



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:
Project code: 2023-0055104
Project Name: Connecticut River Bridge Replacement Project
IPaC Record Locator: 442-12397781

March 22, 2023

Federal Action Agency (if applicable): Department of Transportation

Subject: Record of project representative's no effect determination for 'Connecticut River Bridge Replacement Project'

Dear CHRIS VONDERWEIDT:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on March 22, 2023, for 'Connecticut River Bridge Replacement Project' (here forward, Project). This project has been assigned Project Code 2023-0055104 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter.

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action

and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Red Knot *Calidris canutus rufa* Threatened
- Roseate Tern *Sterna dougallii dougallii* Endangered

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the New England Ecological Services Field Office and reference Project Code 2023-0055104 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Connecticut River Bridge Replacement Project

2. Description

The following description was provided for the project 'Connecticut River Bridge Replacement Project':

Replacement of existing Amtrak rail bridge. Town of Old Saybrook and Town of Old Lyme, CT.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.3095882,-72.33513167789938,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The proposed action intersected an area where northern long-eared bat is not likely to occur.

Do you want to make a no effect determination?

Yes

PROJECT QUESTIONNAIRE

IPAC USER CONTACT INFORMATION

Agency: Stantec
Name: CHRIS VONDERWEIDT
Address: 30 PARK DRIVE
City: TOPSHAM
State: ME
Zip: 04086
Email: christopher.vonderweidt@stantec.com
Phone: 2072407466

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Transportation



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:
Project Code: 2023-0033475
Project Name: Connecticut River Bridge Replacement Project

January 12, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 12/27/2022 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the “**New England Field Office Endangered Species Project Review and Consultation**” website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

<https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review>

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (Updated 12/27/2022) Please visit our New England Field Office Project Review webpage at the link above for updated northern long-eared bat consultation guidance. The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule will go into effect on **January 30, 2023**. After that date, the current 4(d) rule for NLEB will no longer be in effect, and the 4(d) determination key will no longer be available. New compliance tools will be available by mid- to late-January, and information will be posted on our New England Field Office Project Review webpage in January, so please check this site often for updates.

Depending on the type of effects a project has on NLEB, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project may result in incidental take of NLEB after the new listing goes into effect, this will need to be addressed in an updated consultation that includes an Incidental Take Statement. Many of these situations will be addressed through the new compliance tools. If your project may require re-initiation of consultation, please wait for information on the new tools to appear on our website or contact our office at **newengland@fws.gov** for additional guidance.

Additional Info About Section 7 of the Act

Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/service/section-7-consultations>

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the

ESA. The species' occurrence on an official species list does not convey a requirement to consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

<https://www.fws.gov/program/migratory-bird-permit>

<https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List
 - Coastal Barriers
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Project Code: 2023-0033475

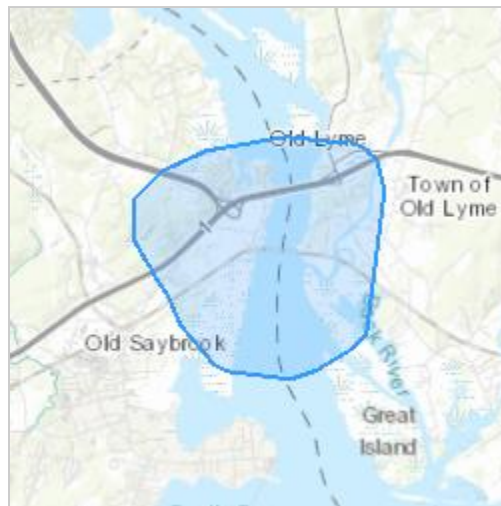
Project Name: Connecticut River Bridge Replacement Project

Project Type: Bridge - Replacement

Project Description: Replacement of existing Amtrak rail bridge. Town of Old Saybrook and Town of Old Lyme, CT.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.30979045,-72.35275489326678,14z>



Counties: Middlesex and New London counties, Connecticut

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Roseate Tern <i>Sterna dougallii dougallii</i> Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2083	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Coastal Barriers

Projects within the [John H. Chafee Coastal Barrier Resources System](#) (CBRS) may be subject to the restrictions on Federal expenditures and financial assistance and the consultation requirements of the Coastal Barrier Resources Act (CBRA) (16 U.S.C. 3501 et seq.). For more information, please contact the local [Ecological Services Field Office](#) or visit the [CBRA Consultations website](#). The CBRA website provides tools such as a flow chart to help determine whether consultation is required and a template to facilitate the consultation process.

System Unit (SU)

*Most new Federal expenditures and financial assistance, including Federal flood insurance, are prohibited within System Units. **Federally-funded projects within System Units require consultation with the Service.** Consultation is not required for projects using private, state, or local funds.*

UNIT	NAME	TYPE	SYSTEM UNIT ESTABLISHMENT DATE	FLOOD INSURANCE PROHIBITION DATE
CT-07	Griswold Point	SU	11/16/1990	11/16/1990

IPaC User Contact Information

Agency: The Calladium Group
Name: Linus Levey
Address: 540 President St
Address Line 2: 3rd Floor
City: Brooklyn
State: NY
Zip: 11215
Email: linus@calladiumgroup.com
Phone: 7188659780

Lead Agency Contact Information

Lead Agency: Federal Railroad Administration



United States Department of the Interior



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<http://www.fws.gov/newengland>

In Reply Refer To:

December 01, 2021

Consultation Code: 05E1NE00-2021-SLI-3867

Event Code: 05E1NE00-2022-E-02147

Project Name: Connecticut River Bridge Replacement Project

Subject: Updated list of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2021-SLI-3867

Event Code: Some(05E1NE00-2022-E-02147)

Project Name: Connecticut River Bridge Replacement Project

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: Replacement of existing Amtrak rail bridge. Town of Old Saybrook and Town of Old Lyme, CT.

Project Location:

Approximate location of the project can be viewed in Google Maps: [https://](https://www.google.com/maps/@41.31011265,-72.35013220711531,14z)

www.google.com/maps/@41.31011265,-72.35013220711531,14z



Counties: Middlesex and New London counties, Connecticut

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Roseate Tern <i>Sterna dougallii dougallii</i> Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2083	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS New England Field Office: Species Summary Table for Endangered Species Project Review

Your name: Ben Wolman

Date: 12/1/2021

Project name used in IPaC: Connecticut River Bridge Replacement Project

Step 1 – Review project on IPAC Website: <https://ecos.fws.gov/ipac/>

Step 2 Listed or candidate species that are likely present according to the Official Species List from IPaC.	Step 2 Is your action area in Critical Habitat* for any of these species (only for Plymouth red-bellied cooter)? Yes or No	Step 3A Is suitable habitat for listed or candidate species present in your action area? “suitable habitat present” “suitable habitat not present” “Don’t know”	Step 3B Does the species occur in your action area? “Species present” “Species not present” “Don’t know”	Step 4 Determinations for the Endangered Species Act – Federal agencies or designated non-Federal representatives complete this column “No effect” “May affect” “Adverse effect”	Notes and Documentation (attach additional information and/or pages if needed)
Northern Long-eared Bat	No	Suitable habitat present	Don’t know	No effect	The CTDEEP published map that depicts areas of known hibernacula for the Northern Long-Eared Bat shows that the closest site is located in the Town of North Branford, which is about 20 miles from the action area. However, natural resource surveys confirmed that potential pup rearing trees do exist within the action area. The 2014 EA states that “The vegetation near the top of the existing railroad embankment comprises primarily woody and herbaceous species that are tolerant of disturbed conditions (e.g., the invasive tree-of-heaven [<i>Ailanthus altissima</i>]). As ground elevation approaches mean high water at the embankment toe of slope, the vegetation transitions to estuarine scrub/shrub species that are tolerant of occasional tidal flooding (e.g., groundsel bush [<i>Baccharus halimifolia</i>] and northern bayberry [<i>Morella pensylvanica</i>]). The removal of some

					<p>scrub/shrub vegetation along the existing embankment may be necessary to accommodate the new alignment and construction access, but Amtrak will minimize the extent of vegetation removal to the extent practical. These areas have relatively little value as terrestrial habitat, and as such, no significant permanent impacts to terrestrial natural resources are expected.”</p> <p>Based on the above information provided in the 2014 EA, it is expected that scrub/shrub vegetation would be removed but not standing trees. If any trees were to be removed, tree clearing would not occur in the months of June or July to avoid pup rearing season for the Northern Long-Eared Bat as well as other Connecticut-listed bats. As such, no effect to listed bat species are anticipated.</p>
Red Knot	No	Suitable habitat not present	Species not present	No effect	<p>Habitats for migrating and wintering Red Knots are typically coastal mudflats and tidal zones, and sometimes open sandy beaches. This species feeds in the marine intertidal zone in coves, estuaries and inlets during spring and fall migration along the Atlantic coast. During fall, it is very unlikely that this species spends time on the Connecticut coast with most sightings in the northeast in Massachusetts or New Jersey. However, during spring migration in April or May, some individuals could stop over in or near the action area and feed on river margins in the intertidal zone. The Connecticut Audubon specifically mentioned Griswold Point as a location where the Red Knot can be found. This location is over 2 miles south of the Project within the Long Island Sound.</p> <p>According to the Cornell Lab of Ornithology on-line database (i.e., eBird), sightings of Red Knot in Connecticut occur throughout the year, but are usually more frequent from late July to late September. Most of the sightings in the vicinity of the action area have taken place in the general locale of the Great Island Wildlife Area, at the mouth of</p>

					<p>the Connecticut River, and are concentrated at least 0.75 miles south of the project limits (i.e., outside the action area). The most recent sighting was on August 15th, 2020, at Griswold Point. Other sighting dates for Red Knot were June 7, 2019, May 29, 2017, and August 29, 2014.</p> <p>It is highly unlikely that the Red Knot would utilize any of the habitats within or adjacent to the project limits based on the preferred habitats utilized by this species during its non-breeding occurrences in Connecticut as well as its recorded distribution. Moreover, Amtrak’s consultants did not observe this species during fieldwork in 2018, 2019, and 2020. As such, no suitable habitat was found to be present within the Project's action area and no effect to Red Knots are anticipated.</p>
Roseate Tern	No	Suitable habitat not present	Species not present	No effect	<p>According to CTDEEP, "Roseate Terns nest in colonies on sand/gravel beaches or pebbly/rocky offshore islands along the Atlantic coast from Nova Scotia south to Long Island, New York, and on the southern tip of Florida." Based on eBird, sightings of Roseate Tern (<i>Sterna dougallii dougallii</i>) occur between May and September. Most of the sightings in the vicinity of the action area have taken place in the general locale of the Great Island Wildlife Area, at the mouth of the Connecticut River, and are concentrated at least 0.75 miles south of the project limits (i.e., outside the action area). The most recent sighting was on August 29, 2020, at Griswold Point. This is considered the local “hot spot” with numerous sightings dating back to 2016.</p> <p>Neither the Red Knot and Roseate Tern have been identified to occur within the project boundary in any field surveys to date or on the CTDEEP Natural Diversity Data Base (NDDDB) list as of December 31, 2019 and the USFWS, in their November 9, 2020 response, confirmed that their records indicate the same. It is highly unlikely that Roseate Terns utilize any of the habitats within or adjacent to the project limits based on their preferred habitats as well as its recorded distribution and its known</p>

					breeding colonies. As such, no suitable habitat was found to be present within the Project's action area and no effect to Roseate Terns are anticipated.

* Critical Habitat refers to officially designated areas, but species may occur anywhere that there is suitable habitat.

Notes for when a species is present:

- If you determine “No Effect” no further consultation is necessary.
- If you determine “May Affect/Not likely to adversely affect,” submit a **Project Review Package**.
- If “adverse effect”, contact us to either initiate formal consultation or initiate discussion on ways to avoid adverse effect.



United States Department of the Interior



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New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

January 4, 2021

To Whom It May Concern:

This project was reviewed for the presence of federally listed or proposed, threatened or endangered species or critical habitat per instructions provided on the U.S. Fish and Wildlife Service's New England Field Office website:

<https://www.fws.gov/newengland/endangeredspecies/index.html> (accessed January 2021)

Based on information currently available to us, no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under section 7 of the Endangered Species Act is not required. No further Endangered Species Act coordination is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your cooperation. Please contact us at 603-223-2541 or www.fws.gov/newengland if we can be of further assistance.

Sincerely,

David Simmons
Acting Field Supervisor
New England Field Office