

Law and Regulations	Description
EO 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations	Requires each federal agency to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.
EO 13045: Protection of Children from Environmental Health Risks and Safety Risks	Requires each federal agency to make it a high priority to identify and assess environmental health risks and safety risks that might disproportionately affect children and ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.
EO 13175: Consultation and Coordination with Indian Tribal Governments	In formulating or implementing policies that have tribal implications, requires agencies to consult with tribal officials regarding the need for federal standards and any alternatives that would limit the scope of federal standards or otherwise preserve the prerogatives and authority of Indian tribes.

### **3.3 AGENCY COORDINATION**

There is ongoing cooperation and coordination between TYAD personnel and state and federal resource agencies. These agencies include the U.S. Fish and Wildlife Service (USFWS), Pennsylvania Game Commission, Pennsylvania Fish and Boat Commission, Pennsylvania Department of Conservation and Natural Resources (PA DCNR), and other state organizations. Examples of the types of coordination between TYAD and these organizations include FWS providing technical fisheries assistance; Pennsylvania Fish and Boat Commission providing fishing and hunting permit-use interpretation and Pennsylvania Game Commission providing permit consultation and interpretation of hunting regulations. FWS and Pennsylvania Natural Heritage Program (PNHP) agency coordination also involves the provision of data and feedback on threatened and endangered species. TYAD also coordinates and works with local academic organizations including the East Stroudsburg University on the Pennsylvania Osprey Reintroduction Program.

#### **3.3.1 Threatened and Endangered Species**

The enactment of the Endangered Species Act (ESA) of 1973 and AR 200-1 provided the regulatory guidance for protection of rare, threatened and endangered species. Federally listed species are protected by way of ESA and any action that may affect a federally listed species must be reviewed and coordinated with the USFWS. The PNHP inventories and maintains a list of ecologically significant species and

communities, and federal and state listed species. Both Federal and State inventories were queried to determine what listed species and critical habitats may occur within or near TYAD boundaries.

### **3.3.1.1 Federal Listings**

The USFWS-listed threatened, endangered and/or candidate species with potential to occur within or near TYAD were determined using the USFWS online screening tool (Appendix B). There were a total of three potential federally threatened or endangered species:

Bog turtle (*Clemmys [Glyptemys] muhlenbergii*)

Listing Status: Threatened

Indiana bat (*Myotis sodalis*)

Listing Status: Endangered

Northeastern bulrush (*Scirpus ancistrochaetus*)

Listing Status: Endangered

None of the federally listed species have been encountered during prior survey efforts nor were any encountered during the 2012 field surveys. The overall lack of findings of these three species is consistent with prior field survey efforts including Nature Conservancy (1994), and the comprehensive 2001 Study (USACE 2001). Flying bats were observed onsite in 2012 but positive identification was not confirmed. Mist netting bat surveys were conducted in 2001 but Indiana Bat was not among those species observed.

### **3.3.1.2 State Listings**

The Pennsylvania State-listed threatened, endangered or special concern species that may potentially occur within TYAD boundaries were determined utilizing the online Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review screening tool (Appendix B). This inventory includes PA Game Commission, PA Department of Conservation and Natural Resources, and PA Fish and Boat Commission. A total of four species of special concern and one currently threatened status were determined to be potentially present within TYAD boundaries. The PNDI mapping tool also indicated five areas of Species of Concern “Core Habitat” extending onto TYAD from adjacent areas. The five species listed include both upland and wetland vegetation as listed below.

- Soft-leaved Sedge (*Carex disperma*)  
Current and Proposed Status: Special Concern Species

- Bog Sedge (*Carex paupercula*)  
 Current Status: Threatened; Proposed Status: Special Concern Species
- Thread Rush (*Juncus filiformis*)  
 Current and Proposed Status: Special Concern Species
- Common Labrador-tea (*Ledum groenlandicum*)  
 Current and Proposed Status: Special Concern Species
- Oakes Pondweed (*Potamogeton oakesianus*)  
 Current Status: Special Concern Species; Proposed Status: Endangered

A separate search of available data was conducted to determine all potential threatened, endangered and special concern species within Monroe County, PA. A listing of potential and observed state listed reptile, amphibian, fish, mammal and avian species are shown in Tables 3-5, 3-6, 3-7 and 3-8. A complete list of potential state listed species for Monroe County can be found in Appendix B.

Pennsylvania State listed species were previously recorded at TYAD. At the time of the Nature Conservancy study (TNC 1994), and 2001 study, three of the five current listed species and two additional were found on TYAD and are list below.

- Carex disperma*, Soft-leaved sedge
- Carex paupercula*, Bog sedge
- Ledum groenlandicum*, Common Labrador-tea
- Elymus trachycaulus*, Slender wheat grass
- Gentiana linearis*, Narrow-leaved gentian

During the 2012 sampling efforts only the bog and soft-leaved sedges were observed, however the survey of plant communities was not as comprehensive as the previous studies.

**Table 3-5 Reptile and Amphibian Species listed in Monroe County by the Pennsylvania Natural Heritage Program<sup>1</sup>**

Common name	Scientific name	PFBC Status <sup>2</sup>	PBS Status <sup>3</sup>	PA State Wildlife Action Plan <sup>4</sup>		Observed On-site	
				G Rank	S Rank	2000	2012
Marbled Salamander	<i>Ambystoma opacum</i>			G5	S3S4	--	--
Spotted Turtle	<i>Clemmys guttata</i>			G5	S3	--	--
Timber Rattlesnake	<i>Crotalus horridus</i>	PC	CA	G4	S3S4	--	--

Common name	Scientific name	PFBC Status <sup>2</sup>	PBS Status <sup>3</sup>	PA State Wildlife Action Plan <sup>4</sup>		Observed On-site	
				G Rank	S Rank	2000	2012
Wood Turtle	<i>Glyptemys insculpta</i>			G3	S3S4	--	--
Bog Turtle	<i>Glyptemys muhlenbergii</i>	PE	PE	G3	S2	--	--
Four-toed Salamander	<i>Hemidactylium scutatum</i>			G5	S4	--	--
Smooth Green Snake	<i>Liochlorophis vernalis</i>			G5	S3S4	X	--
Eastern Box Turtle	<i>Terrapene carolina</i>			G5T5	S3S4	--	--
Eastern Ribbon Snake	<i>Thamnophis sauritus</i>			G5	S3	--	--

<sup>1</sup>Source: <http://www.naturalheritage.state.pa.us/Species.aspx>, includes additional information on status codes

<sup>2</sup> Pennsylvania Fish and Boat Code Status: PE= Pennsylvania endangered, PC= Pennsylvania uncommon

<sup>3</sup> Pennsylvania Biological Survey Status: PE= Pennsylvania endangered, PT= Pennsylvania threatened, CA= Candidate at Risk, CR= Candidate Rare

<sup>4</sup> Pennsylvania State Wildlife Action Plan: G= global ranking, S= state ranking (1=imperiled, 5= demonstrably secure)

**Table 3-6 Fish Species listed in Monroe County by the Pennsylvania Natural Heritage Program<sup>1</sup>**

Common name	Scientific name	PFBC Status <sup>2</sup>	PBS Status <sup>3</sup>	PA State Wildlife Action Plan <sup>4</sup>		Observed On-site	
				G Rank	S Rank	2000	2012
American Brook Lamprey	<i>Lampetra appendix</i>	PC	CP	G4	S4	--	--
Bridle Shiner	<i>Notropis bifrenatus</i>	PE	PE	G3	S1	--	--
Ironcolor Shiner	<i>Notropis chalybaeus</i>	PE	PE	G4	S1	--	--
Eastern Mudminnow	<i>Umbra pygmaea</i>	PC	CP	G5	S3	--	X

<sup>1</sup>Source: <http://www.naturalheritage.state.pa.us/Species.aspx>, includes additional information on status codes

<sup>2</sup> Pennsylvania Fish and Boat Code Status: PE= Pennsylvania endangered, PC= Pennsylvania uncommon

<sup>3</sup> Pennsylvania Biological Survey Status: PE= Pennsylvania endangered, PT= Pennsylvania threatened, CA= Candidate at Risk, CR= Candidate Rare

<sup>4</sup> Pennsylvania State Wildlife Action Plan: G= global ranking, S= state ranking (1=imperiled, 5= demonstrably secure)

**Table 3-7 Mammal Species listed in Monroe County by the Pennsylvania Natural Heritage Program<sup>1</sup>**

Common name	Scientific name	PGC Status <sup>2</sup>	PBS Status <sup>3</sup>	PA State Wildlife Action Plan <sup>4</sup>		Observed On-site	
				G Rank	S Rank	2000	2012
Bobcat	<i>Felis rufus</i>	--	CA	G5	S3S4	X	X
Northern Flying Squirrel	<i>Glaucomys sabrinus</i>	--	--	G5	SU	--	--
Northern River Otter	<i>Lontra canadensis</i>	--	CA	G5	S3	X	X
Eastern Small-footed Myotis	<i>Myotis leibii</i>	--	PT	G3	S1B,S1N	--	--
Northern Myotis	<i>Myotis septentrionalis</i>	--	CR	G4	S1	--	--
Indiana or Social Myotis	<i>Myotis sodalis</i>	LE	PE	G2	SUB,S1N	--	--
Water Shrew	<i>Sorex palustris albibarbis</i>	--	CR	G5T5	S3	--	--

<sup>1</sup>Source: <http://www.naturalheritage.state.pa.us/Species.aspx>, includes additional information on status codes

<sup>2</sup> Pennsylvania Game Commission Status: PE= Pennsylvania endangered, PT= Pennsylvania threatened

<sup>3</sup> Pennsylvania Biological Survey Status: PE= Pennsylvania endangered, PT= Pennsylvania threatened, CA= Candidate at Risk, CR= Candidate Rare

<sup>4</sup> Pennsylvania State Wildlife Action Plan: G= global ranking, S= state ranking (1=imperiled, 5= demonstrably secure)

The following table (Table 3-8) summarizes the PNHP's status and rank codes for birds of special concern in Monroe County. Of the ten species listed for Monroe County, three have been observed at TYAD during the 2001 Study and 2012.

**Table 3-8 Avian Species listed in Monroe County by the Pennsylvania Natural Heritage Program<sup>1</sup>**

Common name	Scientific name	PGC Status <sup>2</sup>	PBS Status <sup>3</sup>	PA State Wildlife Action Plan <sup>4</sup>		Observed On-site	
				G Rank	S Rank	2000	2012
Northern Goshawk	<i>Accipiter gentilis</i>	PE	CA	G5	S2S3B, S3N	--	--
Henslow's Sparrow	<i>Ammodramus henslowii</i>	--	CR	G4	S3B	--	--
Great Blue Heron	<i>Ardea herodias</i>	--	--	G5	S3S4B, S4N	X	X
American Bittern	<i>Botaurus lentiginosus</i>	PE	PE	G4	S1B	--	--
Northern Harrier	<i>Circus cyaneus</i>	--	PT	G5	S2B,S4N	X	X
Sedge Wren	<i>Cistothorus platensis</i>	PE	PE	G5	S1B	--	--
Bald Eagle	<i>Haliaeetus leucocephalus</i>	PT	PT	G5	S3B	--	--
Black-crowned Night-heron	<i>Nycticorax nycticorax</i>	PE	PE	G5	S1B	--	--
Osprey	<i>Pandion haliaetus</i>	PT	PT	G5	S3B	X	X
King Rail	<i>Rallus elegans</i>	PE	PE	G4	S1B	--	--

<sup>1</sup>Source: <http://www.naturalheritage.state.pa.us/Species.aspx>, includes additional information on status codes

<sup>2</sup> Pennsylvania Game Commission Status: PE= Pennsylvania endangered, PT= Pennsylvania threatened

<sup>3</sup> Pennsylvania Biological Survey Status: PE= Pennsylvania endangered, PT= Pennsylvania threatened, CA= Candidate at Risk, CR= Candidate Rare

<sup>4</sup> Pennsylvania State Wildlife Action Plan: G= global ranking, S= state ranking (1=imperiled, 5= demonstrably secure)

TYAD regularly tracks select fauna species. These species include Osprey, Canada geese, barn swallows, cliff swallows, great blue herons, black bear, wild turkey, and white-tailed deer populations. Recent purchase and installation of trail cameras at key locations at TYAD, monitored through this study, will continue to be utilized to monitor existing/known species and to document new species occurrences on TYAD. TYAD continues to manage habitat to improve species density and diversity including neotropical migratory birds and regularly conducts investigation for the presence of threatened and endangered species within TYAD or on adjacent parklands. White-tail deer population monitoring and management is ongoing with emphasis on preventing habitat destruction and nuisance behavior.