



RESRFP25-1 Appendix 3. NYSERDA Guidance for Wetland and Waterbody Screenings for Large-Scale Renewable Energy Projects (DRAFT – FOR PUBLIC REVIEW)

Introduction and Purpose:

Unless a Proposer’s Bid Facility has received final jurisdictional determinations of the entire proposed Bid Facility’s planned Facility Area from the Authorities Having Jurisdiction over wetlands and waterbodies within the Bid Facility’s planned Facility Area, Proposers must adhere to these requirements contained herein when performing a required wetland and waterbody screening for Bid Proposals submitted under RESRFP25-1.

Collectively, the approximation of wetland and waterbody resources conducted via the desktop and field screening will serve to identify areas of potential impacts so that preliminary measures to avoid and minimize wetland impacts can be identified, evaluated, and implemented. This will assist Proposers and NYSERDA to ensure that the site has enough land void of presumed jurisdictional wetlands and waterbodies that it can support the Bid Facility as proposed. The field effort does not need to be comprised of all components associated with a full wetlands and waterbody delineation and should serve as a field-verified approximation of the wetlands and waterbodies identified via the desktop screening.

Desktop Screening:

The Proposer shall conduct a desktop review of available online data sources and maps of wetlands and waterways to identify areas within the proposed project site that likely have wetlands and/ or waterbodies. At a minimum, the Proposer shall utilize available on-line data sources including, to the extent available:

- New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper wetland inventory (previously mapped wetlands and informational freshwater wetland maps);
 - <https://gisservices.dec.ny.gov/gis/erm/>
- U.S. Geological Survey (USGS) topographic mapping (7.5-minute quadrangles)
 - <https://store.usgs.gov/map-locator>
- The National Land Cover Database land cover and vegetation classes (updated 2023)
 - <https://www.mrlc.gov/viewer/>
- United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) for federal wetlands;
 - <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/> or
 - <https://gisservices.dec.ny.gov/gis/erm/>
- United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey maps;
 - <https://websoilsurvey.nrcs.usda.gov/app/>
- NYSDEC’s Watershed with Significant Flooding map;
 - <https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program>
- NYSDEC’s Urban Areas Map;
 - <https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program>
- FEMA’s National Flood Hazard Layer;



- <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

Proposers are encouraged to use other available data to support this task, including but not limited to, the most currently available aerial imagery, LIDAR, topographic field survey, or other suitable data to approximate the boundaries. The Proposer shall specify the source(s) of data used for this task.

The Proposer will then be required to physically (i.e., not remotely) conduct a site reconnaissance field effort on all parcels included within the Bid Facility's planned Facility Area that are proposed to host the major renewable energy facility equipment. This field effort is required to ground truth information gathered during the desktop review and approximate the wetland and waterbody boundaries. Proposers must have necessary permission from landowners to access the site for these purposes, which does not necessarily mean site control, but can take the form of an access agreement (or equivalent) between the landowner and the developer.

Field Effort:

The field effort shall involve preliminary identification and general description of wetland and water resources, spot checking of soils, evaluation of hydrography and vegetation at selected locations, apparent functional status, and ground-truthing of various color tones and corresponding ecotones on aerial photographs and maps - thereby following the general guidance within the [U.S. Army Corps of Engineers \(USACE\) 1987 Wetland Delineation Manual](#) and the applicable version of the [2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual](#) and the [1995 New York State Freshwater Wetlands Delineation Manual](#). The field effort should be a presence confirmation of currently mapped NYSDEC or NWI wetland and an investigation of unmapped wetlands on parcels included within the Bid Facility's planned Facility Area.

The following information is offered to assist in complying with this task. This reconnaissance-level screening effort does not require features to be marked in the field (i.e., flagging tape) or the preparation of USACE Wetland/Stream Data Forms.

Wetland Screening Requirements:

- If the Proposer confirms the field conditions and mapped wetland boundaries (the previously mapped state freshwater wetlands boundaries and the informational state and/or federal freshwater wetland maps) are consistent, no GIS datapoints are required and these wetlands can be represented as mapped.
- Areas where either the mapped wetland boundary (the previously mapped state freshwater wetlands boundaries and/or the informational state and/or federal freshwater wetland maps) is extended or varies from actual field conditions due to spot checking for hydrology indicators, hydric soils, and hydric vegetation, the Proposer shall take a point approximately every 150-feet to estimate anticipated boundary changes in this scenario.
- For all non-mapped wetlands boundary points shall be taken every 150-feet to provide an approximate wetland boundary.
- For mapped wetlands that are not found in the field, the Proposer shall summarize the field data demonstrating that the wetland was not identified.

Waterbody Screening Requirements:

- For mapped waterbodies (streams, relatively permanent waterbodies (RPWs), ditches, etc.), if field conditions are consistent, waterbodies can be presented as mapped (the previously mapped state freshwater wetlands boundaries and/ or the informational state and/or federal freshwater wetland maps) in currently available data.
- For mapped waterbodies, if field conditions are not consistent, waterbodies should include data points as practicable, at 150-foot intervals.
- For unmapped waterbodies, the Proposer should include data points as practicable, at 150-foot intervals.
- For mapped waterbodies that are not found in the field the Proposer shall summarize the field data demonstrating that the waterbody was not identified.

Report Requirements:

Following the field effort, the Proposer shall prepare a “Preliminary Wetlands and Waterbodies Report” that summarizes the field effort and any wetlands, waterbodies, ditches, etc. identified onsite. This report should include a map of the extents of the proposed Bid Facility’s major renewable energy facility equipment in the report, the parcel boundaries included in the Bid Facility’s planned Facility Area, approximate areas screened in the field effort, the approximate boundaries of wetlands and waterbodies, supported by photographic documentation, in particular, field conditions, soils of wetland boundary adjustment areas, and Geographic Information System (GIS) shapefiles of the approximate boundaries including wetland or other waterbody boundary adjustment areas. If any parcels were inaccessible for the field effort due to lack of land control by the Proposer, or lack of necessary permissions from landowners, data from the desktop screening can be used to identify speculative wetlands and waterbodies. In instances where this was the case, the Proposer should identify these parcels in the report.

Additionally, the Proposer shall provide resumes of the lead wetland scientist(s) who performed the screening to NYSERDA as part of this report.

Impact Estimation:

Agency verifications are not requested, as these should be based on a formal delineation and not reconnaissance-level screening; however, Proposers are encouraged to use best-professional-judgement to offer a forecast of likely or presumed jurisdictional statuses (both state and federal) of all features documented during the screening. To determine the jurisdictional status of state wetlands and waterbodies, the Proposer is strongly encouraged to review 6 NYCRR Part 664.5, 664.6, and 664.7(b) and the latest version of DEC’s Standard Operating Procedures (SOP) for Remote Jurisdictional Determinations and Classification of Freshwater Wetlands Pursuant to 6 NYCRR Part 664, Freshwater Wetland Jurisdiction and Classification

<https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination>

to evaluate if any of the field identified wetland and/or waterbodies meet the characteristics detailed therein (i.e., listed species, FEMA designation, urban area, etc.). It is understood that presumed jurisdictional statuses are non-binding and being provided to assist with planning purposes only.



Proposers are permitted and encouraged to submit a full wetland and waterbody delineation report if completed at the time of the Step Two Bid Proposal submission.

A map depicting the proposed site layout of the major generating equipment overlaid with the boundaries of all screened features should be provided to clearly identify where jurisdictional impacts, such that might require state or federal permitting and/or mitigation, may occur within the design. Anticipated steps for addressing permitting and mitigation should be summarized in the Proposer's Permit Plan as described in RESRFP25-1 [Section Forthcoming]. The Proposer shall review Article VIII Part 1101 of Title 16 of the Public Service Law for approved mitigation strategies as needed.