



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 Letter for Species and Habitat Assessments

Updated: January 3, 2023

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 (T&E) species and designated critical habitat as listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (ESA). Development of lands in South Carolina have the potential to impact federally protected species. Accordingly, obligations under the ESA, National Environmental Policy Act (NEPA), Clean Water Act (CWA), Federal Power Act (FPA), and other laws, require project proponents to perform an environmental impact review prior to performing work on the site. These projects may include a wide variety of activities including, but not limited to, residential or commercial developments, energy production, power transmission, transportation, infrastructure repair, maintenance, or reconstruction of existing facilities on previously developed land.

Project applicants, or their designated representatives, may perform initial species assessments in advance of specific development proposals to determine the presence of T&E species and designated critical habitat that are protected under the ESA. These reviews are purposely speculative and do not include specific project or site development plans. Many of these speculative proposals are for previously developed or disturbed lands such as pasture lands, agricultural fields, or abandoned industrial facilities. Due to historical uses and existing conditions, these sites often do not contain suitable habitat to support T&E species. Therefore, an assessment may conclude that any future development of the site would have no effect to T&E species or adversely modify designated critical habitat. If the applicant, or their designee, determines there is no effect or impact to federally protected species or designated critical habitat, no further action is required under the ESA.

Clearance to Proceed

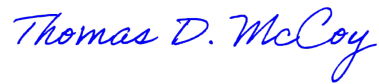
For all sites with potential projects that have no effect or impact upon federally protected species or designated critical habitat, no further coordination with the Service is necessary at this time. This letter may be downloaded and serve as the Service's concurrence or agreement to the conclusions of the species assessment. Any protected species survey or assessment conducted for the property should be included with this letter when submitting the project to Federal permitting agencies. Due to obligations under the ESA potential impacts must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

Please note this Clearance Letter applies only to assessments in South Carolina and may not be used to satisfy section 7 requirements for projects that have already been completed or currently under construction.

If suitable habitat for T&E species or designated critical habitat occurs on, or nearby, the project site, a determination of no effect/impact may not be appropriate. In these cases, direct consultation requests with the Service should be initiated by the Federal action agency. Additional coordination with the Service may also be required if the potential project requires an evaluation under another resource law such as, but not limited to, NEPA, CWA, FPA, and the Coastal Zone Management Act.

The Service appreciates your cooperation in the protection of federally listed species and their habitats in South Carolina.

Sincerely,



Thomas D. McCoy
Field Supervisor