United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services
Field Office
P.O. Box 491
Boqueron, PR 00622

In Reply Refer To:
FWS/R4/CESFO/BKT/FCC

MAR 28 2016

Mr. Julius Genachowski
Chairman
Federal Communication Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Blanket Clearance Letter
Communication Towers, USVI and PR.

Dear Mr. Genachowski:

On January 14, 2013, the U.S. Fish and Wildlife Service, Caribbean Ecological Services Field Office, provided a Blanket Clearance Letter (BCL) to the Federal Communication Commission for communication tower projects proposed in Puerto Rico and the U.S. Virgin Islands. The BCL was developed to assist the FCC and its regulated community with the compliance of section 7 of the Endangered Species Act (ESA).

In recent conversations with FCC staff on the utilization of this blanket letter, some concerns were raised regarding the jurisdiction of the FCC and the use of this tool to facilitate informal section 7 consultations under the ESA. Therefore, we have decided to rescind the above referenced BCL for communication towers.

Thus, all projects with Federal Nexus with the potential to affect federally listed species in Puerto Rico and the U.S. Virgin Islands should be submitted to the Caribbean Ecological Services Field Office for compliance of section 7 consultation. In order to evaluate the projects, a complete consultation package should be submitted (see Fact Sheet attached).

If you have any question regarding this matter, please do not hesitate to contact me or Marelisa Rivera, Deputy Field Supervisor, at 787-851-7297 extension 206.

Sincerely yours,

Edwin E. Muñiz
Field Supervisor

Enclosure (Fact Sheet Project Evaluation)

Cc: Erika Rosenberg, FCC (Erika.rosenberg@fcc.gov)
Joelle Gehring, FCC (Joelle.gehring@fcc.gov)

US Fish and Wildlife Service

Ecological Services in the Caribbean

Caribbean Ecological Services Field Office

Project evaluation

Our mission is to conserve, protect and enhance fish and wildlife and their habitats through consultation, cooperation and communication for the continuing benefit of the American people.

Legal authorities:

- Endangered Species Act (ESA)
- Fish and Wildlife Coordination Act
- Migratory Bird Treaty Act
- Coastal Barriers Act

Roles and Responsibilities:

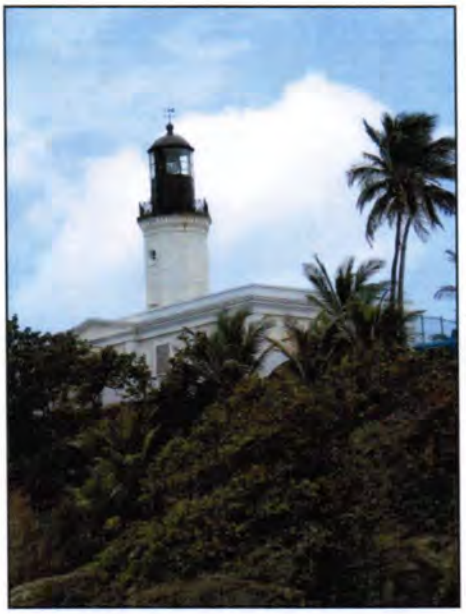
- Provide technical assistance to Federal and Commonwealth agencies to minimize possible impacts of land and water projects to our trust resources
  - *Wetlands and other aquatic habitats
  - *Endangered Species and their habitats
  - *Migratory Birds
  - *Critical Wildlife Areas
  - *Coastal Barriers
- Assist with ESA Section 7 compliance through informal and formal consultation processes

How do we assist others?

- Determine presence / absence of wetland resources, threatened and endangered species habitat, coastal barriers, important wildlife areas within the action area
- Evaluate possible direct, indirect and cumulative impacts
- Provide conservation recommendations to avoid, minimize and/or mitigate impacts
- General recommendations for habitat enhancement

Minimum requirements for the evaluation of projects:

- An 8.5 by 11 inch copy of the specific site location on a USGS topographic map (1:20,000) marked with an arrow (➡)
- Project description
- Aerial photo of the project site
- Latitude and Longitude (degrees, minutes and seconds) and/or Decimal Latitude and Longitude
- Environmental Documents (EA and EIS)
- Specific studies (by qualified personnel)



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