



September 5, 2014

Mr. David Coburn
Director, Onondaga County Office of the Environment
John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street
Syracuse, New York 13202

Dear Mr. Coburn:

On behalf of the Onondaga Audubon Society, its board, and over 2,250 members, we are writing to provide comment in regards to the Draft Environmental Impact Statement (DEIS) for the Onondaga Lake Amphitheater Project. We have extreme interest in the conservation of Onondaga Lake as high priority Important Bird Area (IBA). In this letter, we have highlighted portions of the DEIS that we are pleased with, parts that are insufficient and inadequate in assessing impact on wildlife, and lastly, we have included recommendations for further mitigation in the event that this project moves forward.

In regards to Onondaga Lake as an asset to birds, the IBA was established in 1996 by Audubon New York, which is the state program for the National Audubon Society. The lake is recognized for its value to congregating waterfowl and also noted for its support of Bald Eagles. More recently, in 2013, along with 22 other national and international sites, Onondaga Lake was designated as one of National Audubon Society's high priority IBAs. There are over 2,500 Audubon IBAs today.

Onondaga Audubon's mission is to engender in Central and Northern New Yorkers a greater appreciation for their land, water, and other natural resources, and to increase respect for the wildlife that inhabits these places, especially birds. We feel strongly that it is our role to advocate for respect for wildlife within special areas like Onondaga Lake.

During the scoping period and on opening day of the west shore trail expansion, OAS requested the following:

We ask that Onondaga County considers incorporating "Bird-friendly Building Design" and other bird conservation standards into all development projects that take place on and around the shores of Onondaga Lake.

To continue a legacy of sustaining Onondaga Lake and its value to birds, the Onondaga Audubon Society respectfully requests that Onondaga County develops and adopts bird conservation development standards that:

1. Require comprehensive pre-construction and post-construction bird surveys
2. Prevent human disturbance of Bald Eagle roosting sites and nesting sites of Bald Eagles and other birds of conservation priority.
3. Avoid fragmentation of existing and newly restored habitat that has high conservation value to birds.
4. Incorporate "Bird-Friendly Building Design" concepts into new and existing building construction that focus on:

- Glass and bird collision mitigation
- Light pollution reduction
- Facility runoff and wastewater management
- Design trap abatement – example: poorly designed parking lots that appear to waterfowl as bodies of water where they are left unable to take off again
- Habitat enhancement via landscape architecture and bird supporting structures (eg., building a chimney-like tower for nesting Chimney Swifts)

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We feel that parts of the DEIS on the right track in regards to mentioning the exploration of incorporation “bird-friendly building design” elements into the project and setting a goal to follow “dark sky initiative” strategies for the facility and grounds lighting. It is a good start that could be augmented with further bird conservation expert recommendations.

In regards to the assessment of impact on birds and other wildlife, it is evident that the DEIS is a gross misrepresentation of what the amphitheater site currently provides habitat for and what could be lost in terms of birds, other wildlife and valuable habitat.

The Draft Environmental Impact Statement (DEIS) recognizes that birds and other wildlife rely on the project site and adjacent areas, but minimizes potential disruption to their habitat and lifecycle, fails to quantify off-site impacts, ignores fragmentation and other potential negative effects, and fails to consider the lost opportunity for restoration.

❖ **The proposed amphitheater site and adjacent natural areas provide habitat for many birds and other wildlife of concern.**

- A 2012-2013 bird survey of Wastebeds 1 – 8, which includes the project site, noted the presence of Bald Eagles, Osprey and Common Tern. Area birders have also spotted Common Loon, Horned Larks, American Bittern, Bobolinks, Yellow-Bellied Flycatchers, and Acadian Flycatchers on or near the project site.
- Federally listed endangered Indiana and proposed endangered northern long-eared bats have been seen on or identified as likely to be drawn to the project site and adjacent undeveloped areas.
- The shoreline along the site is a major roosting and foraging site for waterbirds year-round. In 2008 and 2009, the U.S Fish and Wildlife Service surveyed waterfowl on Onondaga Lake and found the NYS “threatened” Pied-Billed Grebe in the area along with Bald Eagles and Common Loons, a declining species.

❖ **The DEIS inappropriately minimizes the potential impact of noise, lights, and intensified human use on wildlife.**

- The construction- and operation-related impacts on wildlife identified in the DEIS include habitat loss, disturbance from noise and intensive human use, and possible accidents involving wildlife and construction equipment. However, these impacts are characterized as insignificant, since wildlife are presumed to be “habituated” to noise and human presence due to construction and remediation efforts on the Lake and in some areas along the lake shore.
- The DEIS fails to consider differences between concentrated construction and scattered, often distant remediation activities along the lake shore; differences in duration, timing, or quality of construction noise versus rock concert noise; differences in lighting specific construction projects versus lighting a large venue and creating the concert atmosphere desired by performers; or differences between temporary disturbances and summer-long disruptions extending into the foreseeable future.
- If successful, the amphitheater will routinely draw thousands of people to the site for large concerts with loud music and possibly light shows. Previously undisturbed parts of the site will be opened to visitors by the placement of walking trails, a picnic area, and other amenities. This represents a complete change in the disturbance regime of the site, which may highly and adversely impact sensitive species.
- The DEIS provides no hard data or other evidence to justify its conclusions or its comparison of intense, dispersed, unpredictable human use throughout the event complex and related trail systems to localized, limited, and often distant construction operations.

❖ **The DEIS doesn’t adequately document the species that are present at the site and may be negatively impacted.**

- To properly assess the amphitheater’s wildlife impacts, in addition to determining the species present, the County must determine their relative abundance, the role that this site plays in their lifecycle, and the availability of mitigation options. Similar data for adjacent areas is necessary to understand off-site impacts. No data beyond species presence was presented in the DEIS
- The County also failed to collect adequate site-specific data. The DEIS relies on generalized, non-site-specific data bases, such as the Breeding Bird Atlas, to identify birds present or likely to be present at the site. Recent studies, such as an extensive 2012-2013 site-specific survey, were ignored and the County’s experts made no effort to collect site-specific bird data themselves.

❖ **The DEIS fails to consider the amphitheater’s impacts on adjacent areas and uses or fragmentation effects.**

- The DEIS doesn’t consider impacts on sensitive species, such as the American Bittern which has returned to nearby Nine Mile Creek, or birds on Onondaga Lake. The noise, bright lights, and crowds of the amphitheater are likely to make the area unsuitable for sensitive species and to disturb nesting or migrating waterfowl.
- The western shoreline of Onondaga Lake is one of the few places in the Syracuse area that supports waterfowl hunting. Disturbances to area waterfowl may disrupt this use of the Lake.
- The DEIS suggests that endangered bats disturbed by site activity will move north or south of the site. The County provides no field data or other evidence that nearby areas are appropriate for bat roosting, foraging or breeding or, if present, would not be disrupted by site operations.

- Carving out almost 20% of the minimally developed land along the western lakeshore along will fragment this habitat. The intensely used, landscaped tract may create a barrier to movement within the area or attract undesirable, non-native species, such as European Starling which aggressively compete with other birds and mammals for food and nesting sites. The DEIS doesn't mention fragmentation.
- The DEIS briefly notes potential run-off from the site, including herbicides and fertilizers from landscaping and hydrocarbons, heavy metals, and salt from parking lots and roads. There is no assessment of the potential negative impacts of this run-off and absolutely no link made to habitat or wildlife impacts.
- These impacts may be particularly important in re-naturalized areas along Geddes Brook and Nine Mile Creek to the north and in mitigation wetlands being built to the south. A public project that undermines investments in habitat reconstruction and precludes returning the last undeveloped parcels along the Lake to a more natural state is particularly troubling, given strong public preferences for a natural lakeshore.

It is clear that the amphitheater project will adversely affect birds and other wildlife and negatively impact birding, which is one of the fastest growing outdoor recreation activities according to a 2006 study done by the US Fish and Wildlife Service.

What is not clear is how much of a negative impact there will be and more bird data needs to be explored as well as multiple strategies to mitigate the impact of the amphitheater project if it moves forward.

Similar to the OAS letter submitted to County Executive Mahoney in May, below are some recommendations to consider regarding the project:

- Incorporate Bird-Friendly Building Design
- Reduce collisions with low use of glass and/or glass designed to reduce bird collisions
- Avoid design traps that lure birds in and retain them
- Use blue and green lights instead of red and white and monitor lights to turn off and release any birds trapped by illumination (blue and green lights have been noted to not attract birds on oil rigs)
- Have landscaping compliment habitat restored by Honeywell (eg., the use of native vegetation that directly benefits birds and other wildlife)
- Incorporate grass on lawn area of venue that does not need as much mowing or need for pesticides, herbicides, or fertilizer.
- Reduce carbon dioxide emissions by installing electric plug-ins for tractor trailers that would otherwise idle during concerts
- Incorporate a high use boating area near existing Honeywell Onondaga Lake Visitor Center away from lakeview point and shuttle boaters to events
- Enforce a low wake zone near point and other restored habitat areas
- Consult with bird experts from the on further mitigation techniques

Lastly, if this project is aimed at bringing thousands of event attendees to Onondaga Lake, then there should be a significant portion of sales from tickets at the event to pay to conserve and sustain the lake as a whole and enhance it as an Important Bird Area. It would be appropriate for those funds to support a group like the Onondaga Lake Conservation Corps, which is solely dedicated to Onondaga Lake. Additionally, it would be beneficial to seek out socially responsible performers who would like to contribute toward the sustainability of Onondaga Lake as an Important Bird Area.

Onondaga Audubon is pleased that birds are part of the conversation already in many of the project areas around Onondaga Lake and that our input is valued. While understanding that there is a large and diverse public interest in different types of development surrounding Onondaga Lake, it is imperative that our leaders help maintain the ecological vitality and the quality of life that our lake provides to birds and our community.

Feel free to connect with Onondaga Audubon's Liaison to Onondaga Lake Frank Moses in the future at 315-857-4907 or via email at onondagalakebirds@gmail.com to discuss future input regarding bird conservation.

Thank you for your past support and consideration to continue of the Onondaga Lake Important Bird Area.

Sincerely,



Paul Richardson, President



Frank Moses, Liaison to Onondaga Lake