

APPENDIX F

U. S. Fish and Wildlife Service Consultation



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Long Island Field Office

340 Smith Road

Shirley, NY 11967

Phone: (631) 286-0485 Fax: (631) 286-4003

<http://www.fws.gov/northeast/nyfo>



To: Hannah Emouna

Date: 10/11/2017

USFWS File No:

Regarding your: ☒ letter ☐ FAX ☒ E-mail dated: June 2017

For project: SCDPW Marsh restoration projects.

Located: Gardiner Park, West Sayville, Timber Point Parks

In Town/County: Suffolk County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

- ☒ Acknowledges receipt of your "no effect" determination. No further ESA coordination or consultation is required.
- ☐ Acknowledges receipt of your determination. Please provide copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.
- ☐ Is taking no action pursuant to ESA or any other legislation at this time but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project area is current. Should project plans change or additional information on listed or proposed species or critical habitat become available, this determination may be reconsidered.

Pursuant to the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*),

- | | |
|---|--|
| <input type="checkbox"/> Requests additional time for review. | <input type="checkbox"/> Is taking no action pursuant to FWCA due to lack of funding. |
| <input type="checkbox"/> Is providing FWCA comments (see attached). | <input type="checkbox"/> Has no objection pursuant to the FWCA. |
| <input type="checkbox"/> Will provide FWCA comments separately. | <input type="checkbox"/> Is taking no action pursuant to the FWCA at this time but would like to be kept informed of project developments. |

USFWS Contact(s):

Date: 10/11/2017

Supervisor:

Date:



NELSON, POPE & VOORHIS, LLC

ENVIRONMENTAL • PLANNING • CONSULTING
572 WALT WHITMAN ROAD, MELVILLE, NY 11747-2188
(631) 427-5665 FAX (631) 427-5620
www.nelsonpopevoorhis.com

From: Nelson Pope & Voorhis
c/o Hannah Emouna, Environmental Scientist
572 Walt Whitman Road
Melville, NY 11747
(631)427-5665
hemouna@nelsonpope.com

To: U.S. Fish and Wildlife Service
Long Island Field Office
340 Smith Road
Shirley, NY 11967

June 21, 2017

Re: Online Project Review Request, Gardiner County Park, Suffolk County, New York

We have reviewed the above referenced project using the New York Field Office's online project review process and have followed all guidance and instructions in completing the review. We completed our review on November 30, 2016 and are submitting our project review package in accordance with the instructions for further review.

The proposed Project involves marsh restoration of several Suffolk County and New York State properties, funded as part of the National Fish and Wildlife Foundation Hurricane Sandy Coastal Resiliency Competitive Grant Program NFWF Grant #CP 8710.147. The Project would implement sustainable salt marsh rehabilitation methodologies known as Integrated Marsh Management (IMM) with goals to improve natural local conditions for marsh accretion and native vegetation, realignment or naturalization of tidal ditches/channels, maintenance or filling of strategic ditches, and installation of runnels to connect marsh areas suffering of water logging. Integrated Marsh Management (IMM) is an approach to tidal wetlands management that seeks to maximize multiple benefits and reconcile competing management goals. The IMM approach to project design involves convening strategic stakeholders into an interagency team that will plan the project based on the site-specific considerations and stakeholder goals and mandates. Marsh management techniques are then chosen and tailored to the needs of that site.

The purpose of the Project is to provide flood and storm surge risk reduction, wave energy reduction, and increased resiliency of coastal ecosystems and communities to rising sea levels and extreme storm events. One of the main goals of the Project is to develop and implement sustainable salt marsh rehabilitation methodologies under the conceptual umbrella of Integrated

Marsh Management (IMM)¹. Such on-going stewardship of the tidal wetlands will enhance resiliency of coastal ecosystems and communities in the face of rising sea levels and extreme storm events². IMM has been field tested by the core team of Suffolk County applicants at Wertheim National Wildlife Refuge (NWR) and recently adopted by US Fish & Wildlife Service (USFWS) as part of their approach for expanding salt marsh habitat restoration on the remainder of their refuges on Long Island (funded through DOI grant). The primary goal of the Project can be realized by extending the use of IMM techniques to on County marshes in a sustainable manner.

For the purposes of the Project, Gardiner County Park has been divided into two separate units; Gardiner Park East and Gardiner Park West. The units are divided by an access road and no function as two distinct marshes.

Suffolk County Gardiner Park East: Approximately 28 acres

The marsh system is heavily impacted by the creation of historic grid-ditching and is showing signs of waterlogging and the loss of marsh vegetation. In addition, the upper portions are also subject to serious infiltration by the invasive reed *Phragmites australis*. The area is heavily used by the public and features hiking trails and beach access. Restoring this site will preserve an important community asset with high visibility that will help generate continuing public support for these efforts. This site is actively monitored and managed by Suffolk County Department of Public Works, Division of Vector Control as is it presents and important public health issue in the form of West Nile Virus (WNV).

Suffolk County Gardiner Park West: Approximately 69 acres

The marsh system is heavily impacted by the creation of historic grid-ditching and is showing signs of waterlogging and the loss of marsh vegetation. In addition, the upper portions are also subject to serious infiltration by the invasive reed *Phragmites australis*. The area is heavily used by the public and features hiking trails and beach access. Restoring this site will preserve an important community asset with high visibility that will help generate continuing public support for these efforts. This site is actively monitored and managed by Suffolk County Department of Public Works, Division of Vector Control as is it presents and important public health issue in the form of West Nile Virus (WNV).

The location of the project and the action area are identified on the enclosed map. As this is a federally funded project, this project review is needed to confirm that impacts as a result of the Project would not occur on listed threatened or endangered species or critical habitat.

The enclosed project review package provides the information about the species, critical habitat, and bald eagles considered in our review, and the species conclusions table included in the package identifies our determinations for the resources that may be affected by the project.

¹ Rochlin, I., M. J. James-Pirri, S. Adamowicz, R. Wolfe, P. Capotosto, M. Dempsey, T. Iwanejko, and D. Ninivaggi. 2012b. Integrated Marsh Management (IMM): a new perspective on mosquito control and best management practices for salt marsh restoration. *Wetlands Ecology and Management* 20:219-232

² Deegan, Linda L.A., David Samuel D.S. Johnson, R.S. Scott Warren, Bruce B.J. Peterson, John J.W. Fleeger, Sergios S. Fagherazzi, & and Wilfred W.M. Wollheim. 2012. Coastal eutrophication as a driver of Salt Marsh Loss. *Nature* 490: 388-392.



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www.nelsonpopevoorhis.com

For additional information, please contact Hannah Emouna at the address listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Emouna', is written over a light blue horizontal line.

Hannah Emouna
Environmental Scientist

Enclosures:

- 1) Site Map
- 2) Species Conclusion Table
- 3) IPaC Trust Resources Report



FIGURE
GARDINER COUNTY PARK AERIAL MAP

Source: NYS Orthophotography, 2013
Scale: 1 inch = 750 feet



**SCDPW Wetlands
Restoration Project
under NFWF Grant
CP 8710.147**

Environmental Assessment

Species Conclusions Table

Project Name: Gardiner County Park- East & West

Date:6/21/2017

Species Name/Critical Habitat	Potential Habitat Present?	Species Present?	Critical Habitat Present?	ESA / Eagle Act Determination	Notes / Documentation Summary (include full rationale in your report)
Piping Plover (<i>Charadrius melodus</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Red Knot (<i>Calidris canutus rufa</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Roseate Tern (<i>Sterna dougallii dougalli</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Sandplain Gerardia (<i>Agalinis acuta</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Seabeach Amaranth (<i>Amaranthus pumilus</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)/None	Yes	No	No	Take is not anticipated	Habitat for species not present. Project will occur within tidal marsh.
Bald Eagle (<i>Haliaeetus leucocephalus</i>)/None	No	No	No	Unlikely to disturb nesting bald eagles	

Tidal Wetland Restoration: Gardiner Park West, Suffolk County

IPaC Trust Resources Report

Generated November 30, 2016 09:49 AM MST, IPaC v3.0.10

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.



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IPaC Trust Resources Report



NAME

Tidal Wetland Restoration: Gardiner
Park West, Suffolk County

LOCATION

Suffolk County, New York

DESCRIPTION

The location is Gardiner Park West, Suffolk County Park in Bay Shore, NY. The area to be restored is marshland under the New York State Department of Environmental Conservation, and the approximate size of the project is 83 acres. The scope of the project: tidal marsh within the selected area to



be restored through an integrated marsh management approach to improve tidal hydrology activity, to reduce storm and flood surge risks, reduce wave energy and flood risks to adjacent communities and improve resiliency against sea level rise . Tidal channels to be assessed and restored, strategic creation of shallow tidal channels (runnels) connecting isolated sections within the marsh that show deterioration, and potentially removal of berms along main tidal channels to allow sediment delivery to the inner marsh and marsh accretion. The project will be design in 2006-2017, and field restoration work will be conducted during winters season 2017

IPAC LINK

<https://ecos.fws.gov/ipac/project/GD2XW-KWA4B-ESFHZ-NCNR5-VEVJ7U>

U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

Long Island Ecological Services Field Office

340 Smith Road

Shirley, NY 11967

(631) 286-0485

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the [Endangered Species Program](#) of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

[Section 7](#) of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Documents section in IPaC or from the local field office directly.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Birds

Piping Plover *Charadrius melodus* Threatened

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B079

Red Knot *Calidris canutus rufa* Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0DM

Roseate Tern *Sterna dougallii dougallii* Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B07O

Flowering Plants

Sandplain Gerardia *Agalinis acuta*

Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q24K

Seabeach Amaranth *Amaranthus pumilus*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q2MZ

Mammals

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=A0JE

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] 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.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The following species of migratory birds could potentially be affected by activities in this location:

American Oystercatcher *Haematopus palliatus*

Bird of conservation concern

On Land Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0G8

American Bittern *Botaurus lentiginosus*

Bird of conservation concern

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F3

Bald Eagle *Haliaeetus leucocephalus*

Bird of conservation concern

On Land Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B008

Black Skimmer *Rynchops niger*

Bird of conservation concern

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0EO

Black-billed Cuckoo *Coccyzus erythrophthalmus*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HI

Bird of conservation concern

Blue-winged Warbler *Vermivora pinus*

On Land Season: Breeding

Bird of conservation concern

Canada Warbler *Wilsonia canadensis*

On Land Season: Breeding

Bird of conservation concern

Fox Sparrow *Passerella iliaca*

On Land Season: Wintering

Bird of conservation concern

Gull-billed Tern *Gelochelidon nilotica*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JV

Bird of conservation concern

Hudsonian Godwit *Limosa haemastica*

At Sea Season: Migrating

Bird of conservation concern

Least Bittern *Ixobrychus exilis*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B092

Least Tern *Sterna antillarum*

On Land Season: Breeding

Bird of conservation concern

Marbled Godwit *Limosa fedoa*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JL

Bird of conservation concern

Peregrine Falcon *Falco peregrinus*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU

Bird of conservation concern

Pied-billed Grebe *Podilymbus podiceps*

On Land Season: Year-round

Bird of conservation concern

Prairie Warbler *Dendroica discolor*

On Land Season: Breeding

Bird of conservation concern

Purple Sandpiper *Calidris maritima*

On Land Season: Wintering

Bird of conservation concern

Red Knot *Calidris canutus rufa*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DM

Bird of conservation concern

Rusty Blackbird *Euphagus carolinus*

On Land Season: Wintering

Bird of conservation concern

Saltmarsh Sparrow *Ammodramus caudacutus*

On Land Season: Breeding

Bird of conservation concern

Seaside Sparrow *Ammodramus maritimus*

On Land Season: Year-round

Bird of conservation concern

Short-eared Owl *Asio flammeus*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HD

Bird of conservation concern

Snowy Egret *Egretta thula*

On Land Season: Breeding

Bird of conservation concern

Upland Sandpiper *Bartramia longicauda*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HC

Bird of conservation concern

Willow Flycatcher *Empidonax traillii*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F6

Bird of conservation concern

Wood Thrush *Hylocichla mustelina*

On Land Season: Breeding

Bird of conservation concern

Worm Eating Warbler *Helmitheros vermivorum*

On Land Season: Breeding

Bird of conservation concern

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Wetland data is unavailable at this time.

Tidal Wetland Restoration: Gardiner Park East, Suffolk County

IPaC Trust Resources Report

Generated November 30, 2016 09:53 AM MST, IPaC v3.0.10

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IPaC Trust Resources Report



NAME

Tidal Wetland Restoration: Gardiner Park East, Suffolk County

LOCATION

Suffolk County, New York

DESCRIPTION

The location is Gardiner Park East, Suffolk County Park in Bay Shore, NY. The area to be restored is marshland under the New York State Department of Environmental Conservation, and the approximate size of the project is 26 acres. The scope of the project: tidal marsh within the selected area to



be restored through an integrated marsh management approach to improve tidal hydrology activity, to reduce storm and flood surge risks, reduce wave energy and flood risks to adjacent communities and improve resiliency against sea level rise . Tidal channels to be assessed and restored, strategic creation of shallow tidal channels (runnels) connecting isolated sections within the marsh that show deterioration, and potentially removal of berms along main tidal channels to allow sediment delivery to the inner marsh and marsh accretion. The project will be design in 2006-2017, and field restoration work will be conducted during winters season 2017

IPAC LINK

<https://ecos.fws.gov/ipac/project/7KX2I-4VVHZ-HZLNP-4RHAU-KRPDZ4>

U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

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340 Smith Road

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(631) 286-0485

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The list of species below are those that may occur or could potentially be affected by activities in this location:

Birds

Piping Plover *Charadrius melodus* Threatened

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B079

Red Knot *Calidris canutus rufa* Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0DM

Roseate Tern *Sterna dougallii dougallii* Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B07O

Flowering Plants

Sandplain Gerardia *Agalinis acuta*

Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q24K

Seabeach Amaranth *Amaranthus pumilus*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q2MZ

Mammals

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=A0JE

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] 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.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The following species of migratory birds could potentially be affected by activities in this location:

American Oystercatcher *Haematopus palliatus*

On Land Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0G8

Bird of conservation concern

American Bittern *Botaurus lentiginosus*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0F3

Bird of conservation concern

Bald Eagle *Haliaeetus leucocephalus*

On Land Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B008

Bird of conservation concern

Black Skimmer *Rynchops niger*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0EO

Bird of conservation concern

Black-billed Cuckoo *Coccyzus erythrophthalmus*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HI

Bird of conservation concern

Blue-winged Warbler *Vermivora pinus*

On Land Season: Breeding

Bird of conservation concern

Canada Warbler *Wilsonia canadensis*

On Land Season: Breeding

Bird of conservation concern

Fox Sparrow *Passerella iliaca*

On Land Season: Wintering

Bird of conservation concern

Gull-billed Tern *Gelochelidon nilotica*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JV

Bird of conservation concern

Hudsonian Godwit *Limosa haemastica*

At Sea Season: Migrating

Bird of conservation concern

Least Bittern *Ixobrychus exilis*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B092

Least Tern *Sterna antillarum*

On Land Season: Breeding

Bird of conservation concern

Marbled Godwit *Limosa fedoa*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JL

Bird of conservation concern

Peregrine Falcon *Falco peregrinus*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU

Bird of conservation concern

Pied-billed Grebe *Podilymbus podiceps*

On Land Season: Year-round

Bird of conservation concern

Prairie Warbler *Dendroica discolor*

On Land Season: Breeding

Bird of conservation concern

Purple Sandpiper *Calidris maritima*

On Land Season: Wintering

Bird of conservation concern

Red Knot *Calidris canutus rufa*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DM

Bird of conservation concern

Rusty Blackbird *Euphagus carolinus*

On Land Season: Wintering

Bird of conservation concern

Saltmarsh Sparrow *Ammodramus caudacutus*

On Land Season: Breeding

Bird of conservation concern

Seaside Sparrow *Ammodramus maritimus*

On Land Season: Year-round

Bird of conservation concern

Short-eared Owl *Asio flammeus*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HD

Bird of conservation concern

Snowy Egret *Egretta thula*

On Land Season: Breeding

Bird of conservation concern

Upland Sandpiper *Bartramia longicauda*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HC

Bird of conservation concern

Willow Flycatcher *Empidonax traillii*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F6

Bird of conservation concern

Wood Thrush *Hylocichla mustelina*

On Land Season: Breeding

Bird of conservation concern

Worm Eating Warbler *Helmitheros vermivorum*

On Land Season: Breeding

Bird of conservation concern

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Wetland data is unavailable at this time.



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From: Nelson Pope & Voorhis
c/o Hannah Emouna, Environmental Scientist
572 Walt Whitman Road
Melville, NY 11747
(631)427-5665
hemouna@nelsonpope.com

To: U.S. Fish and Wildlife Service
Long Island Field Office
340 Smith Road
Shirley, NY 11967

June 21, 2017

Re: Online Project Review Request, Timber Point, Suffolk County, New York

We have reviewed the above referenced project using the New York Field Office's online project review process and have followed all guidance and instructions in completing the review. We completed our review on August 19, 2016 and are submitting our project review package in accordance with the instructions for further review.

The proposed Project involves marsh restoration of several Suffolk County and New York State properties, funded as part of the National Fish and Wildlife Foundation Hurricane Sandy Coastal Resiliency Competitive Grant Program NFWF Grant #CP 8710.147. The Project would implement sustainable salt marsh rehabilitation methodologies known as Integrated Marsh Management (IMM) with goals to improve natural local conditions for marsh accretion and native vegetation, realignment or naturalization of tidal ditches/channels, maintenance or filling of strategic ditches, and installation of runnels to connect marsh areas suffering of water logging. Integrated Marsh Management (IMM) is an approach to tidal wetlands management that seeks to maximize multiple benefits and reconcile competing management goals. The IMM approach to project design involves convening strategic stakeholders into an interagency team that will plan the project based on the site-specific considerations and stakeholder goals and mandates. Marsh management techniques are then chosen and tailored to the needs of that site.

The purpose of the Project is to provide flood and storm surge risk reduction, wave energy reduction, and increased resiliency of coastal ecosystems and communities to rising sea levels and extreme storm events. One of the main goals of the Project is to develop and implement sustainable salt marsh rehabilitation methodologies under the conceptual umbrella of Integrated

Marsh Management (IMM)¹. Such on-going stewardship of the tidal wetlands will enhance resiliency of coastal ecosystems and communities in the face of rising sea levels and extreme storm events². IMM has been field tested by the core team of Suffolk County applicants at Wertheim National Wildlife Refuge (NWR) and recently adopted by US Fish & Wildlife Service (USFWS) as part of their approach for expanding salt marsh habitat restoration on the remainder of their refuges on Long Island (funded through DOI grant). The primary goal of the Project can be realized by extending the use of IMM techniques to on County marshes in a sustainable manner.

Timber Point: Approximately 30 acres

This New York State Department of Environmental Conservation (NYSDEC) marsh system is heavily impacted by the creation of historical grid-ditching and is showing extensive waterlogging and the loss of marsh vegetation. Furthermore, the marsh system cannot migrate inland due to the adjacent County Park, which includes a country club, golf course, and marina facilities. This site has high “demonstration value” and has been identified by NYSDEC as a high- priority marsh due to its location adjacent to a highly utilized park. This site is actively managed by Suffolk County Department of Public Works, Division of Vector Control as is it presents and important public health issue in the form of West Nile Virus (WNV).

The location of the project and the action area are identified on the enclosed map. As this is a federally funded project, this project review is needed to confirm that impacts as a result of the Project would not occur on listed threatened or endangered species or critical habitat.

The enclosed project review package provides the information about the species, critical habitat, and bald eagles considered in our review, and the species conclusions table included in the package identifies our determinations for the resources that may be affected by the project.

For additional information, please contact Hannah Emouna at the address listed above.

Sincerely,



Hannah Emouna
Environmental Scientist

Enclosures:

- 1) Site Map
- 2) Species Conclusion Table
- 3) IPaC Trust Resources Report

¹ Rochlin, I., M. J. James-Pirri, S. Adamowicz, R. Wolfe, P. Capotosto, M. Dempsey, T. Iwanejko, and D. Ninivaggi. 2012b. Integrated Marsh Management (IMM): a new perspective on mosquito control and best management practices for salt marsh restoration. *Wetlands Ecology and Management* 20:219-232

² Deegan, Linda L.A., David Samuel D.S. Johnson, R.S. Scott Warren, Bruce B.J. Peterson, John J.W. Fleeger, Sergios S. Fagherazzi, & and Wilfred W.M. Wollheim. 2012. Coastal eutrophication as a driver of Salt Marsh Loss. *Nature* 490: 388-392

Species Conclusions Table

Project Name: Timber Point

Date:6/21/2017

Species Name/Critical Habitat	Potential Habitat Present?	Species Present?	Critical Habitat Present?	ESA / Eagle Act Determination	Notes / Documentation Summary (include full rationale in your report)
Piping Plover (<i>Charadrius melodus</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Red Knot (<i>Calidris canutus rufa</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Roseate Tern (<i>Sterna dougallii dougalli</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Sandplain Gerardia (<i>Agalinis acuta</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Seabeach Amaranth (<i>Amaranthus pumilus</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)/None	Yes	No	No	Take is not anticipated	Habitat for species not present. Project will occur within tidal marsh.
Bald Eagle (<i>Haliaeetus leucocephalus</i>)/None	No	No	No	Unlikely to disturb nesting bald eagles	



FIGURE
TIMBER POINT AERIAL MAP

Source: NYS Orthophotography, 2013
Scale: 1 inch = 200 feet



SCDPW Wetlands
Restoration Project
under NFWF Grant
CP 8710.147

Environmental Assessment

Tidal Wetland Restoration: Timber Point

IPaC Trust Resources Report

Generated August 19, 2016 09:44 AM MDT, IPaC v3.0.8

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.



Table of Contents

IPaC Trust Resources Report	<u>1</u>
Project Description	<u>1</u>
Endangered Species	<u>3</u>
Migratory Birds	<u>5</u>
Refuges & Hatcheries	<u>8</u>
Wetlands	<u>9</u>

IPaC Trust Resources Report



NAME

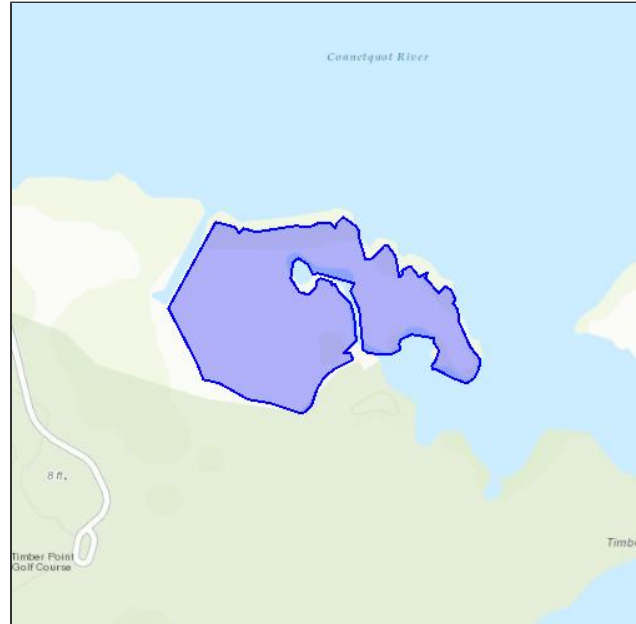
Tidal Wetland Restoration: Timber Point

LOCATION

Suffolk County, New York

DESCRIPTION

The location is Timber Point marsh in Great River, Suffolk County, NY. The area to be restored is marshland under the New York State Department of Environmental Conservation, and the approximate size of the project is 25 to 30 acres. The scope of the project: tidal marsh within the selected area to



be restored through an integrated marsh management approach to improve tidal hydrology activity, to reduce storm and flood surge risks, reduce wave energy and flood risks to adjacent communities and improve resiliency against sea level rise . Tidal channels to be assessed and restored, strategic creation of shallow tidal channels (runnels) connecting isolated sections within the marsh that show deterioration, and potentially removal of berms along main tidal channels to allow sediment delivery to the inner marsh and marsh accretion. The project will be design in 2006-2017, and field restoration work will be conducted during winters season 2017

IPAC LINK

<https://ecos.fws.gov/ipac/project/WJ33P-JGDXF-A4FIE-UGJ74-ZRKU6M>

U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

Long Island Ecological Services Field Office

340 Smith Road

Shirley, NY 11967

(631) 286-0485

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the [Endangered Species Program](#) of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

[Section 7](#) of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Documents section in IPaC or from the local field office directly.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Birds

Piping Plover *Charadrius melodus* Threatened

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B079

Red Knot *Calidris canutus rufa* Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0DM

Roseate Tern *Sterna dougallii dougallii* Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B07O

Flowering Plants

Sandplain Gerardia *Agalinis acuta*

Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q24K

Seabeach Amaranth *Amaranthus pumilus*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q2MZ

Mammals

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=A0JE

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] 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.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The following species of migratory birds could potentially be affected by activities in this location:

American Oystercatcher *Haematopus palliatus*

On Land Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0G8

Bird of conservation concern

American Bittern *Botaurus lentiginosus*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F3

Bird of conservation concern

Bald Eagle *Haliaeetus leucocephalus*

On Land Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B008

Bird of conservation concern

Black Skimmer *Rynchops niger*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0EO

Bird of conservation concern

Black-billed Cuckoo *Coccyzus erythrophthalmus*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HI

Bird of conservation concern

Blue-winged Warbler *Vermivora pinus*

On Land Season: Breeding

Bird of conservation concern

Canada Warbler *Wilsonia canadensis*

On Land Season: Breeding

Bird of conservation concern

Fox Sparrow *Passerella iliaca*

On Land Season: Wintering

Bird of conservation concern

Gull-billed Tern *Gelochelidon nilotica*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JV

Bird of conservation concern

Hudsonian Godwit *Limosa haemastica*

At Sea Season: Migrating

Bird of conservation concern

Least Bittern *Ixobrychus exilis*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B092

Least Tern *Sterna antillarum*

On Land Season: Breeding

Bird of conservation concern

Marbled Godwit *Limosa fedoa*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JL

Bird of conservation concern

Peregrine Falcon *Falco peregrinus*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU

Bird of conservation concern

Pied-billed Grebe *Podilymbus podiceps*

On Land Season: Year-round

Bird of conservation concern

Prairie Warbler *Dendroica discolor*

On Land Season: Breeding

Bird of conservation concern

Purple Sandpiper *Calidris maritima*

On Land Season: Wintering

Bird of conservation concern

Red Knot *Calidris canutus rufa*

On Land Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DM

Bird of conservation concern

Rusty Blackbird *Euphagus carolinus*

On Land Season: Wintering

Bird of conservation concern

Saltmarsh Sparrow *Ammodramus caudacutus*

On Land Season: Breeding

Bird of conservation concern

Seaside Sparrow *Ammodramus maritimus*

On Land Season: Year-round

Bird of conservation concern

Short-eared Owl *Asio flammeus*

On Land Season: Wintering

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Snowy Egret *Egretta thula*

On Land Season: Breeding

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On Land Season: Breeding

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Bird of conservation concern

Willow Flycatcher *Empidonax traillii*

On Land Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0F6

Bird of conservation concern

Wood Thrush *Hylocichla mustelina*

On Land Season: Breeding

Bird of conservation concern

Worm Eating Warbler *Helmitheros vermivorum*

On Land Season: Breeding

Bird of conservation concern

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

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This location overlaps all or part of the following wetlands:

Estuarine And Marine Deepwater

[E1UBL](#)

[E1UBLx](#)

Estuarine And Marine Wetland

[E2EM1Pd](#)

A full description for each wetland code can be found at the National Wetlands Inventory website: <http://107.20.228.18/decoders/wetlands.aspx>



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From: Nelson Pope & Voorhis
c/o Hannah Emouna, Environmental Scientist
572 Walt Whitman Road
Melville, NY 11747
(631)427-5665
hemouna@nelsonpope.com

To: U.S. Fish and Wildlife Service
Long Island Field Office
340 Smith Road
Shirley, NY 11967

June 21, 2017

Re: Online Project Review Request, West Sayville, Suffolk County, New York

We have reviewed the above referenced project using the New York Field Office's online project review process and have followed all guidance and instructions in completing the review. We completed our review on April 19, 2017 and are submitting our project review package in accordance with the instructions for further review.

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The purpose of the Project is to provide flood and storm surge risk reduction, wave energy reduction, and increased resiliency of coastal ecosystems and communities to rising sea levels and extreme storm events. One of the main goals of the Project is to develop and implement sustainable salt marsh rehabilitation methodologies under the conceptual umbrella of Integrated

Marsh Management (IMM)¹. Such on-going stewardship of the tidal wetlands will enhance resiliency of coastal ecosystems and communities in the face of rising sea levels and extreme storm events². IMM has been field tested by the core team of Suffolk County applicants at Wertheim National Wildlife Refuge (NWR) and recently adopted by US Fish & Wildlife Service (USFWS) as part of their approach for expanding salt marsh habitat restoration on the remainder of their refuges on Long Island (funded through DOI grant). The primary goal of the Project can be realized by extending the use of IMM techniques to on County marshes in a sustainable manner.

West Sayville: Approximately 73 acres

This Suffolk County marsh system is heavily impacted by the creation of historical grid-ditching and is showing waterlogging and the loss of marsh vegetation. Furthermore, the marsh system cannot migrate inland due to the adjacent County Park, which includes a country club, golf course, and marina facilities. This site is actively managed by Suffolk County Department of Public Works, Division of Vector Control as it presents an important public health issue in the form of West Nile Virus (WNV). See aerial photographs of the restoration area in Appendix B, Figure 1-5.

The location of the project and the action area are identified on the enclosed map. As this is a federally funded project, this project review is needed to confirm that impacts as a result of the Project would not occur on listed threatened or endangered species or critical habitat.

The enclosed project review package provides the information about the species, critical habitat, and bald eagles considered in our review, and the species conclusions table included in the package identifies our determinations for the resources that may be affected by the project.

For additional information, please contact Hannah Emouna at the address listed above.

Sincerely,



Hannah Emouna
Environmental Scientist

Enclosures:

- 1) Site Map
- 2) Species Conclusion Table
- 3) IPaC Trust Resources Report

¹ Rochlin, I., M. J. James-Pirri, S. Adamowicz, R. Wolfe, P. Capotosto, M. Dempsey, T. Iwanejko, and D. Ninivaggi. 2012b. Integrated Marsh Management (IMM): a new perspective on mosquito control and best management practices for salt marsh restoration. *Wetlands Ecology and Management* 20:219-232

² Deegan, Linda L.A., David Samuel D.S. Johnson, R.S. Scott Warren, Bruce B.J. Peterson, John J.W. Fleeger, Sergios S. Fagherazzi, & Wilfred W.M. Wollheim. 2012. Coastal eutrophication as a driver of Salt Marsh Loss. *Nature* 490: 388-392.



**FIGURE
WEST SAYVILLE AERIAL MAP**

Source: NYS Orthophotography, 2013
Scale: 1 inch = 400 feet



**SCDPW Wetlands
Restoration Project
under NFWF Grant
CP 8710.147**

Environmental Assessment

Species Conclusions Table

Project Name: West Sayville

Date:6/21/2017

Species Name/Critical Habitat	Potential Habitat Present?	Species Present?	Critical Habitat Present?	ESA / Eagle Act Determination	Notes / Documentation Summary (include full rationale in your report)
Piping Plover (<i>Charadrius melodus</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Red Knot (<i>Calidris canutus rufa</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Roseate Tern (<i>Sterna dougallii dougalli</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Sandplain Gerardia (<i>Agalinis acuta</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Seabeach Amaranth (<i>Amaranthus pumilus</i>)/None	No	No	No	No Effect	Habitat for species not present. Project will occur within tidal marsh.
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)/None	Yes	No	No	Take is not anticipated	Habitat for species not present. Project will occur within tidal marsh.
Bald Eagle (<i>Haliaeetus leucocephalus</i>)/None	No	No	No	Unlikely to disturb nesting bald eagles	



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Long Island Ecological Services Field Office
340 Smith Road
Shirley, NY 11967
Phone: (631) 286-0485 Fax: (631) 286-4003



In Reply Refer To:

April 19, 2017

Consultation Code: 05E1LI00-2017-SLI-0457

Event Code: 05E1LI00-2017-E-00903

Project Name: West Sayville 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, 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://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:

Long Island Ecological Services Field Office
340 Smith Road
Shirley, NY 11967
(631) 286-0485

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Project information

NAME

West Sayville Marsh Restoration

LOCATION

Suffolk County, New York



DESCRIPTION

The location is West Sayville marsh in West Sayville, Suffolk County, NY. The area to be restored is marshland under Suffolk County, and the approximate size of the project is 73 acres. The scope of the project: tidal marsh within the selected area to be restored through an integrated marsh management approach to improve tidal hydrology activity, to reduce storm and flood surge risks, reduce wave energy and flood risks to adjacent communities and improve resiliency against sea level rise. Tidal channels to be assessed and restored, strategic creation of shallow tidal channels (runnels) connecting isolated sections within the marsh that show deterioration, and potentially removal of berms along main tidal channels to allow sediment delivery to the inner marsh and marsh accretion. The project will be design in 2006-2017, and field restoration work will be conducted during winters season

Local office

Long Island Ecological Services Field Office

☎ (631) 286-0485

📠 (631) 286-4003

340 Smith Road
Shirley, NY 11967

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species¹ are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service.

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.

The following species are potentially affected by activities in this location:

Mammals

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

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1864	Threatened
Roseate Tern <i>Sterna dougallii dougallii</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2083	Endangered

Flowering Plants

NAME	STATUS
Sandplain Gerardia <i>Agalinis acuta</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8128	Endangered
Seabeach Amaranth <i>Amaranthus pumilus</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8549	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

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 (to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) 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.

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)

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>
- Conservation measures for birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data <http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The migratory birds species listed below are species of particular conservation concern (e.g. [Birds of Conservation Concern](#)) that may be potentially affected by activities in this location. It is not a list of every bird species you may find in this location, nor a guarantee that all of the bird species on this list will be found on or near this location. Although it is important to try to avoid and minimize impacts to all birds, special attention should be made to avoid and minimize impacts to birds of priority concern. To view available data on other bird species that may occur in your project area, please visit the [AKN Histogram Tools](#) and [Other Bird Data Resources](#). To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

NAME	SEASON(S)
American Oystercatcher <i>Haematopus palliatus</i> https://ecos.fws.gov/ecp/species/8935	On Land: Year-round
Bald Eagle <i>Haliaeetus leucocephalus</i> https://ecos.fws.gov/ecp/species/1626	On Land: Year-round
Black Skimmer <i>Rynchops niger</i> https://ecos.fws.gov/ecp/species/5234	On Land: Breeding
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> https://ecos.fws.gov/ecp/species/9399	On Land: Breeding
Hudsonian Godwit <i>Limosa haemastica</i>	At Sea: Migrating
Least Tern <i>Sterna antillarum</i>	On Land: Breeding
Marbled Godwit <i>Limosa fedoa</i> https://ecos.fws.gov/ecp/species/9481	On Land: Wintering
Peregrine Falcon <i>Falco peregrinus</i> https://ecos.fws.gov/ecp/species/8831	On Land: Wintering
Purple Sandpiper <i>Calidris maritima</i>	On Land: Wintering
Rusty Blackbird <i>Euphagus carolinus</i>	On Land: Wintering
Short-eared Owl <i>Asio flammeus</i> https://ecos.fws.gov/ecp/species/9295	On Land: Wintering
Willow Flycatcher <i>Empidonax traillii</i> https://ecos.fws.gov/ecp/species/3482	On Land: Breeding
Wood Thrush <i>Hylocichla mustelina</i>	On Land: Breeding
Worm Eating Warbler <i>Helmitheros vermivorum</i>	On Land: Breeding

What does IPaC use to generate the list of migratory bird species potentially occurring in my specified location?

Landbirds:

Migratory birds that are displayed on the IPaC species list are based on ranges in the latest edition of the National Geographic Guide, Birds of North America (6th Edition, 2011 by Jon L. Dunn, and Jonathan Alderfer). Although these ranges are coarse in nature, a number of U.S. Fish and Wildlife Service migratory bird biologists agree that these maps are some of the best range maps to date. These ranges were clipped to a specific Bird Conservation Region (BCR) or USFWS Region/Regions, if it was indicated in the 2008 list of Birds of Conservation Concern (BCC) that a species was a BCC species only in a particular Region/Regions. Additional modifications have been made to some ranges based on more local or refined range information and/or information provided by U.S. Fish and Wildlife Service biologists with species expertise. All migratory birds that show in areas on land in IPaC are those that appear in the 2008 Birds of Conservation Concern report.

Atlantic Seabirds:

Ranges in IPaC for birds off the Atlantic coast are derived from species distribution models developed by the National Oceanic and Atmospheric Association (NOAA) National Centers for Coastal Ocean Science (NCCOS) using the best available seabird survey data for the offshore Atlantic Coastal region to date. NOAA/NCCOS assisted USFWS in developing seasonal species ranges from their models for specific use in IPaC. Some of these birds are not BCC species but were of interest for inclusion because they may occur in high abundance off the coast at different times throughout the year, which potentially makes them more susceptible to certain types of development and activities taking place in that area. For more refined details about the abundance and richness of bird species within your project area off the Atlantic Coast, see the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other types of taxa that may be helpful in your project review.

About the NOAA/NCCOS models: the models were developed as part of the NOAA/NCCOS project: [Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#). The models resulting from this project are being used in a number of decision-support/mapping products in order to help guide decision-making on activities off the Atlantic Coast with the goal of reducing impacts to migratory birds. One such product is the [Northeast Ocean Data Portal](#), which can be used to explore details about the relative occurrence and abundance of bird species in a particular area off the Atlantic Coast.

All migratory bird range maps within IPaC are continuously being updated as new and better information becomes available.

Can I get additional information about the levels of occurrence in my project area of specific birds or groups of birds listed in IPaC?

Landbirds:

The [Avian Knowledge Network \(AKN\)](#) provides a tool currently called the "Histogram Tool", which draws from the data within the AKN (latest survey, point count, citizen science datasets) to create a view of relative abundance of species within a particular location over the course of the year. The results of the tool depict the frequency of detection of a species in survey events, averaged between multiple datasets within AKN in a particular week of the year. You may access the histogram tools through the [Migratory Bird Programs AKN Histogram Tools](#) webpage.

The tool is currently available for 4 regions (California, Northeast U.S., Southeast U.S. and Midwest), which encompasses the following 32 states: **Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.**

In the near future, there are plans to expand this tool nationwide within the AKN, and allow the graphs produced to appear with the list of trust resources generated by IPaC, providing you with an additional level of detail about the level of occurrence of the species of particular concern potentially occurring in your project area throughout the course of the year.

Atlantic Seabirds:

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA/NCCOS [Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project](#) webpage.

Facilities

Wildlife refuges

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.

THERE ARE NO REFUGES AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

[E1UBL](#)

[E1UB4L](#)

[E1UBLx](#)

ESTUARINE AND MARINE WETLAND

[E2EM1Pd](#)

A full description for each wetland code can be found at the National Wetlands Inventory website: <https://ecos.fws.gov/ipac/wetlands/decoder>

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercled worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.