



# United States Department of the Interior

FISH AND WILDLIFE SERVICE

Long Island Field Office

New York Field Office



Dear Federal Agency or Non-Federal Representative (NFR):

Thank you for completing the U.S. Fish and Wildlife Service's (Service) Long Island and New York Ecological Service Field Office's<sup>1</sup> (LIFO and NYFO, respectively) online project review process<sup>2</sup>. The Service appreciates this opportunity to provide comments on species under our jurisdiction pursuant to the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

This letter is intended to support the review of projects (except wind power projects<sup>3</sup>) **with** Federal agency involvement (*e.g.*, funding, permitting, authorizing, or carrying out). As you are aware, Federal agencies have responsibilities under section 7 of the ESA to consult with the Service regarding projects that may affect federally listed species or designated critical habitat and confer with the Service regarding projects that are likely to jeopardize federally proposed species or adversely modify proposed critical habitat.

If you<sup>4</sup> have determined that the proposed action will result in "no effect" to any federally listed or proposed species and/or designated or proposed critical habitat because the Service's Information for Planning and Consultation (IPaC) official species list provided for your project confirms that there are **no** federally listed or proposed species and **no** federally designated or proposed critical habitat (see Attachment A), then this letter in conjunction with your project review package, confirms that you have completed the online project review process in accordance with all instructions provided, using the best available information we provided to reach your conclusions.

**Next steps: Please print this letter, your official species list, and all other associated documentation for your files.** No further coordination with the Service is required pursuant to the ESA for this project. Please **do not** submit these documents to the LIFO or NYFO for review. We will not be providing any additional correspondence.

Until the proposed project is complete, we recommend that you check our website regularly to ensure that federally listed species presence/probable absence information for the proposed

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<sup>1</sup> Contact information for the LIFO is 340 Smith Rd., Shirley, NY 11967; 631-286-0485 and for NYFO is 3817 Luker Rd., Cortland, NY 13045; 607-753-9334

<sup>2</sup> Information regarding the online project review process can be found here: <https://www.fws.gov/office/new-york-ecological-services-field/new-york-project-reviews>.

<sup>3</sup> For wind power projects, please coordinate with the LIFO or NYFO directly regarding potential effects to migrating birds or bats regardless of results of the IPaC official species list.

<sup>4</sup> If you are not staff from a Federal agency or an officially designated non-federal representative of a Federal agency (in writing), please provide a copy of your initial determination(s) and supporting materials to any involved Federal agency for their final ESA determination.

project is current.<sup>5</sup> Should additional information on federally listed species become available, please contact us for additional assistance.

Any new information regarding the proposed project and its potential to impact federally listed species should be coordinated with either the LIFO or NYFO and with the New York State Department of Environmental Conservation.

Thank you for coordinating with us. Depending on the location of your project, if you require additional information or assistance, please contact the Service at [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov) or you can call our offices directly at 631-286-0485 (LIFO) or 607-753-9334 (NYFO).

Sincerely,

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Ian Drew  
Field Supervisor

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<sup>5</sup> For more information on federally listed species presence/probable absence, please see: <https://www.fws.gov/office/new-york-ecological-services-field/species>.

## Attachment A

### Example language that you may experience in IPaC:

#### Example 1:

*“There is a total of 1 threatened, endangered, or candidate species on this species list.”*

- The “1” species represents the monarch butterfly (*Danaus plexippus*), which is a candidate for listing under the ESA<sup>6</sup> (also see fourth bullet). This species is consistently identified for all IPaC official species lists generated for proposed projects in New York. **No** federally listed threatened or endangered species should be identified on the IPaC official species list.

#### Example 2:

*“There are no critical habitats within your project area under either LIFO/NYFO jurisdiction.”*

- Under the ESA, critical habitat refers to geographic areas that are essential for the conservation of a threatened or endangered species and that may require special management considerations or protection. The only federally designated critical habitat present within New York is for the Great Lakes population of the piping plover (*Charadrius melodus*) and is along the eastern end of Lake Ontario. Please **do not** use this letter if the Great Lakes population of the piping plover is identified on the IPaC official species list.

#### Example 3:

*You may have a species on the species list, but their status is listed as “candidate.”*

- Candidates are species under consideration for official listing for which there is sufficient information to support listing. There are no section 7 consultation requirements for candidate species; however, we encourage all Federal agencies/NFRs to take advantage of any opportunity they may have to conserve the species and their habitats.
- The monarch butterfly is one such species that is currently a candidate for listing under the ESA. While there are **no** section 7 consultation requirements at this time, we encourage Federal agencies/NFRs to consider incorporating habitat restoration or enhancement measures into project plans that benefit monarch butterflies and other pollinators. To learn more about the monarch butterfly and how to restore or enhance pollinator habitat, please visit this link:  
<https://www.fws.gov/initiative/pollinators/monarchs>

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<sup>6</sup> For more information about the Service’s 12-month finding for the monarch butterfly, please see:  
<https://www.federalregister.gov/documents/2020/12/17/2020-27523/endangered-and-threatened-wildlife-and-plants-12-month-finding-for-the-monarch-butterfly>.