



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Pennsylvania Field Office  
110 Radnor Road, Suite 101  
State College, Pennsylvania 16801-4850

July 9, 2019

Craig Patterson Nein  
JMT  
220 St. Charles Way, Suite 200  
York, PA 17402

RE: USFWS Project #2017-0474  
PNDI Receipt #602909

Dear Mr. Patterson Nein:

Thank you for your letter of June 5, 2019, which provided the U.S. Fish and Wildlife Service with additional information regarding the proposed Eisenhower Drive extension project located in multiple townships and municipalities, Adams and York Counties, Pennsylvania. The proposed project is within the range of the bog turtle (*Clemmys muhlenbergii*), a species that is federally listed as threatened. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

To determine the potential effects of the proposed project on bog turtles and their habitat, you, a recognized qualified bog turtle surveyor, conducted Phase 1 bog turtle habitat assessments in November and December 2016 and November 2017. According to the report, 17 wetlands extended to within 300 feet of the proposed limit of disturbance. Following the methods described under “*Bog Turtle Habitat Survey*” (Phase 1 survey) of the *Guidelines for Bog Turtle Surveys* (revised April 2006), you determined that the areas referred to as “Wet-2” and “Wet-8” had the combination of soils, vegetation, and hydrology typical of habitat occupied by bog turtles. We concurred with your habitat determination by letter dated April 20, 2018.

You have provided a copy of a July 28, 2018, Phase 2 survey report, which indicated that the area referred to as “Wet-2” and “Wet-8”, within the action area, were surveyed for bog turtles. According to this report, which describes the survey conducted by you and your team on May 1, 10, and 22; June 7, 2018, no bog turtles were found. Based on our review of this information, we conclude that construction of this project will not affect the bog turtle.

If this project is implemented as proposed, construction will not affect any federally listed or proposed species or their habitat. This response relates only to endangered or threatened species

under our jurisdiction. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

This determination is valid for 2 years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office is necessary. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered.

*To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.*

If you have any further questions regarding this matter, please contact Jennifer Kagel of my staff at 814-206-7451.

Sincerely,

*Mark Roberts*

For Sonja Jahrsdoerfer  
Project Leader