

The USFWS is here to help you!

An overview of the ESA process and T&E species



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New York Field Office
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Goals of Today's Session

- Provide an introduction to the U.S. Fish and Wildlife Service (Service)
- Provide an introduction to the Endangered Species Act (ESA) process
- Provide brief information on a few listed and proposed species
- Answer your questions

We are a Federal Agency



Service Mission

Our mission is to work with others to conserve, protect and enhance fish and wildlife and their habitats for the continuing benefit of the American people.

What do we do?

- Fisheries
- National Wildlife Refuges
- Migratory Birds
- Environmental Contaminants
- Partners for Fish and Wildlife
- Endangered Species



As an endangered species biologist, my job is...

to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered and threatened species...

Basically – ensure there are sufficient populations of species in their natural habitats to get them to the point where they are no longer considered endangered or threatened



Why should applicants/agencies coordinate with us?

1. To follow the law(s) (e.g., ESA)
2. To avoid unnecessary project delays
3. To conserve imperiled species

When should the applicant/agency coordinate with us?

- Early and often:
 - Well before final site plan development
 - Throughout project planning
 - Any time there is a question about the process or listed species biology, habitat, etc.

What project types should the applicant/agency coordinate with us?

- All!
- Projects with federal agency funding or permits:
 - Federal agency has their own ESA requirement
 - Start coordinating with the Service early (along with that other federal agency)
- Projects without federal involvement:
 - Not exempt under the ESA
 - Coordinate with the Service to avoid impacts to listed species or develop a habitat conservation plan and get an incidental take permit

Who should contact us?

- Applicant/Project Sponsor?
- Consultant?
- Involved federal agency?
- Involved state agency?
- Involved local agency?

- Any of you! Just provide context – how are you involved with the project and what are you looking for from the Service?

What's the best way to coordinate with us?

- Call: 607-753-9334
- Write: 3817 Luker Road, Cortland, NY 13045
- Set up site visits/project meetings if that will be helpful
- E-mail (Robyn's preference): robyn_niver@fws.gov

Project Screening

What is the process?

Where can I get more information?

www.fws.gov/northeast/nyfo/es/section7.htm

Search

Thursday,
October 24, 2013[Home](#)[Endangered Species](#)[Conservation Planning
Assistance](#)[Environmental Quality](#)[Partners for Fish &
Wildlife](#)[Congressional Briefings](#)[Newsroom](#)[Contact Information &
Directions](#)

Project Reviews in New York State

Are you looking for a species list?

Seeking Service environmental review of your project?

Conducting scoping for a project?

Then you've come to the right place!.....

The U.S. Fish and Wildlife Service's (Service) New York and Long Island Field Offices provide technical assistance to private individuals and organizations, as well as Federal, state, and local agencies pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). The following information is designed to assist you with the process of determining whether a federally-listed, proposed, or candidate species, and/or designated "critical habitat" may occur within a proposed project area and when it is appropriate to contact our offices.

This on-line project review process is intended for use by landowners, applicants, consultants, agency personnel, and any other individual or entity requiring Service review of their project within the State of New York. **The on-line process should be completed before contacting our office.**

Because the website and information are frequently updated to provide new trust resource information and methods to review projects, refer to the website for each project review to ensure that current information is utilized.

At any time should you have questions regarding this process, you can contact our offices for assistance. For projects in the New York City area and Long Island, contact our Long Island Field Office at 631-

Endangered Species

[Overview](#)[Listing & Classification](#)[Recovery](#)[Long Island Recovery
Efforts](#)

Project Reviews

- [Step 1](#)
- [Step 2](#)
- [Step 3](#)
- [Step 4](#)
- [Step 5](#)
- [Step 6](#)
- [Step 7](#)

[Species in New York
State](#)

Project Screening

- Service (IPaC) species list
 - NYNHP/NYSDEC known t/e locations?
 - Suitable habitat (address for ALL species that come up through IPaC)?
- Project description – what is being done?
When? Where?
- Potential impacts to species?
- Conservation measures?
- Need for any “take” coverage?

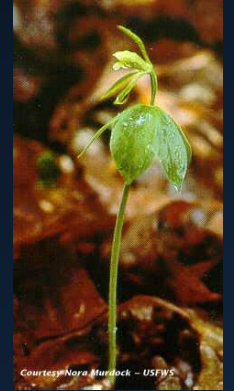
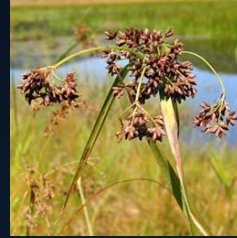
New York Species

(as of 03.5.15)

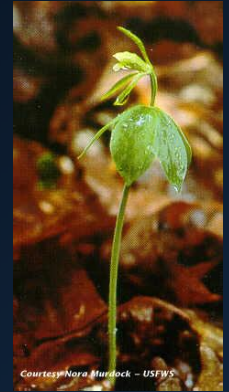
- 33 Federally-listed species
 - 2 are considered historic
 - 14 are considered the primary jurisdiction of NOAA (e.g., sea turtles)
- 2 Candidate species
- 1 Proposed species (NLEB)
- 1 area of Critical Habitat



New York Species



Onondaga County Species



Historic



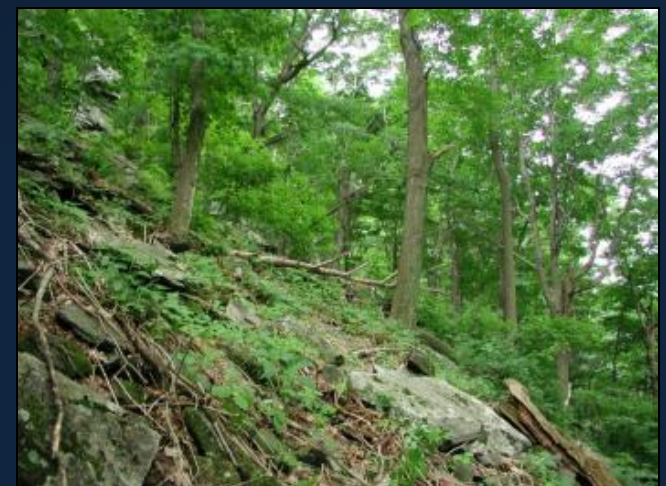
Delisted
but
BGEPA
applies

Historic



American Hart's Tongue Fern

- Only found at ~ 6 locations on private or protected lands.
- Distribution mapping has been refined.
- Very narrow habitat niche.
- Chances of projects impacting this species is very low.



Bog Turtle



- 1 site on state-owned property.
- Suitable habitat in fen wetlands/bogs may be found within the county.
- If you are unsure of the presence of suitable habitat, contact the Service.
- Chances of projects impacting this species is very low.

Eastern Massasauga



- 1 site on state-owned property.
- Although found in wetland habitats, it is unlikely to be found outside the known location.
- However, if you are unsure of the presence of suitable habitat, contact the Service.
- Chances of projects impacting this species is very low.

Species Most Likely to Encounter

- Bald eagle
- Indiana bat
- Northern long-eared bat (NLEB)



Bald eagle



Indiana bat



Northern long-eared bat

Bald Eagle

- Delisted from ESA; protected under Bald and Golden Eagle Protection Act (BGEPA).
- Eagles numbers continue to increase.
- If eagles are observed within or near project area, project sponsors should follow National Bald Eagle Management Guidelines found at:
<http://www.fws.gov/northeast/ecologicalservices/eagle.html>

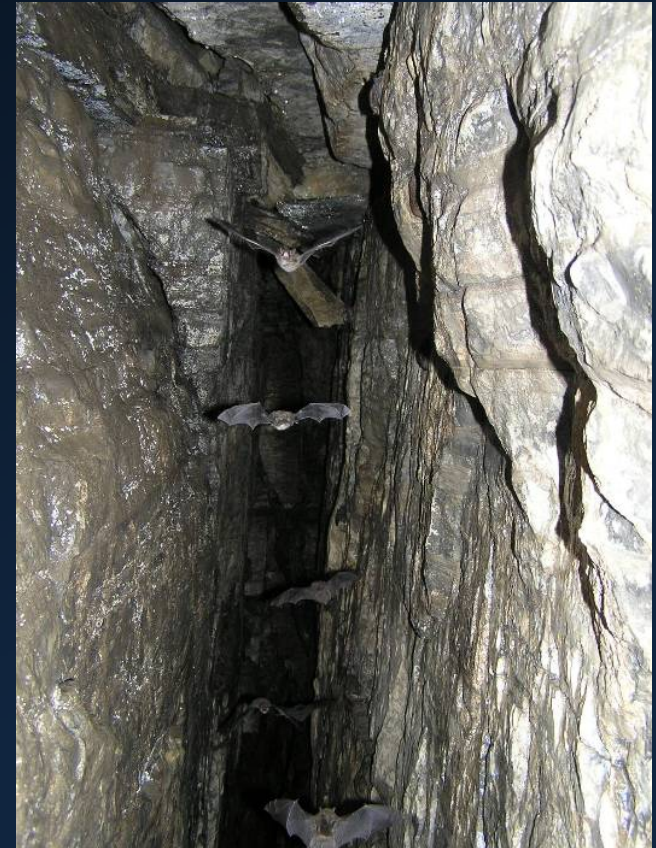
Indiana Bats and NLEB



Similar, yet different...

Indiana Bats and NLEB Throughout the Year

- Winter
 - Hibernation in caves/mines (hibernacula)
- Spring
 - Emergence
 - Forage and migrate to summer roosting habitat
 - Fertilization/gestation
- Summer
 - Associated with trees
 - Roosting/foraging (females form colonies)
 - Birth of pups (max 1/female/yr)
 - Pups fly ~1 month later
 - Home range ~1.5 - 2.5+ mile radius
- Fall
 - Mating
 - Forage and store fat for hibernation
 - Up to 5-20 miles from hibernacula

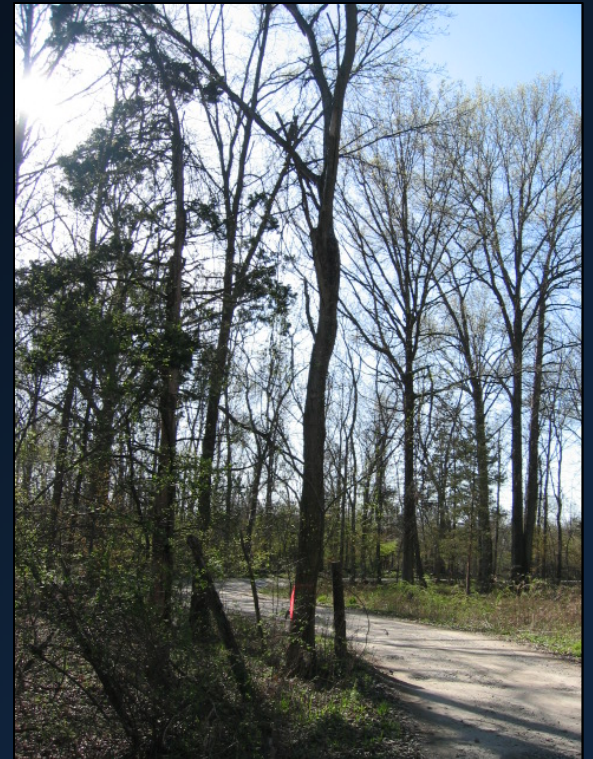


ESA Listing Updates for NLEB



Northern long-eared bat

- Proposed as endangered 2013
- Listing decision for NLEB is anticipated April 2015
- Three options:
 - Not warranted
 - Endangered
 - Threatened





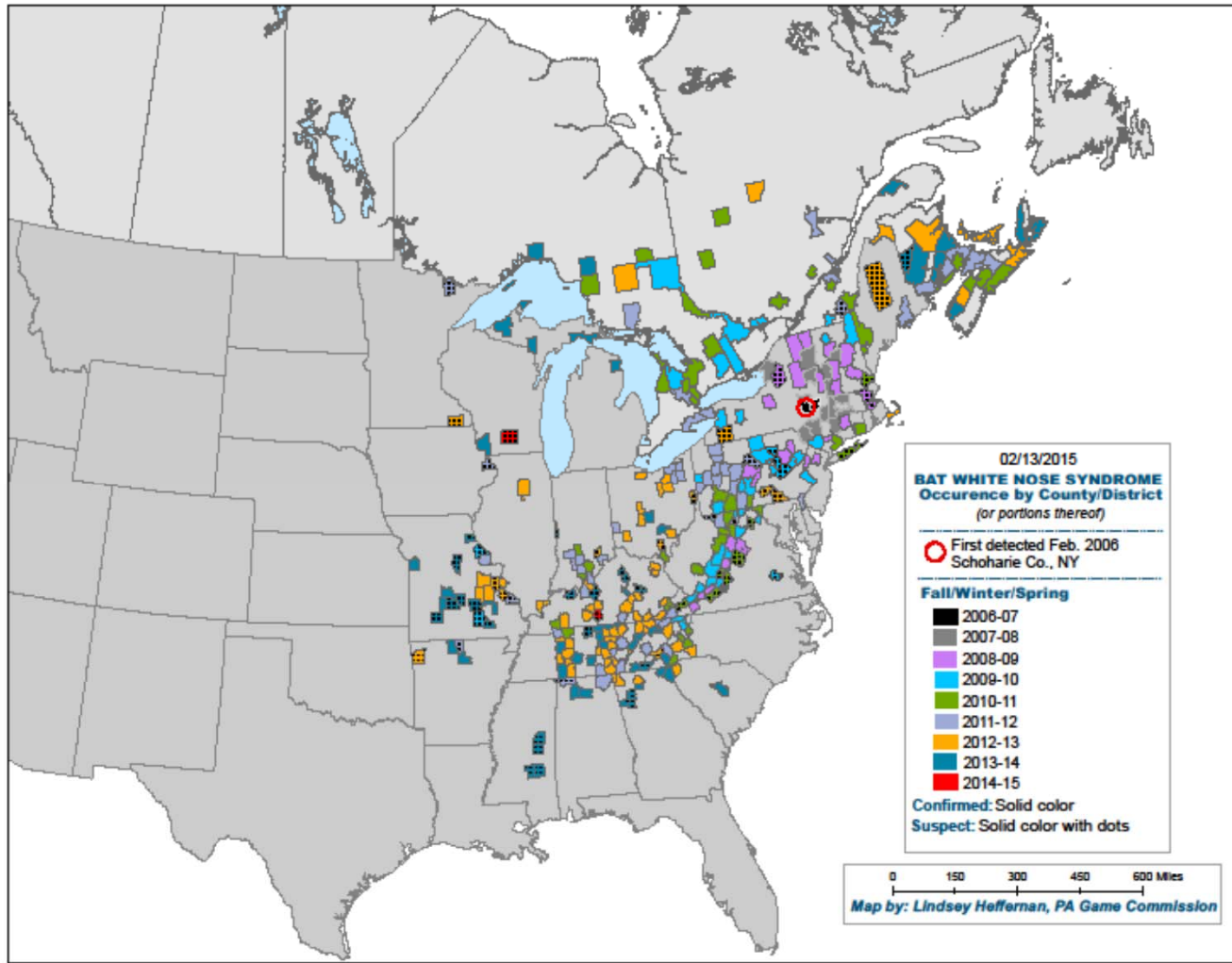
Threats

- Winter disturbance
- Summer habitat loss/degradation
- Wind turbine collision
- White-nose syndrome




White-nose Syndrome

25 states (WNS), 3 states (fungus), and 5 Canadian Provinces



“White-nose syndrome is a devastating disease of hibernating bats that has caused the most precipitous decline of North American wildlife in recorded history.”


White-nose Syndrome



Science Strategy Meeting II

May 27-28, 2009
Austin, Texas

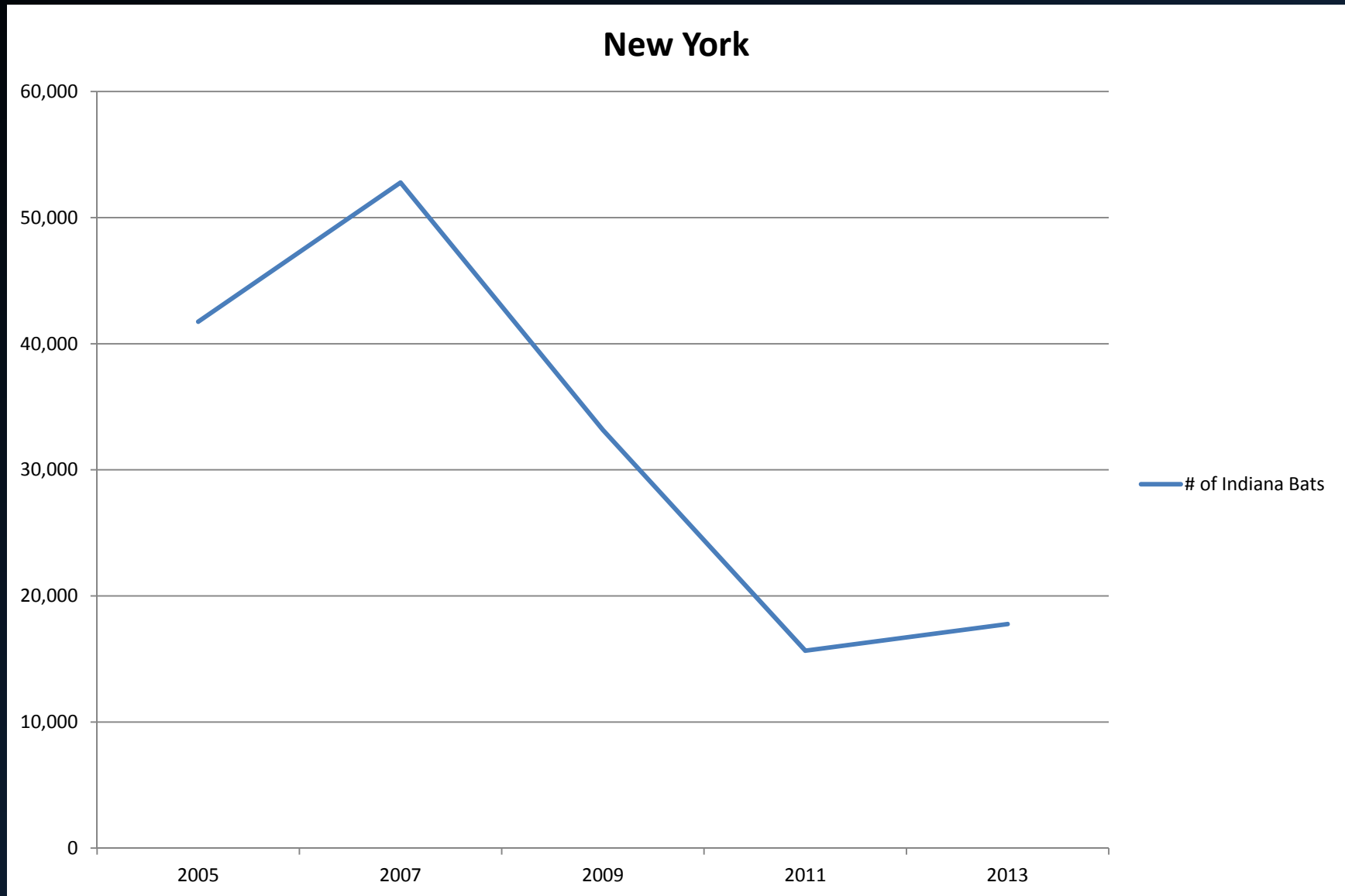
BAT CONSERVATION
www.batconservation.org



- Consensus Statement on WNS,
Proceedings of the
2009 Science Strategy Meeting

Est. > 5.5 million bats have died

Indiana Bats in New York



Keeping Threats in Perspective...

- Bats have low reproductive potential
- Populations with stable or declining baselines cannot sustain repeated losses
- We have limited options to quickly increase survival/reproduction
- Avoiding impacts (conservation measures) are our best option

Why should you care?

- Important component of forest and cave ecosystems
- Predators - insectivores
 - Primary nocturnal insect predator
 - Help control forest pests (e.g., gypsy moths)
 - Mosquitos are part of diets
- Prey of:
 - Owls
 - Raccoons
 - Other
- Provide nutrients (guano) to cave-dwelling creatures

What can you do?

- Maintain suitable roosting and foraging habitat and clean drinking water sources
 - Minimize forest patch impacts
 - Minimize wetland impacts
 - Maintain habitat connectivity between forest patches
 - Demarcate trees to be removed

What can you do?

- Avoid killing or injuring bats
 - Remove suitable roost trees during winter
- Measures can benefit other wildlife (e.g., migratory birds, other bats)

What if?

- Trees need to be cut in summer?
 - Depends on situation – how many trees?
 - Call the Service if you have questions
 - Not illegal to cut trees
 - Illegal to “take” listed species
 - Many trees won’t be home to bats of concern – but some may be
 - Cut as close to spring or fall as possible? Avoid period when pups cannot fly?
 - Emergence surveys or acoustic surveys – are bats using the tree?

What if?

- There is an emergency situation (hazard trees posing risk to life or property)?
 - Cut it down
- Bats fly out of trees during tree removal?
 - Let us know
- You find dead/injured bats?
 - Contact NYSDOH for interest in dead bats
 - Contact NYSDEC for list of rehabbers

When Reviewing EAFs

- Did the project sponsor coordinate with the Service and NYSDEC?
- Do all appropriate species seem to be addressed?
- Do they consider suitable habitat and NOT just known locations of the species?
- Is sufficient information provided to justify their conclusions?

Examples of project info to submit to NYFO

- Detailed project description including project location, list of proposed actions, and timing of proposed actions;
- Proposed conservation measures;
- Maps
 - topographic map with the project area identified;
 - coarse vegetative cover types in acres;
- A summary table of current vs. proposed future acreage of each vegetative cover type;

Examples of project info to submit to NYFO

- Site plan;
- Wetland delineations and proposed wetland/stream mitigation (if applicable/available);
- A proposal for handling any contiguous, suitable habitat that extends off the project site;
- Species assessment reports (including data sheets);
- Information on tree removal (amount, condition of trees, tree species); and
- Any other pertinent information

Summary



- We are here to help!
- You don't have to fear the ESA process
- Involve the Service early and often!
- Don't be afraid to ask questions

Hang in there...we can help you through this!
Questions?



photo by: John Lamb
ATA Conservation

www.fws.gov/northeast/nyfo