



# United States Department of the Interior

MINERALS MANAGEMENT SERVICE  
Washington, DC 20240



Mr. Michael J. Amaral  
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FISH & WILDLIFE SERVICE

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NEW ENGLAND FIELD OFFICE  
CONCORD, NH

Dear Mr. Amaral:

The Minerals Management Service (MMS) is in receipt of the your September 30, 2008, letter requesting an MMS independent analysis of the potential for effects to the Northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*) from an oil spill attributable to the Cape Wind proposal (formal consultation 08-F-0323). The following information provides an overview of the MMS analysis of potential effects to this species and MMS's conclusions on these potential effects. This letter then serves to amend the MMS Biological Assessment (BA) for this consultation to include this analysis and its conclusions.

## **Life History and Conservation Status of the Northeastern Beach Tiger Beetle**

*Information outlined in this section was gathered from the FWS Recovery Plan for this species (see [http://ecos.fws.gov/docs/recovery\\_plan/940929b.pdf](http://ecos.fws.gov/docs/recovery_plan/940929b.pdf)) and the Massachusetts Department of Fisheries and Wildlife (MDFW) fact sheet for this species (see [http://www.mass.gov/dfwele/dfw/nhsp/species\\_info/nhfacts/cicindela\\_dorsalis.pdf](http://www.mass.gov/dfwele/dfw/nhsp/species_info/nhfacts/cicindela_dorsalis.pdf)).*

The Northeastern beach tiger beetle was historically common on coastal beaches from Massachusetts to central New Jersey and also along the Chesapeake Bay in Maryland and Virginia. Today, the beetle is found only in the Chesapeake Bay area adjacent to Maryland and Virginia and three beaches in Massachusetts (two of which are natural locations and the third was created as a translocation site by the FWS and MDFW).

This beetle measures approximately 0.5 inches in length. Adults have a bronze green head and thorax, long slender legs, and white or tan wing covers which are finely imprinted with dark or grayish-green lines. The larval form is pale in color, with one pair of antennae on the head, an iridescent black and green pronotum covered with hairs, and a long segmented abdomen.

Adult and larval beetles are found on long, wide, dynamic beaches that have little human and vehicular activity, fine sand-particle size, and a high degree of exposure to tidal action. Adults generally emerge on the beaches in mid-June to mid-August, usually peaking in mid-July. During this time, adults forage and mate in the intertidal zone



where they also feed on invertebrates and dead fish. By September, most if not all of the adult beetles have died.

After mating, females deposit their eggs in the intertidal zone. The larvae ultimately dig vertical burrows in the sand. The position of the burrows changes over the course of the year. Larvae develop through three instars and overwinter twice before finally emerging as adults.

The Northeastern beach tiger beetle was federally listed as a threatened species on August 7, 1990, and is also a Massachusetts state-listed endangered species. Major conservation threats include degradation of key habitat from human development, recreational disturbance and pollution as well as natural factors, such as beach erosion, storms, parasites and predators.

#### Potential Effects from Cape Wind Proposal

The only Northeastern beach tiger beetle habitat within the Cape Wind proposed project area includes some potential habitat on the eastern shore of Martha's Vineyard. At this location, MMS does not anticipate any direct impacts to this species given its distance from the proposed wind facility and the absence of project-associated activity at this location.

There is a potential for an indirect effect to this species, as noted in the FWS September 30, 2008 letter, from an accidental oil spill which might reach this location. However, as noted in the MMS BA and Report 4.1.3-1, the potential for such a spill to occur during March-May *and* reach these beaches is between 1 percent and 10 percent. No adult beetles would be present at this time although larvae would be burrowed. Further, and again as noted in the FWS September 30<sup>th</sup> letter, Report 5.2.1-1 shows a worst-case scenario of a large oil spill from the proposed action being less than one in one million. There is a potential for two small spills over the life of the project, with a 90 percent chance of a spill of 50 gallons or less and a 1 percent of a spill with 10,000 gallons or more.

#### MMS Conclusions on Potential for Effects

The MMS concludes there is a potential to affect the Northeastern beach tiger beetle from an oil spill accident under the proposed action. However, the possibility of such an accident occurring over the life of the project, as outlined above, *and* the spilled oil reaching Northeastern beach tiger beetle habitat at critical life history points (i.e., adults present, high tides present to reach larvae) is very low. Therefore, MMS concludes there is a potential for the proposed action to affect but not adversely affect the Northeastern beach tiger beetle.

If you have any questions or concerns, please feel free to contact me at (703) 787-1656 or Jill Lewandowski, MMS Environmental Division, at (703) 787-1703 or [Jill.Lewandowski@mms.gov](mailto:Jill.Lewandowski@mms.gov). Thank you for your time and attention to this consultation.

Sincerely,



James J. Kendall  
Chief, Environmental Division

cc: Susi vonOettingen, FWS R5 NEFO  
Anne Hecht, FWS R5 RO  
Rodney Cluck, MMS  
Jill Lewandowski, MMS  
Karen Adams, ACOE  
Ida McDonnell, EPA Region 1