

Appendix D

IPaC Query for the Project Area (accessed on May 12, 2017)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New Jersey Ecological Services Field Office
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<http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>

In Reply Refer To:

October 09, 2017

Consultation Code: 05E2NJ00-2018-SLI-0046

Event Code: 05E2NJ00-2018-E-00093

Project Name: Thompsons Marsh Restoration

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species that may occur in your proposed action area and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.)

If the enclosed list indicates that any listed species may be present in your action area, please visit the New Jersey Field Office consultation web page as the next step in evaluating potential project impacts: <http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>

On the New Jersey Field Office consultation web page you will find:

- habitat descriptions, survey protocols, and recommended best management practices for listed species;
- recommended procedures for submitting information to this office; and
- links to other Federal and State agencies, the Section 7 Consultation Handbook, the Service's wind energy guidelines, communication tower recommendations, the National Bald Eagle Management Guidelines, and other resources and recommendations for protecting wildlife resources.

The enclosed list may change as new information about listed species becomes available. As per Federal regulations at 50 CFR 402.12(e), the enclosed list is only valid for 90 days. Please return to the ECOS-IPaC website at regular intervals during project planning and implementation to obtain an updated species list. When using ECOS-IPaC, be careful about drawing the boundary of your Project Location. Remember that your action area under the ESA is not limited to just the footprint of the project. The action area also includes all areas that may be indirectly affected through impacts such as noise, visual disturbance, erosion, sedimentation, hydrologic change,

chemical exposure, reduced availability or access to food resources, barriers to movement, increased human intrusions or access, and all areas affected by reasonably foreseeable future that would not occur without ("but for") the project that is currently being proposed.

We appreciate your concern for threatened and endangered species. The Service encourages Federal and non-Federal project proponents to consider listed, proposed, and candidate species early in the planning process. Feel free to contact this office if you would like more information or assistance evaluating potential project impacts to federally listed species or other wildlife resources. Please include the Consultation Tracking Number in the header of this letter with any correspondence about your project.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
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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 Jersey Ecological Services Field Office

4 E. Jimmie Leeds Road, Suite 4

Galloway, NJ 08205

(609) 646-9310

Project Summary

Consultation Code: 05E2NJ00-2018-SLI-0046

Event Code: 05E2NJ00-2018-E-00093

Project Name: Thompsons Marsh Restoration

Project Type: SHORELINE / BEACH PROTECTION / RENOURISHMENT

Project Description: Previous land use of the Delaware Estuary marshes involved impoundment for farming. This has caused considerable impacts to the diversity and sea level rise resilience of tidal marshes. More than 10,000 acres of tidal marsh has been lost. Dredged sediment can be used to restore marsh elevations in order to convert mudflat back to vegetated marsh and increase habitat diversity by converting low marsh to high marsh.

Dredged material from the adjacent waterway would be deposited in sediment containment settling basin to increase the elevation of former salt hay farm area with elevations that are currently too low in the tidal range to support robust vegetation. Once elevations are achieved, the areas would be planted with native vegetation.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/39.20863631731546N74.982187987179W>



Counties: Cape May, NJ | Cumberland, NJ

Endangered Species Act Species

There is a total of 6 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. 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.

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> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Flowering Plants

NAME	STATUS
American Chaffseed <i>Schwalbea americana</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1286	Endangered
Knieskern's Beaked-rush <i>Rhynchospora knieskernii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3280	Threatened
Sensitive Joint-vetch <i>Aeschynomene virginica</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/855	Threatened
Swamp Pink <i>Helonias bullata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4333	Threatened

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

USFWS National Wildlife Refuges And Fish Hatcheries

Any activity proposed on [National Wildlife Refuge](#) lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

REFUGE INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.
PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service³. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are [USFWS Birds of Conservation Concern](#) that might be affected by activities in this location. The list does not contain every bird you may find in this location, nor is it guaranteed that all of the birds on the list will be found on or near this location. To get a better idea of the specific locations where certain species have been reported and their level of occurrence, please refer to resources such as the [E-bird data mapping tool](#) (year-round bird sightings by birders and the general public) and [Breeding Bird Survey](#) (relative abundance maps for breeding birds). Although it is important to try to avoid and minimize impacts to all birds, special attention should be given to the birds on the list below. To get a list of all birds potentially present in your project area, visit the [E-bird Explore Data Tool](#).

NAME	BREEDING SEASON
American Oystercatcher <i>Haematopus palliatus</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31
Audubon's Shearwater <i>Puffinus lherminieri</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Buff-breasted Sandpiper <i>Tryngites subruficollis</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Black Rail <i>Laterallus jamaicensis</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/7717	Breeds Mar 1 to Sep 15

Black Skimmer <i>Rynchops niger</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Bobolink <i>Dolichonyx oryzivorus</i> Bird of Conservation Concern (BCC)	Breeds May 20 to Jul 31
Canada Warbler <i>Wilsonia canadensis</i> Bird of Conservation Concern (BCC)	Breeds May 20 to Aug 10
Cerulean Warbler <i>Dendroica cerulea</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/2974	Breeds Aug 20 to Jul 20
Clapper Rail <i>Rallus longirostris</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/8937	Breeds Apr 10 to Oct 31
Dunlin <i>Calidris alpina arctica</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Evening Grosbeak <i>Coccothraustes vespertinus</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Eastern Whip-poor-will <i>Caprimulgus vociferus</i> Bird of Conservation Concern (BCC)	Breeds May 1 to Aug 20
Gull-billed Tern <i>Gelochelidon nilotica</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/9501	Breeds May 1 to Jul 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Hudsonian Godwit <i>Limosa haemastica</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Kentucky Warbler <i>Oporornis formosus</i> Bird of Conservation Concern (BCC)	Breeds Apr 20 to Aug 20
King Rail <i>Rallus elegans</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Long-eared Owl <i>asio otus</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/3631	Breeds elsewhere
Least Tern <i>Sterna antillarum</i>	Breeds Apr 20 to Sep 10

Bird of Conservation Concern (BCC)

Lesser Yellowlegs <i>Tringa flavipes</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Nelson's Sparrow <i>Ammodramus nelsoni</i> Bird of Conservation Concern (BCC)	Breeds May 15 to Sep 5
Prairie Warbler <i>Dendroica discolor</i> Bird of Conservation Concern (BCC)	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> Bird of Conservation Concern (BCC)	Breeds Apr 1 to Jul 31
Purple Sandpiper <i>Calidris maritima</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> Bird of Conservation Concern (BCC)	Breeds May 10 to Sep 10
Red-throated Loon <i>Gavia stellata</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Saltmarsh Sparrow <i>Ammodramus caudacutus</i> Bird of Conservation Concern (BCC)	Breeds May 15 to Sep 5
Short-billed Dowitcher <i>Limnodromus griseus</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Semipalmated Sandpiper <i>Calidris pusilla</i> Bird of Conservation Concern (BCC)	Breeds elsewhere
Seaside Sparrow <i>Ammodramus maritimus</i> Bird of Conservation Concern (BCC)	Breeds May 10 to Aug 20
Whimbrel <i>Numenius phaeopus</i> Bird of Conservation Concern (BCC) https://ecos.fws.gov/ecp/species/9483	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> Bird of Conservation Concern (BCC)	Breeds May 10 to Aug 31

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>

- Measures for avoiding and minimizing impacts to birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
 - Nationwide conservation measures for birds
<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeas>
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