



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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Charleston, South Carolina 29407

U.S. Fish and Wildlife Service Clearance to Proceed with Department of Housing and Urban Development Projects and US Department of Agriculture Projects

The U.S. Fish and Wildlife Service (Service) is one of two lead Federal Agencies mandated with the protection and conservation of Federal trust resources, including threatened and endangered species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (ESA). The U.S. Department of Housing and Urban Development (HUD), and the U.S. Department of Agriculture (USDA) allocate grant funds for rural development projects. Accordingly, obligations under the ESA, as well as the National Environmental Policy Act (NEPA), require HUD and USDA to perform an environmental impact review prior to a project's approval. Primarily, these projects involve the repair, maintenance, or reconstruction of existing facilities on previously developed land.

Many of the projects supported by HUD and USDA result in no adverse impacts to federally protected species. As an aid in determining if your project will have an effect on federally protected species or designated critical habitat under the jurisdiction of the Service, we provide this guidance, relative to the criteria listed below, applicable to many HUD and USDA project requests. If the project description falls in one of the categories and the Federal agency, or their designee, determines there is no impact to federally protected species or designated critical habitat, no further action is required under section 7 of the ESA. Please note this guidance applies only to projects in South Carolina. The following types of projects have been evaluated in accordance with the Fish and Wildlife Coordination Act (16 U.S.C 661 *et seq.*), and the ESA.

Description of HUD and USDA Projects Covered

1. Purchase of machinery, equipment, and supplies for use in existing structures and buildings.
2. Finance or refinance existing dwellings.
3. Construct new, expand, maintain, or rehabilitate existing dwellings on developed land. Developed lands are paved, filled, graveled, or routinely mowed vegetated grasses. Undeveloped lands are those sites where natural vegetation dominates. Examples include renovation of substandard single or multiple family residences, conversion of a school building to a community center, and renovation or expansion of an existing factory building.
4. Demolish and rebuild substandard single or multiple family housing with new structures and associated developments (e.g., parking lots) that do not expand into previously undeveloped areas.
5. Implement streetscape beautification projects. Examples of these projects include the removal and replacement of existing sidewalks, curbing or gutters; demolishing and disposing of existing curbing; installing handicap sidewalk ramps or irrigation systems

for plants; installing or replacing streetlights, benches or trashcans; and installing new sidewalks within city limits in right of ways.

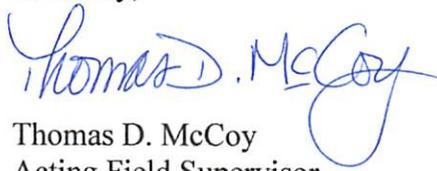
6. Repair, replace, or renovate existing water treatment plant (wastewater or potable water) facilities without expansion of the existing boundary.
7. Install or upgrade pipelines using trenchless technology (directional drilling) techniques. Trenchless technology eliminates the need to disturb the environment caused by excavating and backfilling trenches. Trenchless technology methods used for installing or upgrading pipelines include cured-in-place pipe; slip lining; close-fit pipe; and thermoformed pipe. The method utilized depends on the physical conditions of the pipeline, but all of the methods involve work in the pipeline without surface or subsurface excavations.
8. Transfer of HUD loans where the original lending or mortgage institutions for existing projects are no longer holding the loans and the properties transfer via HUD backed loans.

Clearance to Proceed

For all projects that meet the one or more of the criteria listed above and have no effect upon federally protected species or designated critical habitat, no further coordination with the Service is necessary. This letter may be downloaded and serve as the Service's concurrence letter for your project.

If you need further assistance, please contact my staff or me at (843)727-4707.

Sincerely,



Thomas D. McCoy
Acting Field Supervisor