



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>

Ref: South Terminal Extension Project,
New Bedford, Bristol County, Massachusetts
Endangered Species Act Consultation

October 28, 2010

Mr. Matt Schweisberg, Manager
Wetlands Protection Program
Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Dear Mr. Schweisberg:

This responds to your September 30, 2010 letter that briefly describes the South Terminal Extension project, a proposed multiple use marine terminal, and requests concurrence on the list of threatened and endangered species to be considered in a biological assessment EPA is preparing pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531, *et seq.*).

As correctly identified in your letter, the list of federally threatened and endangered species potentially present in the action area of the proposed marine terminal project include:

Roseate Tern	(<i>Sterna dougallii dougallii</i>)	Endangered
Piping Plover	(<i>Charadrius melodus</i>)	Threatened
Northeastern Beach Tiger Beetle	(<i>Cicindela dorsalis dorsalis</i>)	Threatened

No critical habitat has been designated for these species. In addition, there are two species formally designated as Candidates for possible future listing as threatened or endangered (71 FR 53756), that may occur in Bristol County, Massachusetts. The two species are the red knot (*Calidris canutus rufa*) and the New England cottontail (*Sylvilagus transitionalis*).

While candidate species are not afforded substantive protections pursuant to the Endangered Species Act, the U.S. Fish and Wildlife Service recommends that they be considered during environmental planning. Based on the best information currently available, the New England cottontail does not occur in the New Bedford Harbor area or within the larger action area of the project (e.g., Buzzards Bay shoreline). Red knots do not breed in Massachusetts, but are considered locally common during spring and fall migration along the Massachusetts coast. Veit and Petersen (1993) report that in Massachusetts, red knots are most common at Third Cliff,

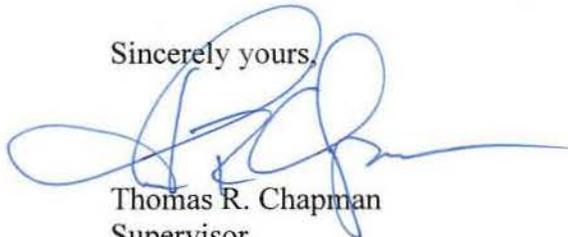
Mr. Matt Schweisberg, Manager
October 28, 2010

2

Scituate; Plymouth Beach, Plymouth; Duxbury Beach, Duxbury; Monomoy Island, Chatham; and New Island, Eastham (now part of Nauset Spit/Coast Guard Beach). None of these locations are proximal to New Bedford Harbor or Buzzards Bay, and only Monomoy Island is located south of Cape Cod at the eastern limit of Nantucket Sound. Since migrating and occasional over-wintering red knots occur on beach habitat similar to that used by piping plovers, the effects analysis within the biological assessment that addresses plovers will have application to the red knot. However, the inclusion of the red knot in the biological assessment is solely at the Environmental Protection Agency's discretion.

Thank you for your continued coordination regarding this project. Please contact Mr. Michael Amaral of this office at 603-223-2541, extension 23, if you have questions and for further consultation on this issue.

Sincerely yours,



Thomas R. Chapman
Supervisor
New England Field Office