAFE - CAYUGA HEIGHTS  
 FROM EAST SHORE DRIVE TO HIGHLAND ROAD  
 VILLAGE OF CAYUGA HEIGHTS  
 P.I.N. 3950.69  
 TOMPKINS COUNTY, NEW YORK  
 TITLE OF DRAWING  
 PLAN - ALTERNATIVE 2

DRAWING NO.  
**PL-5B**  
 SHEET OF 12

# **APPENDIX B**

# Federal Environmental Approval Worksheet

PIN: 3950.69	Completed by: N. Lake	Date Completed: 9/2/22	FUNDING TYPE: Federal
TITLE/PUBLIC DESCRIPTION: Walking Safe - Cayuga Heights. The project will complete a critical gap in the walkability within the Village of Cayuga Heights. A continuous sidewalk will be constructed along Kline road from Highland Road to Wyckoff road and on Wyckoff Road from Kline Road to the Lakeview Cemetery entrance.			NEPA CLASS: Class II: CE
			SEQR TYPE: Unlisted (local projects only)
LOCALITY (Village, Town, City): Village of Cayuga Heights		COUNTY: Tompkins	Is this a Reevaluation? <b>No</b>

**Purpose of this Worksheet:**

Implement the Programmatic Agreement Between the Federal Highway Administration, New York Division (FHWA), and the New York State Department of Transportation (NYSDOT) Regarding the Processing of Actions Classified as Categorical Exclusions (CEs) for Federal-Aid Highway Projects (PARCE), executed September 2017.

Communicate the project National Environmental Policy Act (NEPA) classification and identify whether the FHWA or the NYSDOT (titles identified per Project Development Manual (PDM) Chapter 4, Exhibit 4-2) is making the CE determination.

Identify any FHWA independent determinations, approvals and/or concurrences required before the CE determination can be made.

To be included within the Design Approval Document (DAD<sup>1</sup>) in accordance with the documentation requirements in the PARCE.

**Categorical Exclusion (CE)** - a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency (40 CFR 1508.4). Actions that do not individually or cumulatively have a significant environmental effect are excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS) (23 CFR 771.115(b)).

**Instructions:**

Initial review of the Federal Environmental Approval Worksheet (FEAW) should occur in scoping or early in Design Phase I to identify potential risks. Complete new review of the FEAW periodically, particularly if project parameters or site condition changes result in potential resource impacts. Completion of the FEAW with signature in Step 4 is required prior to Design Approval. See PDM Chapter 4 for additional details.

**Step 1A: Unusual Circumstances Threshold Determination – 23 CFR 771.117(b)**

Do any, or the potential for any, unusual circumstances exist<sup>2</sup>?

- Significant environmental impacts YES  NO
- Substantial controversy on environmental grounds YES  NO
- Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act YES  NO
- Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the project YES  NO

**If yes to any** of the above, contact the Main Office Project Liaison (MOPL) (see PDM Exhibit 4-1). Any project which would normally be classified as a CE but could involve unusual circumstances (or even uncertainty) will require consultation with the Office of Environment (OOE) and subsequently with the FHWA to determine if CE classification is still warranted. If, after consultation with the FHWA, it is determined that the project cannot be progressed as a CE, **skip to step 4** and see PDM Chapter 4 for NEPA Class I (EIS) or Class III (EA) processing. If, after consultation with the FHWA, it is determined that the project can be progressed as a CE, **proceed to step 1B**.

**If no to all** the above, then this project qualifies as a CE; **proceed to step 1B**.

**Step 1B: Identification of CE action**

Is the project an action listed in 23 CFR 771.117 (c) - (d) (or as identified in FHWA's additional flexibilities memo)?

YES  NO

**If Yes, proceed to step 2.**

**If No,** contact the MOPL (see PDM Exhibit 4-1). If, after consultation with the OOE and the FHWA, it is determined that the project cannot be progressed as a CE, **skip to step 4** and see PDM Chapter 4 for NEPA Class I (EIS) or Class III

<sup>1</sup> For FHWA actions not associated with a project (no DAD), include in the appropriate documentation for that action.

<sup>2</sup> See definitions and examples of unusual circumstances in *FEAW\_Instructions.doc*



## Federal Environmental Approval Worksheet

(EA) processing. If, after consultation with the FHWA, it is determined that the project can continue as a CE, **proceed to step 2.**

# Federal Environmental Approval Worksheet

**Project ID Number:** 3950.69

**Step 2: FHWA environmental actions required prior to CE determination<sup>3</sup>**

The Step 2 table identifies certain issues that require: the FHWA to make the CE determination (Column A and 2.4); independent FHWA determinations (2.1); FHWA approvals, compliance or concurrence (2.2); or notification to the FHWA (2.3). Review *the FEAW Thresholds document* to determine how to fill out each column of Step 2.

2.1	Required FHWA Independent environmental determinations	PARCE threshold exceeded <sup>4</sup>	FHWA independent determination/ concurrence required	Date Federal determination/ concurrence issued	Resource not present, or present but threshold not exceeded
		A	B	B1	C
Executive Order (EO) 11990 Protection of Wetlands Individual Finding			<input type="checkbox"/>	Date Issued	<input checked="" type="checkbox"/>
ESA Section 7 Threatened and Endangered Species		<input type="checkbox"/>	<input checked="" type="checkbox"/>	10/26/2022	<input type="checkbox"/>
Section 106 of National Historic Preservation Act		<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/6/2022	<input type="checkbox"/>
Section 4(f) (Park, Wildlife Refuge, Historic Sites, and National Wild and Scenic Rivers)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/6/2022	<input type="checkbox"/>
2.2	Other FHWA environmental approvals, compliance and/or concurrence required	PARCE threshold exceeded <sup>4</sup>	Threshold exceeded; FHWA approval, compliance or concurrence required		Resource not present, or present but threshold not exceeded
EO 11988 Floodplains		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
EO 13112 Invasive Species			<input type="checkbox"/>		<input checked="" type="checkbox"/>
EO 12898 Environmental Justice			<input type="checkbox"/>		<input checked="" type="checkbox"/>
Safe Drinking Water Act Section 1424(e)			<input type="checkbox"/>		<input checked="" type="checkbox"/>
US Army Corps of Engineers, Section 404/10 NWP #23			<input type="checkbox"/>		<input checked="" type="checkbox"/>
Section 6(f) Land and Water Conservation Funds			<input type="checkbox"/>		<input checked="" type="checkbox"/>
Migratory Bird Treaty Act			<input type="checkbox"/>		<input checked="" type="checkbox"/>
23CFR772 Type I Noise abatement			<input type="checkbox"/>		<input checked="" type="checkbox"/>
2.3	Other Environmental Issues requiring FHWA notification	PARCE threshold exceeded <sup>4</sup>	FHWA notification threshold exceeded		Resource not present, or present but threshold not exceeded
US Army Corps of Engineers, Section 404/10 Individual Permit		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
National Wild and Scenic Rivers		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
US Coast Guard Bridge Permit		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Known hazardous waste site (only EPA National Priority list)			<input type="checkbox"/>		<input checked="" type="checkbox"/>
Project on or affecting Native American Lands			<input type="checkbox"/>		<input checked="" type="checkbox"/>
2.4	Other Issues Triggering FHWA Approval of Categorical Exclusion	PARCE threshold exceeded <sup>4</sup>			Resource not present, or present but threshold not exceeded
Property Acquisition		<input type="checkbox"/>			<input checked="" type="checkbox"/>
Major Traffic Disruptions		<input type="checkbox"/>			<input checked="" type="checkbox"/>
Changes in Access Control		<input type="checkbox"/>			<input checked="" type="checkbox"/>

<sup>3</sup> This table does not represent all environmental issues and actions that a project is subject to. Classification as a CE does not exempt the project from further environmental review. Refer to the PDM and The Environmental Manual (TEM) to determine review requirements.

<sup>4</sup> When PARCE threshold is exceeded, the NYSDOT recommends that the project qualifies as a CE and requests the FHWA make the CE determination. Information on PARCE specific thresholds is contained within *the FEAW Thresholds document*.

# Federal Environmental Approval Worksheet

**Project ID Number:** 3950.69

## Step 3: Who makes the NEPA CE Determination?

To identify which party, either the FHWA or the NYSDOT, makes the CE determination in accordance with the PARCE, follow the instructions found in the table below, beginning in Step 3A. This step also identifies which correspondence shell to use to distribute the FEAW and other environmental notifications or approvals.

3	<p><b>Determine whether the FHWA or the NYSDOT makes the CE determination and whether additional notifications or approvals are required.</b></p>
3A	<p><b>Is the project an action listed in 23 CFR 771.117 (c) - (d) (Answered yes in Step 1B)?</b></p> <p><b>YES</b> <input checked="" type="checkbox"/> If Yes, <b>proceed to 3B.</b></p> <p><b>NO</b> <input type="checkbox"/> If No, the FHWA makes the CE determination.          For <b>Locally Administered Federal Aid Projects only</b>, the DAD, the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent from the Regional Planning and Program Manager (RPPM) to the FHWA directly using <b>Shell 4.</b>          For all other projects, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent to the MOPL for review using <b>Shell 3.</b></p> <p><b>Proceed to Step 4.</b></p>
3B	<p><b>Are any of the CE Thresholds from the PARCE exceeded (Are there any checks in Column A of Step 2)?</b></p> <p><b>YES</b> <input type="checkbox"/> If Yes, the FHWA makes the CE determination.          For <b>Locally Administered Federal Aid Projects only</b>, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent from the RPPM to the FHWA directly using <b>Shell 4.</b>          For all other projects, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent to the MOPL for review using <b>Shell 3.</b></p> <p><b>Proceed to Step 4.</b></p> <p><b>NO</b> <input checked="" type="checkbox"/> If No, <b>proceed to 3C.</b></p>
3C	<p><b>Are there outstanding independent environmental approvals or concurrences? (Are there checks in column B of Step 2.1 without dates in column B1)?</b></p> <p><b>YES</b> <input type="checkbox"/> If Yes, then the FHWA makes the CE determination.          For <b>Locally Administered Federal Aid Projects only</b>, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent from the RPPM to the FHWA directly using <b>Shell 4.</b>          For all other projects, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent to the MOPL for review using <b>Shell 3.</b></p> <p><b>Proceed to Step 4.</b></p> <p><b>NO</b> <input checked="" type="checkbox"/> If No, the NYSDOT makes the NEPA CE determination. <b>Proceed to 3D.</b></p>
3D	<p><b>Are there</b></p> <p><input type="checkbox"/> any circumstances requiring demonstration of applicable EO compliance (any checks in column B of Table 2.2); or</p> <p><input type="checkbox"/> any issues requiring the FHWA environmental notification (any checks in column B of Table 2.3)?</p> <p><b>YES</b> <input type="checkbox"/> If <b>either</b> box is checked, <b>once all required approvals and concurrences have been secured</b>, the NYSDOT makes the CE determination but the information must be forwarded to FHWA for notification or action prior to Design Approval using <b>Shell 1. Proceed to step 4.</b></p> <p><b>NO</b> <input checked="" type="checkbox"/> If <b>neither</b> box is checked, <b>once all required approvals and concurrences have been secured</b> the NYSDOT makes the CE determination without notification to the FHWA. The project will use <b>Shell 2. Proceed to step 4.</b></p>

# Federal Environmental Approval Worksheet

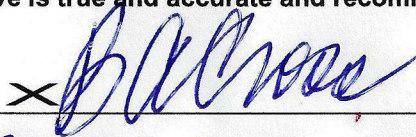
Project ID Number: 3950.69

## Step 4: Summary and Recommendation

- The project **is not** located within an area subject to transportation air quality conformity.
  - **If the project is within such areas, the NEPA process may not be completed until all transportation conformity requirements are met**<sup>5</sup>. Transportation conformity requirements **have** been met at the time of this signature.
- This project does qualify to be progressed as a Categorical Exclusion.
- The NEPA Determination will be made by NYSDOT
- Project is c(3) "Construction of bicycle and pedestrian lanes, paths, and facilities." <sup>6</sup>
- All outstanding FHWA environmental approvals will be obtained and are listed here:  
USFWS concurrence with "may affect-not likely to adversely affect" NLEB.
- All the conditions of the PARCE are addressed herein (or within the DAD or attachments).

I certify that the information provided above is true and accurate and recommend the project be processed as described above.

Project Manager/Designer  
(or Responsible Local Official)

X 

Date 11/23/22

Print Name and Title:

BRENT A. CROSS, SUPT. OF PUBLIC WORKS

Regional Environmental Unit  
Supervisor

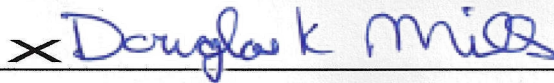
X 

Date 11/28/22

Print Name and Title:

Brian Melancon, REUS

Regional Local Project Liaison  
(Locally Administered Projects Only)

X 

Date 11/29/2022

Print Name and Title:

Douglas K. Mills, PE1/RLPL

Changes that may have occurred since the preparation of the FEAW which would create the need to review the FEAW again include but are not limited to triggers for reevaluations described in PDM Appendix 11. Based on the review of the previously certified FEAW, if the current scope of the action would change any of the answers to the FEAW and more specifically if any of the determinations within step 2.1 require a new federal determination or concurrence then a new FEAW should be produced and certified.

<sup>5</sup> See additional information on conformity in *FEAW\_Instructions.doc*

<sup>6</sup> See additional information on identifying (c)26, (c)27 & (c)28 versus d (13) in *FEAW\_Instructions.doc*

<b>Social, Economic and Environmental Resources Checklist</b>			
PIN:3950.69	FUNDING TYPE: Federal		
DESCRIPTION: Walking Safe – Cayuga Heights	DATE: April 15, 2022		
	REVISION DATE: September 2, 2022		
MUNICIPALITY: Village of Cayuga Heights	NEPA CLASS: Class II - CE		
COUNTY: Tompkins	SEQRA TYPE: Unlisted		
SCOPE: This project will complete a critical gap in the walkability within in the Village of Cayuga Heights. A continuous sidewalk will be constructed along Kline Road from Highland Road to Wyckoff Road and on Wyckoff Road from Kline Road to the Lakeview Cemetery entrance.			
SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS	IF YES, GO TO IMPACT OR ISSUE; IF NO CHECK BOX BELOW	IMPACT <sup>1</sup> OR ISSUE?	
	NO	YES	NO
<b>Social</b>			
<b>A. Land Use</b>			
1. Is there potential to affect current land use/zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there a lack of consistency with community’s comprehensive plan and/or other local or regional planning goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the project affect any planned or future development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. Neighborhoods and Community Cohesion</b>			
1. Are relocations of homes or businesses proposed or acquisition of community resources anticipated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there potential for changes to neighborhood character?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Is there a potential to impact transportation options (e.g., transit, walking, bicycling)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Are there potential changes to travel patterns that could affect neighborhood quality of life?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the project divide or isolate portions of the community or generate new development that could affect the current community structure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. General Social Groups</b>			
1. Are there potential effects to the ability of transit dependent, elderly, or disabled populations to access destinations (particularly local businesses and health care facilities)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have the potential to disproportionately impact low income or minority populations (Environmental Justice)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Are there alterations to pedestrian facilities that would affect the elderly or disabled such as lengthening pedestrian crossings or providing median refuge?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS	IF YES, GO TO IMPACT OR ISSUE; IF NO CHECK BOX BELOW	IMPACT <sup>1</sup> OR ISSUE?	
	NO	YES	NO
<b>D. Community Services</b>			
1. Is there potential to affect access to or use of Schools, Recreation Areas or Places of Worship (e.g., detours, sidewalk removal, addition of curb ramps, crosswalks, pedestrian signals, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there potential to affect emergency service response?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Economic</b>			
<b>A. Regional and Local Economies</b>			
1. Is there potential to affect local economic viability (e.g., development potential, tax revenues, employment opportunities, retail sales or public expenditures)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there a potential to divert traffic away from businesses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. Business Districts</b>			
1. Are there potential effects on the viability or character of Business Districts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the project affect transportation options available for patrons getting into or out of the District?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Will sidewalks, bicycling opportunities or transit opportunities to or within the district be affected?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will parking within the district be affected?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. Specific Business Impacts</b>			
1. Are effects to specific businesses anticipated? (e.g., sidewalks, bicycling opportunities, or handicapped access to and from businesses)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the project affect available transportation options for patrons to businesses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the project affect the ability of businesses to receive deliveries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will parking for businesses be affected?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Environmental</b>			
1. Are there wetlands within or immediately adjacent to the project limits? <i>See Environmental Procedures Manual (EPM) 4.A.R, Executive Order (EO) 11990 may apply.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are there Surface Waters (other than wetlands) within or immediately adjacent to the project limits? <i>lakes, ponds streams or wetlands of any jurisdiction</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Is there a designated Wild or Scenic River within or immediately adjacent to the project limits? (See <a href="#">The Environmental Manual (TEM) 4.4.3</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the project require a U.S. Coast Guard Bridge Permit? <i>Project area includes a bridge over navigable waters of U.S.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Does the project area contain waters regulated as Navigable by U. S. Army Corps of Engineers? <i>Section 404/10 Individual Permit or NWP 23 may be required</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS	IF YES, GO TO IMPACT OR ISSUE; IF NO CHECK BOX BELOW	IMPACT <sup>1</sup> OR ISSUE?	
	NO	YES	NO
6. Is the project in a mapped Flood Zone? <i>TEM section 4.?, EO 11988</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the project in or could it affect a designated coastal area? <i>FAN and/or Consistency determination may be required. See TEM 4.6</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Is the project area above a Sole Source Aquifer? <i>See TEM 4.4 Coordination with FHWA and/or EPA may be required.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the project involve one (1) acre of ground disturbance (or 5,000 sf in the East of Hudson watershed)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Are federally/state listed endangered species or designated critical habitat indicated for the project county? <i>Coordination with DEC and/or a FHWA determination may be required. See TEM 4.4.9.3</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Is the project in a designated Critical Environmental Area? <i>TEM 4.4.11(SEQR issue)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Are there any resources protected by Section 106 (or Section 1409) within the project limits or immediate area? <i>See TEM 4.4.12 Appendix G</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Is Native American coordination required outside of Section 106 consultation? <i>The project on or affecting Native American Lands or other areas of interest</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Is there a use, constructive use or temporary occupancy of a 4(f) resource? <i>See SECTION 4(f) POLICY PAPER and contact Area Engineer.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Will the project involve conversion of a 6(f) resource? <i>listed as having Land and Water Conservation funds spent on the resource</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is there any potential to affect the character of important and possibly significant the visual resources of the project area and its environs? <i>(See PDM Chapter 3.2.2.2 )</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the project convert land protected by the Federal Farmland Protection Act? <i>See TEM 4.4.15</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Will the project acquire active farmland from an Agricultural District? <i>(SEQR issue)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Is the project in a non-attainment area and exceed the CO screening criteria? <i>see EPM Chapter 1 1.1-19 an Air Quality Analysis required</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Is the project in a non-attainment area and exceed the PM screening criteria? <i>see EPM Chapter 1 1.1-19? A hot spot analysis is required</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Is the project a Type I Noise project as per 23 CFR 772? <i>See TEM 4.4.18</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Will the project require the removal of Asbestos Containing Materials? <i>See TEM 4.4.19</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. Does the project area contain Contaminated and Hazardous Materials? <i>EPA National Priority List</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Will the project increase the height of towers, construct new towers or other obstructions in a known migratory bird flyway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTES:

<sup>1</sup> The term “impacts” means both positive and negative effects. Both types of effects should be discussed in the body of the report as appropriate.

**PREPARED BY (Print Name and Title): Nicole Lake, WPIT, Environmental Project Manager**

**CERTIFICATION:**

**I certify that the information provided above is true and accurate.**



Environmental Project Manager \_\_\_\_\_ Date 09/02/2022

Print Name and Title: Nicole Lake, WPIT, Environmental Project Manager



## Section 7 ESA Process for USFWS Species: ESA Transmittal Sheet

Step 3: Documentation. Please complete the appropriate boxes below and complete the documentation as described.

	ESA Does Not Apply	No Effect, Activity-Based	No Effect	No Effect, No Suitable Habitat	Bat PA IPaC Submittal- Winter Tree Removal (MA, NLAA)	NLEB PA IPaC Submittal- April/Aug/Sept Tree Removal	Individual Submission to USFWS	MA, LAA- Formal Consultation
Northern Long-eared Bat	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indiana Bat	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	<input type="checkbox"/>
Bog Turtle	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	NA	NA	<input type="checkbox"/>	<input type="checkbox"/>
Mollusks (Dwarf Wedge Mussel, Rayed Bean, Clubshell, Chittenango Ovale Amber Snail)	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	NA	NA	<input type="checkbox"/>	<input type="checkbox"/>
Karner Blue Butterfly	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	NA	NA	<input type="checkbox"/>	<input type="checkbox"/>
Other, List Species: Monarch Butterfly	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	NA	NA	<input type="checkbox"/>	<input type="checkbox"/>
<b>Documentation Required</b>	The IPaC Official Species List is included in the DAD.	Record the corresponding number of the activity in the box. This sheet and the IPaC Official Species List are included in the DAD.	NYSDOT submits "No Effect" determination to FHWA. FHWA will concur or not concur.	NYSDOT submits "No Effect, No Suitable Habitat" determination to FHWA. Concurrence has been obtained if 7 days pass without correspondence from FHWA.	NYSDOT submits through IPaC w/ Area Engineer included. Concurrence is obtained if 14 days pass without correspondence from USFWS.	NYSDOT submits through IPaC w/ Area Engineer included. Concurrence is obtained if 30 days pass without correspondence from USFWS.	NYSDOT submits either BE or BA to FHWA, who submits to USFWS for concurrence.	NYSDOT submits BA to FHWA for Initiation of Formal Consultation with USFWS.
<b>Submission to FHWA Required?</b>	No	No	Yes	Yes	cc: only	cc: only	Yes	Yes
<b>Submission to USFWS by DOT through IPAC Required?</b>	No	No	No	No	Yes	Yes	No	No
<b>Submission to USFWS by FHWA Required?</b>	No	No	No	No	No	No	Yes	Yes

**Instructions: This Summary Sheet is to be included all submissions to FHWA. A submittal package includes all documentation for all species requiring concurrence with a cover letter requesting concurrence, so that FHWA can make one ESA determination. SEE EACH SPECIES-SPECIFIC PACKAGE FOR SPECIFIC DOCUMENTATION REQUIREMENTS FOR SUBMITTALS. Also, FHWA requires documentation of compliance with ESA in the DAD.**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385  
Phone: (607) 753-9334 Fax: (607) 753-9699  
Email Address: [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)

In Reply Refer To:  
Project Code: 2022-0031816  
Project Name: PIN 3950.69 Walking Safe - Cayuga Heights

September 02, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

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Attachment(s):

- Official Species List

## **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

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## Project Summary

Project Code: 2022-0031816

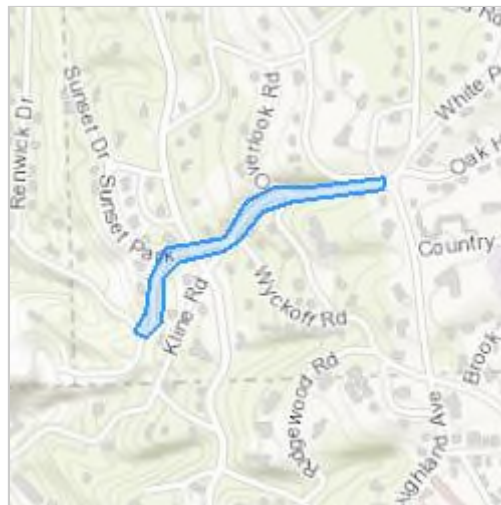
Project Name: PIN 3950.69 Walking Safe - Cayuga Heights

Project Type: Recreation - New Construction

Project Description: This project will complete a critical gap in the walkability of the Village of Cayuga Heights. A continuous sidewalk will be constructed along Kline Rd from Highland Rd to Wyckoff Rd and on Wyckoff Rd from Kline Rd to the Lakeview Cemetery east entrance. This will complete the connection to the existing multi use trail adjacent to Ithaca High School just off East Shore Drive. This pedestrian network will also include high-visibility crosswalks and signage. The benefits of the project include providing a safe walking route to and from school, reduced vehicular traffic on this hilly corridor that has a number of blind spots that reduce visibility and environmental benefits from the reduction in traffic. The Project will require tree removal because the trees or the root systems are too close to the roadway. Tree removal will be conducted during the winter months (November 1 to March 31) of 2022/2023. Project construction is anticipated to begin in Spring 2023.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.458222717871905,-76.49154691188303,14z>



Counties: Tompkins County, New York

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## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [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.

### Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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## **IPaC User Contact Information**

Agency: Fisher Associates, P.E., L.S., L.A., D.P.C.  
Name: Nicole Lake  
Address: 180 Charlotte Street  
City: Rochester  
State: NY  
Zip: 14607  
Email: ndutcher@fisherassoc.com  
Phone: 5853341310

## **Lead Agency Contact Information**

Lead Agency: Federal Highway Administration  
Name: Jared Gross  
Email: jared.a.gross@dot.gov  
Phone: 5184318855

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## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program

625 Broadway, Fifth Floor, Albany, NY 12233-4757

P: (518) 402-8935 | F: (518) 402-8925

www.dec.ny.gov

July 14, 2022

Jimmy Ireland  
Fisher Associates  
180 Charlotte Street  
Rochester, NY 14607

Re: Walking Safe - Cayuga Heights (TAP)  
County: Tompkins Town/City: Ithaca

Dear Jimmy Ireland:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of concern of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 7 Office, Division of Environmental Permits, at [dep.r7@dec.ny.gov](mailto:dep.r7@dec.ny.gov).

Sincerely,



Heidi Krahl  
Environmental Review Specialist  
New York Natural Heritage Program



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385  
Phone: (607) 753-9334 Fax: (607) 753-9699  
Email Address: [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)

In Reply Refer To:  
Project code: 2022-0031816  
Project Name: PIN 3950.69 Walking Safe - Cayuga Heights

October 11, 2022

Subject: Concurrence verification letter for the 'PIN 3950.69 Walking Safe - Cayuga Heights' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **PIN 3950.69 Walking Safe - Cayuga Heights** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

**For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities:** If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate
-

## **Project Description**

The following project name and description was collected in IPaC as part of the endangered species review process.

### ***Name***

PIN 3950.69 Walking Safe - Cayuga Heights

### ***Description***

This project will complete a critical gap in the walkability of the Village of Cayuga Heights. A continuous sidewalk will be constructed along Kline Rd from Highland Rd to Wyckoff Rd and on Wyckoff Rd from Kline Rd to the Lakeview Cemetery east entrance. This will complete the connection to the existing multi use trail adjacent to Ithaca High School just off East Shore Drive. This pedestrian network will also include high-visibility crosswalks and signage. The benefits of the project include providing a safe walking route to and from school, reduced vehicular traffic on this hilly corridor that has a number of blind spots that reduce visibility and environmental benefits from the reduction in traffic. The Project will require tree removal because the trees or the root systems are too close to the roadway. Tree removal will be conducted during the winter months (November 1 to March 31) of 2022/2023. Project construction is anticipated to begin in Spring 2023.

---

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

No

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[1] See [Northern long-eared bat species profile](#)

**Automatically answered**

Yes

3. Which Federal Agency is the lead for the action?

A) *Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction<sup>[1]</sup> activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces<sup>[1]</sup>?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

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8. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

*Yes*

9. Will the project remove *any* suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

*Yes*

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

*No*

11. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

*No*

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12. Does the project include activities **within documented NLEB habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

*Yes*

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

*B) During the inactive season*

15. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

*Yes*

16. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

*No*

17. Are *all* trees that are being removed clearly demarcated?

*Yes*

18. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

*No*

19. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

*No*

20. Does the project include slash pile burning?

*No*

21. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

*No*

22. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

*No*

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23. Will the project involve the use of **temporary** lighting *during* the active season?

*No*

24. Will the project install new or replace existing **permanent** lighting?

*No*

25. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

*No*

26. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

*Yes*

27. Will the project raise the road profile **above the tree canopy**?

*No*

28. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO*

29. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

30. **General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

*Yes*

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31. **Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal<sup>[1]</sup> in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word “trees” as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS’ current summer survey guidance for our latest definitions of suitable habitat.

Yes

32. **Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

33. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

## Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

N/A

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

N/A

3. How many acres<sup>[1]</sup> of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

2.79

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## Avoidance And Minimization Measures (AMMs)

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

### TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

### TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

### TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

### TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

### GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

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## **Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat**

This key was last updated in IPaC on December 29, 2020. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

---

## **IPaC User Contact Information**

Agency: New York State Department of Transportation  
Name: Doug Mills  
Address: 333 East Washington Street  
City: Syracuse  
State: NY  
Zip: 13202  
Email: doug.mills@dot.ny.gov  
Phone: 3154284410

## **Lead Agency Contact Information**

Lead Agency: Federal Highway Administration  
Name: Jared Gross  
Email: jared.a.gross@dot.gov  
Phone: 5184318855

---

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program

625 Broadway, Fifth Floor, Albany, NY 12233-4757

P: (518) 402-8935 | F: (518) 402-8925

www.dec.ny.gov

July 14, 2022

Jimmy Ireland  
Fisher Associates  
180 Charlotte Street  
Rochester, NY 14607

Re: Walking Safe - Cayuga Heights (TAP)  
County: Tompkins Town/City: Ithaca

Dear Jimmy Ireland:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of concern of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 7 Office, Division of Environmental Permits, at [dep.r7@dec.ny.gov](mailto:dep.r7@dec.ny.gov).

Sincerely,



Heidi Krahlting  
Environmental Review Specialist  
New York Natural Heritage Program



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**New York Division**

April 6, 2022

Leo W. O'Brien Federal Building  
11A Clinton Avenue, Suite 719  
Albany, NY 12207  
518-431-4127  
518-431-4121  
NewYork.FHWA@dot.gov

In Reply Refer To:  
HPD-NY

Ms. Erin Cole  
Regional Cultural Resource Coordinator  
NYSDOT – Region 3  
333 East Washington Street  
Syracuse, NY 13202

Subject: PIN 3950.69 – Section 106 & Section 4(f) Consultation  
Walking Safe – Cayuga Heights  
Village of Cayuga Heights, Town of Ithaca  
Tompkins County

Dear Ms. Cole:

Please reference your letters dated March 25 and April 5 requesting our review and concurrence that the requirements of 36 CFR Part 800 and 23 CFR Part 774, respectively, have been met for the subject project.

The New York State of Department of Transportation (NYSDOT) has applied the criteria of effect in accordance with 36 CFR 800.5(b) and concluded that the undertaking will have *No Adverse Effect* on cultural resources on or eligible for inclusion on the National Register (NR) of Historic Places.

On March 24, the New York State Historic Preservation Office (SHPO) provided an opinion that based on their review of the submitted information the project will result in *No Adverse Effect* on historic resources listed on or eligible for listing on the National Register of Historic Places.

We have reviewed the information provided and determined that this project will have *No Adverse Effect* on historic resources that are on or eligible for the National Register of Historic Places. The requirements of 36 CFR Part 800 have been met for this project.

Your April 5 letter requested our concurrence that the requirements of 23 CFR Part 774 have been met for the subject project. NYSDOT applied the *de minimis* impact criteria to the historic Section 4(f) properties. SHPO has been informed of FHWA's intent to make a Section 4(f) *de minimis* impact finding as a result of their concurrence with the *No Adverse Effect* determination.

The proposed use of the Section 4(f) properties for the subject project is considered minor and will not adversely affect the features, attributes, or activities that qualify for protection under Section 4(f). We have determined that the project will have a Section 4(f) *de minimis* impact on the Cornell Heights Historic District and 511 Kline Road, 114 Overlook Road, 903 Wyckoff Road, 100 Sunset Park Drive, and 201 Cayuga Heights Road properties, which are listed or eligible for listing on the National Register of Historic Places. The requirements of 23 CFR Part 774 have been met for this project.

If you have any questions, please feel free to contact me at (518) 431-8855.

Sincerely,

Jared A. Gross, P.E.  
Senior Area Engineer

cc: N. Herter, Bureau Chief, Technical Review and Compliance Unit, NYSHPO (21PR01362)  
C. Caraccilo, Cultural Resource Specialist, NYSDOT, Region 4  
S. Lusher, Local Project Liaison, NYSDOT, Region 3

# APPENDIX C



**Chapter 18, Appendix A - CAPITAL PROJECTS COMPLETE STREETS CHECKLIST (18A-4)**

<b>PIN:</b>	<input type="text" value="3950.69"/>	<b>Project Location:</b>	<input type="text" value="Village of Cayuga Heights, Tompkins County"/>
<b>Context:</b>	<input checked="" type="radio"/> <b>Urban / Village</b> <input type="radio"/> <b>Suburban</b> <input type="radio"/> <b>Rural</b>		
<b>Project Title:</b>	<input type="text" value="Walking Safe - Cayuga Heights"/>		

**STEP 1- APPLICABILITY OF CHECKLIST**

<b>1.1</b>	<p>Is the project located entirely on a facility where bicyclists and pedestrians are prohibited by law and the project does not involve a shared use path or pedestrian/bicycle structure? <i>If <b>no</b>, continue to question 1.2. If <b>yes</b>, <u>stop here</u>.</i></p>	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>
<b>1.2</b>	<p>a. Is this project a 1R* Maintenance project? <i>If <b>no</b>, continue to question 1.3. If <b>yes</b>, go to part b of this question.</i></p>	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>
<b>1.2</b>	<p>b. Are there opportunities on the 1R project to improve safety for bicyclists and pedestrians with the following Complete Street features?</p> <ul style="list-style-type: none"> <li>• Sidewalk curb ramps and crosswalks</li> <li>• Shoulder condition and width</li> <li>• Pavement markings</li> <li>• Signing</li> </ul> <p><i>Document opportunities or deficiencies in the IPP and <u>stop here</u>.</i></p> <p><small>* Refer to Highway Design Manual (HDM) Chapter 7, Exhibit 7-1 "Resurfacing ADA and Safety Assessment Form" under ADA, Pavement Markings and Shoulder Resurfacing for guidance.</small></p>	<input type="radio"/> <b>Yes</b> <input type="radio"/> <b>No</b>
<b>1.3</b>	<p>Is this project a Cyclical Pavement Marking project? <i>If <b>no</b>, continue to question 1.4. If <b>yes</b>, review <a href="#">EI 13-021</a>* and identify opportunities to improve safety for bicyclists and pedestrians with the following Complete Streets features:</i></p> <ul style="list-style-type: none"> <li>• Travel lane width</li> <li>• Shoulder width</li> <li>• Markings for pedestrians and bicyclists</li> </ul> <p><i>Document opportunities or deficiencies in the IPP and <u>stop here</u>.</i></p> <p><small>* EI 13-021, "Requirements and Guidance for Pavement Marking Operations - Required Installation of CARDS and Travel Lane and Shoulder Width Adjustments".</small></p>	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>
<b>1.4</b>	<p>Is this a Maintenance project (as described in the "Definitions" section of this checklist) and different from 1.2 and 1.3 projects? <i>If <b>no</b>, continue to Step 2. If <b>yes</b>, the Project Development Team should continue to look for opportunities during the Design Approval process to improve existing bicycle and pedestrian facilities within the scope of project. Identify the project type in the space below and <u>stop here</u>.</i></p> <div style="border: 1px solid black; height: 80px; width: 100%;"></div>	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>

**STEP 1** prepared by:  Date:

<b>STEP 2 - IPP LEVEL QUESTIONS (At Initiation)</b>	<b>Comment / Action</b>
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**Chapter 18, Appendix A - CAPITAL PROJECTS COMPLETE STREETS CHECKLIST (18A-5)**

2.1	<p>Are there public policies or approved known development plans (e.g., community Complete Streets policy, Comprehensive Plan, MPO Long Range and/or Bike/Ped plan, Corridor Study, etc.) that call for consideration of pedestrian, bicycle or transit facilities in, or linking to, the project area? <i>Contact municipal planning office, Regional Planning Group and Regional Bicycle/Pedestrian Coordinator.</i></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>The Village has a complete streets policy and also a comprehensive plan that encourages alternative modes of transportation</p>
2.2	<p>Is there an existing or planned sidewalk, shared use path, bicycle facility, pedestrian-crossing facility or transit stop in the project area?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>There are sidewalks in the general area of the proposed project. Ithaca High School and Boynton Middle School are nearby</p>
2.3	<p>a. Is the highway part of an existing or planned State, regional or local bicycle route? <i>If no, proceed to question 2.4. If yes, go to part b of this question.</i>                  b. Do the existing bicycle accommodations meet the minimum standard guidelines of <a href="#">HDM Chapter 17</a> or the AASHTO "Guide for the Development of Bicycle Facilities"? * <i>Contact Regional Bicycle/Pedestrian Coordinator</i>                  * Per HDM Chapter 17- Section 17.4.3, Minimum Standards and Guidelines.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No  <input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
2.4	<p>Is the highway considered important to bicycle tourism by the municipality or region?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
2.5	<p>Is the highway affected by special events (e.g., fairs, triathlons, festivals) that might influence bicycle, pedestrian or transit users? <i>Contact Regional Traffic and Safety</i></p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
2.6	<p>Are there existing or proposed generators within the project area (<i>refer to the "Guidance" section</i>) that have the potential to generate pedestrian or bicycle traffic or improved transit accommodations? <i>Contact the municipal planning office, Regional Planning Group, and refer to the CAMCI Viewer, described in the "Definitions" section.</i></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Ithaca High School and Boynton Middle School are in the project area.</p>
2.7	<p>Is the highway an undivided 4 lane section in an urban or suburban setting, with narrow shoulders, no center turn lanes, and existing Annual Average Daily Traffic (AADT) &lt; 15,000 vehicles per day? <i>If yes, consider a road diet evaluation for the scoping/design phase. Refer to the "Definitions" section for more information on road diets.</i></p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	

**Chapter 18, Appendix A - CAPITAL PROJECTS COMPLETE STREETS CHECKLIST (18A-6)**

<b>2.8</b>	Is there evidence of pedestrian activity (e.g., a worn path) and no or limited pedestrian infrastructure?	<input checked="" type="radio"/> <b>Yes</b> <input type="radio"/> <b>No</b>	There are no current sidewalks but students walk in the road to and from the schools
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**STEP 2** prepared by:  Date:

Bicycle/Pedestrian Coordinator has been provided an opportunity to comment:  **Yes**  **No**

**ATTACH TO IPP AND INCLUDE RECOMMENDATIONS FOR SCOPING/DESIGN.**

<b>STEP 3 - PROJECT DEVELOPMENT LEVEL QUESTIONS (Scoping/Design Stage)</b>			Comment / Action
<b>3.1</b>	Is there an identified need for bicycle/pedestrian/transit or "way finding" signs that could be incorporated into the project?	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	
<b>3.2</b>	Is there history of bicycle or pedestrian crashes in the project area for which improvements have not yet been made?	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	
<b>3.3</b>	Are there existing curb ramps, crosswalks, pedestrian traffic signal features, or sidewalks that don't meet ADA standards per <a href="#">HDM Chapter 18</a> ?	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	
<b>3.4</b>	Is the posted speed limit is 40 mph or more and the paved shoulder width less than 4' (1.2 m) (6' in the Adirondack or other State Park)? Refer to <a href="#">EI 13-021</a> .	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	
<b>3.5</b>	Is there a perceived pedestrian safety or access concern that could be addressed by the use of traffic calming tools (e.g., bulb outs, raised pedestrian refuge medians, corner islands, raised crosswalks, mid-block crossings)?	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	
<b>3.6</b>	Are there conflicts among vehicles (moving or parked) and bike, pedestrian or transit users which could be addressed by the project?	<input checked="" type="radio"/> <b>Yes</b> <input type="radio"/> <b>No</b>	Pedestrians currently have to walk in the roadway in many places due to topography and steep slopes adjacent to the roadway.
<b>3.7</b>	Are there opportunities (or has the community expressed a desire) for new/improved pedestrian-level lighting, to create a more inviting or safer environment?	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	
<b>3.8</b>	Does the community have an existing street furniture program or a desire for street appurtenances (e.g., bike racks, benches)?	<input type="radio"/> <b>Yes</b> <input checked="" type="radio"/> <b>No</b>	

**Chapter 18, Appendix A - CAPITAL PROJECTS COMPLETE STREETS CHECKLIST (18A-7)**

3.9	Are there gaps in the bike/pedestrian connections between existing/planned generators? <i>Consider locations within and in close proximity of the project area. (Within 0.5 mi (800 m) for pedestrian facilities and within 1.0 mi (1600 m) for bicycle facilities.)</i>	<input checked="" type="radio"/> Yes <input type="radio"/> No	This project will fill in a gap in the sidewalk network that will allow students to get to school safely.
3.10	Are existing transit route facilities (bus stops, shelters, pullouts) inadequate or in inconvenient locations? (e.g., not near crosswalks) <i>Consult with Traffic and Safety and transit operator, as appropriate</i>	<input type="radio"/> Yes <input checked="" type="radio"/> No	
3.11	Are there opportunities to improve vehicle parking patterns or to consolidate driveways, (which would benefit transit, pedestrians and bicyclists) as part of this project?	<input type="radio"/> Yes <input checked="" type="radio"/> No	
3.12	Is the project on a "local delivery" route and/or do area businesses rely upon truck deliveries that need to be considered in design?	<input type="radio"/> Yes <input checked="" type="radio"/> No	
3.13	Are there opportunities to include green infrastructure which may help reduce stormwater runoff and/or create a more inviting pedestrian environment?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Roadway drainage will be considered in the design of the sidewalk.
3.14	Are there opportunities to improve bicyclist operation through intersections and interchanges such as with the use of bicycle lane width and/or signing?	<input type="radio"/> Yes <input checked="" type="radio"/> No	

**STEP 3** prepared by:  Date:

Additional comments, supporting documentation and clarifications for answers in step 1, 2 or 3:

# Smart Growth Screening Tool

PIN 3950.69

Prepared By: Fisher Associates

## Smart Growth Screening Tool (STEP 1)

**NYSDOT & Local Sponsors** – Fill out the Smart Growth Screening Tool until the directions indicate to **STOP** for the project type under consideration. For all other projects, complete answering the questions. For any questions, refer to [Smart Growth Guidance](#) document.

Title of Proposed Project: Walking Safe - Cayuga Heights

Location of Project: Village of Cayuga Heights, Tompkins County

Brief Description: Milling and resurfacing of of Solar Street from Hiawatha Boulevard to 700 feet east of Bear Street. Upgrade of existing sidewalks and curb ramps to make them ADA compliant, 1200 feet of new sidewalk to close and existing gap and upgrade/new pedestrian signals.

### A. Infrastructure:

#### Addresses SG Law criterion a. –

(To advance projects for the use, maintenance or improvement of existing infrastructure)

1. Does this project use, maintain, or improve existing infrastructure?

Yes

No

N/A

**Explain:** (use this space to expand on your answers above – the form has no limitations on the length of your narrative)

The project involves the construction of a new sidewalk and the improvement to a cemetery access road that will provide pedestrian access to and from Ithaca HS and Boynton Middle School and also provide acces to the Cayuga Waterfront Trail.

#### Maintenance Projects Only

a. Continue with screening tool for the four (4) types of maintenance projects listed below, as defined in **NYSDOT PDM Exhibit 7-1 and described in 7-4:**

<https://www.dot.ny.gov/divisions/engineering/design/dqab/pdm>

➡ Shoulder rehabilitation and/or repair;

# Smart Growth Screening Tool

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- Upgrade sign(s) and/or traffic signals;
- Park & ride lot rehabilitation;
- 1R projects that include single course surfacing (inlay or overlay), per Chapter 7 of the NYSDOT Highway Design Manual.

b. For all other maintenance projects, **STOP here**. Attach this document to the programmatic [Smart Growth Impact Statement and signed Attestation](#) for Maintenance projects.

For all other projects (**other than maintenance**), continue with screening tool.

## B. Sustainability:

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NYSDOT defines Sustainability as follows: A sustainable society manages resources in a way that fulfills the community/social, economic and environmental needs of the present without compromising the needs and opportunities of future generations. A transportation system that supports a sustainable society is one that:

- Allows individual and societal transportation needs to be met in a manner consistent with human and ecosystem health and with equity within and between generations.
- Is safe, affordable, and accessible, operates efficiently, offers choice of transport mode, and supports a vibrant economy.
- Protects and preserves the environment by limiting transportation emissions and wastes, minimizes the consumption of resources and enhances the existing environment as practicable.

For more information on the Department's Sustainability strategy, refer to Appendix 1 of the Smart Growth Guidance and the NYSDOT web site, [www.dot.ny.gov/programs/greenlites/sustainability](http://www.dot.ny.gov/programs/greenlites/sustainability)

(Addresses SG Law criterion j : to promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain and implement.)

1. Will this project promote sustainability by strengthening existing communities?

Yes       No       N/A

2. Will the project reduce greenhouse gas emissions?

Yes       No       N/A

**Explain:** (use this space to expand on your answers above)

# Smart Growth Screening Tool

Question 1 - The project provides new pedestrian infrastructure in the Village, thus strengthening the community

Questions 2 - The project includes a new sidewalk which has the potential to reduce greenhouse gas emissions by allowing people to walk rather than driving.

## C. Smart Growth Location:

Plans and investments should preserve our communities by promoting its distinct identity through a local vision created by its citizens.

(Addresses SG Law criteria b and c: to advance projects located in municipal centers; to advance projects in developed areas or areas designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan.)

1. Is this project located in a developed area?

Yes  No  N/A

2. Is the project located in a municipal center?

Yes  No  N/A

3. Will this project foster downtown revitalization?

Yes  No  N/A

4. Is this project located in an area designated for concentrated infill development in a municipally approved comprehensive land use plan, waterfront revitalization plan, or Brownfield Opportunity Area plan?

Yes  No  N/A

**Explain:** (use this space to expand on your answers above)

Questions 1 and 2 - This project is located in an suburban area that has a densely development residential population.

Question 3 - The project is not anticipated to foster downtown revitalization as it is located away from the village center

Question 4 - The area is already completely developed with single family residences and a cemetery

## D. Mixed Use Compact Development:

# Smart Growth Screening Tool

Future planning and development should assure the availability of a range of choices in housing and affordability, employment, education transportation and other essential services to encourage a jobs/housing balance and vibrant community-based workforce.

(Addresses SG Law criteria e and i: to foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income groups; to ensure predictability in building and land use codes.)

1. Will this project foster mixed land uses?

Yes  No  N/A

2. Will the project foster brownfield redevelopment?

Yes  No  N/A

3. Will this project foster enhancement of beauty in public spaces?

Yes  No  N/A

4. Will the project foster a diversity of housing in proximity to places of employment and/or recreation?

Yes  No  N/A

5. Will the project foster a diversity of housing in proximity to places of commercial development and/or compact development?

Yes  No  N/A

6. Will this project foster integration of all income groups and/or age groups?

Yes  No  N/A

7. Will the project ensure predictability in land use codes?

Yes  No  N/A

8. Will the project ensure predictability in building codes?

Yes  No  N/A

**Explain:** (use this space to expand on your answers above)

The project is pedestrian improvement project to provide infrastructure to allow pedestrians to walk safely.



# Smart Growth Screening Tool

## E. Transportation and Access:

NYS DOT recognizes that Smart Growth encourages communities to offer a wide range of transportation options, from walking and biking to transit and automobiles, which increase people's access to jobs, goods, services, and recreation.

(Addresses SG Law criterion f: to provide mobility through transportation choices including improved public transportation and reduced automobile dependency.)

1. Will this project provide public transit?

Yes  No  N/A

2. Will this project enable reduced automobile dependency?

Yes  No  N/A

3. Will this project improve bicycle and pedestrian facilities (such as shoulder widening to provide for on-road bike lanes, lane striping, crosswalks, new or expanded sidewalks or new/improved pedestrian signals)?

Yes  No  N/A

(Note: Question 3 is an expansion on question 2. The recently passed Complete Streets legislation requires that consideration be given to complete street design features in the planning, design, construction, reconstruction and rehabilitation, but not including resurfacing, maintenance, or pavement recycling of such projects.)

**Explain:** (use this space to expand on your answers above)

Questions 2 - This project does not provide public transit but has the potential to reduce automobile by allowing school age children to walk to school rather than getting a ride.

Question 3 - The project will provide a new sidewalk and an improved pathway through a cemetery to allow pedestrians to walk safely, especially to and from Ithaca High School and Boynton Middle School.

## F. Coordinated, Community-Based Planning:

Past experience has shown that early and continuing input in the transportation planning process leads to better decisions and more effective use of limited resources. For information on community based planning efforts, the MPO may be a good resource if the project is located within the MPO planning area.

(Addresses SG Law criteria g and h: to coordinate between state and local government and inter-municipal and regional planning; to participate in community based planning and collaboration.)

1. Has there been participation in community-based planning and collaboration on the project?

# Smart Growth Screening Tool

Yes  No  N/A

2. Is the project consistent with local plans?

Yes  No  N/A

3. Is the project consistent with county, regional, and state plans?

Yes  No  N/A

4. Has there been coordination between inter-municipal/regional planning and state planning on the project?

Yes  No  N/A

**Explain:** (use this space to expand on your answers above)

The project has been a goal of the village to provide a safe pedestrian route to Ithaca High School and Moynton Middle School and is consistent with the Comprehensive Plan. The City and Town were consulted on the funding application for the TAP Grant and have indicated strong support for the project, particularly as the route creates safe pedestrian connections between the Village and those existing in the Town and city.

## G. Stewardship of Natural and Cultural Resources:

Clean water, clean air and natural open land are essential elements of public health and quality of life for New York State residents, visitors, and future generations. Restoring and protecting natural assets, and open space, promoting energy efficiency, and green building, should be incorporated into all land use and infrastructure planning decisions.

(Addresses SG Law criterion d :To protect, preserve and enhance the State's resources, including agricultural land, forests surface and ground water, air quality, recreation and open space, scenic areas and significant historic and archeological resources.)

1. Will the project protect, preserve, and/or enhance agricultural land and/or forests?

Yes  No  N/A

2. Will the project protect, preserve, and/or enhance surface water and/or groundwater?

Yes  No  N/A

3. Will the project protect, preserve, and/or enhance air quality?

Yes  No  N/A

4. Will the project protect, preserve, and/or enhance recreation and/or open space?

Yes  No  N/A

5. Will the project protect, preserve, and/or enhance scenic areas?

# Smart Growth Screening Tool

Yes  No  N/A

6. Will the project protect, preserve, and/or enhance historic and/or archeological resources?

Yes  No  N/A

**Explain:** (use this space to expand on your answers above)

The project has the potential to improve air quality by reducing the reliance on automobiles and enhance recreation opportunities by giving pedestrians a safe place to walk and providing improved access to the Cayuga Waterfront for residents of the village.

Question 6: The project will improve the pathway through the historic cemetery and also provide pedestrian scale lighting in the cemetery.

# Smart Growth Screening Tool

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## Smart Growth Impact Statement (STEP 2)

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**NYS DOT:** Complete a Smart Growth Impact Statement (SGIS) below using the information from the Screening Tool.

**Local Sponsors:** The local sponsors are **not** responsible for completing a Smart Growth Impact Statement. Proceed to **Step 3**.

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### Smart Growth Impact Statement

**PIN: 3950.69**

**Project Name: Walking Safe - Cayuga Heights**

Pursuant to ECL Article 6, this project is compliant with the New York State Smart Growth Public Infrastructure Policy Act. This project has been determined to meet the relevant criteria, to the extent practicable, described in ECL Sec. 6-0107. Specifically, the project:

- 
- 
- 
- 
- 
- 

This publically supported infrastructure project complies with the state policy of maximizing the social, economic and environmental benefits from public infrastructure development. The project will not contribute to the unnecessary costs of sprawl development, including environmental degradation, disinvestment in urban and suburban communities, or loss of open space induced by sprawl.

# Smart Growth Screening Tool

## Review & Attestation Instructions (STEP 3)

**Local Sponsors:** Once the Smart Growth Screening Tool is completed, the next step is to submit the project certification statement (**Section A**) to Responsible Local Official for signature. After signing the document, the completed Screening Tool and Certification statement should be sent to NYSDOT for review as noted below.

**NYSDOT:** For state-let projects, the Screening Tool and SGIS is forwarded to Regional Director/ RPPM/Main Office Program Director or designee for review, and upon approval, the attestation is signed (**Section B.2**). For locally administered projects, the sponsor's submission and certification statement is reviewed by NYSDOT staff, the appropriate box (**Section B.1**) is checked, and the attestation is signed (Section B.2).

### A. CERTIFICATION (LOCAL PROJECT)

**I HEREBY CERTIFY**, to the best of my knowledge, all of the above to be true and correct.

Preparer of this document:

Tim Falk  
Signature

6/2/2020  
Date

Sr. Transportation Manager  
Title

Timothy Faulkner, P.E.  
Printed Name

Responsible Local Official (for local projects):

[Signature]  
Signature

6/12/22  
Date

SUPT. OF PUBLICWORKS  
Title

BRENT A. CROSS  
Printed Name

# Smart Growth Screening Tool

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## B. ATTESTATION (NYSDOT)

### 1. I HEREBY:

Concur with the above certification, thereby attesting that this project is in compliance with the State Smart Growth Public Infrastructure Policy Act

Concur with the above certification, with the following conditions (information requests, confirming studies, project modifications, etc.):

(Attach additional sheets as needed)

do not concur with the above certification, thereby deeming this project ineligible to be a recipient of State funding or a subrecipient of Federal funding in accordance with the State Smart Growth Public Infrastructure Policy Act.

### 2. **NOW THEREFORE**, pursuant to ECL Article 6, this project is compliant with the New York State Smart Growth Public Infrastructure Policy Act, to the extent practicable, as described in the attached Smart Growth Impact Statement.

NYSDOT Commissioner, Regional Director, MO Program Director,  
Regional Planning & Programming Manager (or official designee):



Signature

11/29/2022

Date

PE1/RLPL

Title

Douglas K. Mills

Printed Name

# **APPENDIX D**

## Summary of Public Comments from Website

**Name**

Beatrice Szekely

**Comment**

It might be helpful in the second sentence of the Project Description to state which side of the road. That does become evident later in the paragraph, but not until then. Thank you.

**Name**

Gail Babcock

**Comment**

This is a fantastic idea and definitely welcome. My son walks up from school that way and I would LOVE to see sidewalks. Whichever is least expensive and gets the least pushback from homeowners works. Thank you!

**Name**

Vally Kovary

**Comment**

Can you lay out for us the known pluses and minuses of either side?

**Name**

Holly Tavelli

**Comment**

Will there be any lighting provided?

Will vehicular traffics be limited to one way?

Thank you!

**Name**

Lourdes Casanova

**Comment**

It is about time that there is a sidewalk in Cayuga Heights road and, unfortunately, it is not considered in this project. I enjoy walking and i do walk and, literally, I risk my life which is a shame. this is an urgent project and much more so in times in which we are staying at home.

**Name**

David Zax

**Comment**

We live in one of the houses on the route, at the intersection of Kline and Wyckoff. I'm concerned about the southern route, most specifically because crossing Kline at Wyckoff requires hoping downhill traffic is going slowly....sight lines are poor as one comes down past Overlook.



**Name**

Haralyn Kuckes

**Comment**

One person attending.

Thank you for this notice. I own the house at 100 Sunset Park Drive and my driveway and my land boundary to the South both border Wycoff Rd.

I think sidewalks are a really good idea and am happy these are being proposed. .

My question is about the placement of this sidewalk, especially on Wycoff Rd.

I would like to understand why in both plans, A and B, the sidewalk is on the North side of Wycoff Road?

There are no roads, no driveways, and no need for a crosswalk on the South side of that part of Wycoff Road.

If the sidewalk were put on the South side It would be much safer and seemingly cheaper.

You must realize that There is a lot of traffic coming and going from Sunset Park to Wycoff, and some of it is from inexperienced drivers as it is a favorite hangout for college students.

If the sidewalk is placed on the north side of Wycoff Road, In addition to the hazard of crossing Sunset Park Drive, the crosswalk to the cemetery from Wycoff Road will be an extra hazard because of the curves in Wycoff Road. at that point. It is a blind spot for traffic coming up the hill. And will be especially dangerous in slippery, icy snowy conditions.

I know you realize that The safest possible placement for a sidewalk would be where there are the fewest hazards, both driveways and a road, and that is on the South side of Wycoff Road, with no need for a dangerous crosswalk.

I would appreciate having a review of the placement on the North rather than the South side? It seems to me unsafe and unwise..

**Name**

Diana Nathanielsz

**Comment**

A sidewalk should be on the south side of Kline -- meaning that walkers will not need to cross Kline Rd to enter the cemetery if that is expected.

**Name**

Alison Shull

**Comment**

I support locating the sidewalk on the north side of Klein & Wykoff in order to minimize pedestrian road crossings.

What is the maintenance plan for keeping the sidewalk clear of hillside erosion debris, wet leaves and snow&ice, as well as preventing erosion from storm water runoff? If an efficient

process for keeping the sidewalk clear & intact can't be maintained, pedestrians will end up walking in the road.

**Name**

Mary Beth Norton

**Comment**

As a resident of lower (W) Remington Rd, I occasionally walk on Wyckoff between N. Sunset and the high school. A sidewalk is greatly needed so I strongly support the plan, regardless of which side of the road is selected. But it seems more logical to keep the sidewalk consistently on the same side of the road all the way down the hill rather than switching from one side to the other. I have another obligation tomorrow night so I can't attend the zoom meeting. If I could, that's what I would say.

**Name**

Jon Shu

**Comment**

As someone who drives and walks this route frequently, I think a long sidewalk along the north side would be more appropriate than one which creates Multiple pedestrian crossings and potentially awkward crossings at either end of the walkway.

**Name**

Karl Smolenski

**Comment**

This is wonderful, I highly support this. I don't have any opinions on the north vs. south. Every road in Cayuga heights should have a sidewalk... every road!

**Name**

Melissa Pollock

**Comment**

I looked at both drawings and see pros and cons with both. Drawing A seems to be best because there is no steep hillside sliding into the proposed sidewalk. The street crossing over the 100 block of Overlook Rd is also less steep than the 200 block. The turn down Kline Rd. from the 200 block is already tough due to the narrow road. I am curious if the village is going to take care of keeping the snow and ice off the sidewalks or if that (horrors!) is going to be put on the homeowners bordering the right of way.

**Name**

Alan Martinez

**Comment**

Hi Timothy,

We live at 201 Cayuga Heights Rd and wanted to share a few thoughts.

1. Obviously safety is a top priority and I wanted to share that at the intersection of Kline and CHR, cars traveling northbound curve around on CHR which makes it difficult for driver and pedestrian to see each other esp if coming from the bottom of the hill. To underscore the sight challenges here, we recently witnessed a car fail to see a police car which ended in a car crash

at this precise location. Worth thinking about as you design the intersection.  
We regularly walk our bikes up kline given the slope of the hill and wanted to ask if any thought has been given to how best to accomodate bikers going up kline given the width of the road.  
What signage is planned for the crosswalks in the drawings?  
Would love to get your thoughts on landscaping we can do to complement the new sidewalk which will run along the length of our house.  
anything being done to lower maintenance requirements for the sidewalks?

**Name**

Susan Barnett

**Comment**

The south side option A looks best as it's flatter so you wouldn't have to cut into the nice, natural bank to create room for a sidewalk. There's plenty of room on that side.

**Name**

Jon Lewis

**Comment**

Tim,

Jon Lewis here, the owner of 903 Wyckoff Road - the white house that features prominently on the webpage for this proposed project.

You may recall that I attended the public meeting on 17 November (as well as the Trustee meeting on 19 November), and I raised a number of questions and concerns about the placement of the proposed sidewalk on the North side of Wyckoff instead of the South side of Wyckoff.

I'm not going to repeat my questions and concerns here because they are a matter of record.

I would, however, repeat my request to receive the relevant sections / elevations so I can assess the appearance of a sidewalk as it might appear on the North side of Wyckoff.

You or your colleague indicated at the public meeting these renderings did exist but I have yet to see them. If they have been posted, please help me locate them.

As I'm sure you can appreciate, as the owner of a property that would abut approximately 300 ft of this proposed sidewalk - which I believe is considerably longer than any other abutting property owner, I am very, very interested in receiving considerably more detail about the proposed sidewalk on the North side of Wyckoff than what has been provided to date - including the same quality of graphic renderings that have been provided to property owners along Kline Road already.

**Name**

Elizabeth Goldberg

**Comment**

I live at 106 Corson Pl. and my mom lives at 221 Renwick Dr. I have three boys, the oldest is in

3rd grade and having a sidewalk to get them closer to grandma's and to middle and high school more safely is very appealing to us.

We walk from Cayuga Heights Rd. to Renwick Dr. along Wyckoff (and the reverse) nearly every day. Our kids (with permission) walk through the yard at 903 Wyckoff rather than walk along the road at the turn. It's not a good place for a cross walk. A sidewalk on the south side of Wyckoff seems much safer than having a cross walk at the hairpin turn.

It's a little strange to have the cemetery complete the route to the schools-- but I understand that it's probably that Ithaca won't partner on the project for a proper sidewalk all the way down Wyckoff.

In summary-- THANK YOU for your efforts to bring more sidewalks to Cayuga Heights. Please consider a route across the street from 903 Wyckoff rather than one that requires a cross walk at the turn.