



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087

<https://www.fws.gov/office/new-england-ecological-services>

February 5, 2025

To Whom It May Concern:

The U.S. Fish and Wildlife Service's (Service) New England Field Office determined that specific activities associated with highway maintenance and upgrade activities categorically would have no effect on, are not likely to adversely affect, or would not cause take of species listed under the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). We are submitting these comments in accordance with sections 7 and 10 of the ESA.

We evaluated activities frequently conducted by the state transportation agencies and determined that project-specific correspondence with this office is not required for these types of actions on existing roadways¹:

1. resurfacing projects, including pavement striping and marking;
2. intersection improvements, including the construction of traffic signals;
3. routine maintenance and installation of guard rails;
4. lighting improvements;
5. bridge expansion joints or bridge movement joints replacement²;
6. sign replacements, new sign installations, and sign installations on existing infrastructure;
7. trimming vegetation that is obscuring signs, markers, notices, or other structures that act as safety and navigational aids to motorists, cyclists, and other roadway users;
8. routine maintenance of existing drainage infrastructure and installation of underdrain;
9. minor routine bridge maintenance including repair of bridge approach slabs and railings; spot painting; joint cleaning, repair, sealing and replacement; and superficial deck repairs that do not impact the bridge below the deck;

¹ This determination is not valid if the activity requires tree trimming, cutting, or removal, except as specifically allowed in the list of activities. Additional coordination may be necessary. In this case, please visit <https://ipac.ecosphere.fws.gov>.

² This determination is not valid for bridge expansion or movement joint replacement if listed bat species appear on the species list from <https://ipac.ecosphere.fws.gov>, unless protocol-level bat surveys indicate that listed bat species are not present.

10. maintenance and demolition of patrol sheds and toll booths, provided there is no indication that bats are using the structure³;
11. installation and maintenance of Intelligent Traffic System devices, Traffic Monitoring Stations, and Weigh in Motion Stations;
12. placement of Limited Re-use Soils (LRS) within the existing ROW, when reused in the same project footprint from which the LRS were taken, and storage of LRS at DOT sheds; and
13. soundwall repairs and painting.

Project proponents may conclude there are additional activities that would have no effect on listed species by using our Information for Planning and Consultation (IPaC) website (<https://ipac.ecosphere.fws.gov>) and evaluating the potential presence of, and effects on, listed species and/or their habitat. No further coordination with our office is required for these projects.

If a proposed activity not listed above may affect a listed species, please first visit the available determination keys in IPaC, as you may be able to complete a streamlined review using these tools. Alternatively, contact our office to determine if additional coordination is necessary.

Updated consultation letters and additional project review guidance is available on our website: <https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review> (accessed February 2025)

We recommend retaining a copy of this letter in your file as a record of your coordination with the Service regarding project effects on listed species. This letter remains valid until January 31, 2026.

Thank you for your cooperation, and please contact us at 603-223-2541 or newengland@fws.gov for further assistance.

Sincerely,

Acting for Audrey Mayer
Supervisor
New England Field Office

³ See appendix K of survey guidance. <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>