United States Department of the Interior

FISH AND WILDLIFE SERVICE

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

January 4, 2010

To Whom It May Concern:

The U.S. Fish and Wildlife Service's (Service) New England Field Office has determined that individual review for specific types of projects associated with highway maintenance and upgrade activities **is not required**. These comments are submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Due to the high workload associated with responding to many individual requests for threatened and endangered species information, we are attempting to reduce the number of correspondences we conduct. We have evaluated our review process for highway maintenance actions and believe that individual correspondence with this office is not required for the following types of actions on existing roadways:

1. resurfacing projects;
2. intersection improvements, including the construction of traffic signals;
3. routine maintenance and installation of guard rails;
4. lighting improvements.

In regard to other proposed highway actions along existing rights-of-way, your review of the list of threatened and endangered species locations in Vermont, New Hampshire, Rhode Island, Connecticut and Massachusetts (available on our website, see below) may confirm that no federally-listed, endangered or threatened species are known to occur in the town or county where the project is proposed. If a listed species is present in the town or county where the project is proposed, further review of the information provided on our website may allow you to conclude that suitable habitat for the species will not be affected. For example, our experience demonstrates that there will be few, if any, highway projects that are likely to affect endangered roseate terns, threatened piping plovers, endangered Jesup's milk-vetch, or other such species found on islands, coastal beaches or in riverine habitats.

January 4, 2010

For projects that meet the criteria described above, there is no need to contact this office for further project review. A copy of this letter should be retained in your file as the Service's determination that no listed species are present, or that listed species in the general area will not be affected. This correspondence remains valid until January 1, 2011. Updated consultation letters and species lists are available on our website:

(http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm)

Thank you for your cooperation, and please contact Mr. Anthony Tur of this office at 603-223-2541 for further assistance.

Sincerely yours,

Thomas R. Chapman
Supervisor
New England Field Office