



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Long Island Field Office

New York Field Office



Dear Project Sponsor/Proponent or Consultant:

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 **no** Federal agency involvement (*e.g.*, no federal funding, permitting, authorizing, or carrying out). *Please do not use this letter if it is yet to be determined whether a Federal agency will be involved with your project.*

If you have determined that the proposed action will result in "no take"<sup>4</sup> of any federally listed species because the Service's Information for Planning and Consultation (IPaC) official species list provided for your project confirms that there are **no** federally listed species (see Attachment A), then this letter, and your project review package, completes the review of your project in accordance with the ESA. Impacts to proposed species and critical habitat is reviewed for projects with Federal agency involvement only. 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 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 the results of IPaC official species list.

<sup>4</sup> Take is defined in section 3 of the ESA as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

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

This letter does not exempt the project sponsor/proponent from obtaining approvals or permits that may be required by State or Federal agencies. Further, this letter does not convey any authorization for take under the ESA or any other authorities. 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 from 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 third 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:

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

- Candidates are species under consideration for official listing for which there is sufficient information to support listing. There are no section 10 consultation requirements for candidate species; however, we encourage all project sponsors/proponents 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 10 consultation requirements, we encourage project sponsors/proponents to consider incorporating habitat restoration or enhancement measures into project plans that benefits the monarch butterfly 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>.