

U.S. ARMY CORPS OF ENGINEERS NEW ENGLAND DISTRICT (CENAE) REGULATORY DIVISION

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PROJECT MANAGER
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MANAGER
CT/RI SECTION, REGULATORY DIVISION

MARCH 7, 2024



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New England District



OUTLINE

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- Regulatory Division
- Authorities & Overview
- Connecticut General Permit
- Section 106
- Threatened & Endangered Species
- Essential Fish Habitat
- Compensatory Mitigation
- Regulatory Request system (RRS)

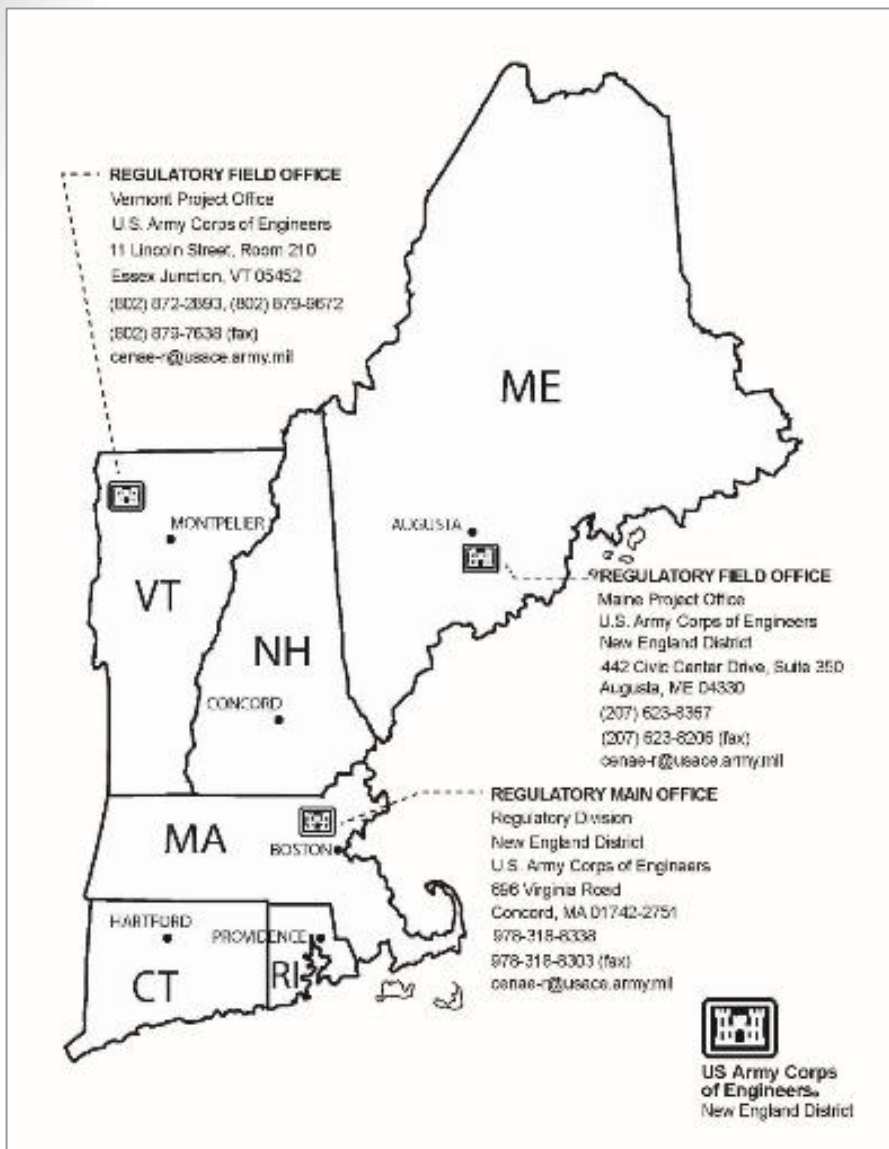




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REGULATORY DIVISION OVERVIEW PROFILE

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- 6 New England states
- 64-member interdisciplinary staff: biologists, civil & env. engineers, planners, physical scientists, admin
- Actions completed: 5000+/year (GPs, SPs, compliance, enforcement, NPRs, modifications, preapps, JDs)
- Permit actions: 2500+/year
- >85% of permit actions in <60 days





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REGULATORY DIVISION OVERVIEW

ORGANIZATION CHART

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Tammy Turley
Division Chief

Management Support Branch (4)
Adam Durando, Deputy (Acting)
• Tina Chaisson
• Art Harmon
• Leslie Martin

NAD Technical Regional Execution Center (4)
Jon Coleman, Team Lead
• Jana Jacobson
• Cori Rose ESA/EFH SME
• Dale Beter, Program Coordinator
• Bryan Roden-Reynolds-Tech SME
• John Connell

Technical Support Branch (5)
Steve Rochette, Branch Chief (Acting)
• Taylor Bell
• Ryan Evans
• Paul Minkin
• Greg Penta
• Nancy Komulainen-Dillenburg

MA Section (12)
Paul Maniccia, Chief
• Ruthann Brien (VW)
• Norm Farris
• Ethan Hobbs
• Christine Jacek
• Crystal Gardner
• Katelyn Rainville
• Maninder Singh
• Paul Sneeringer
• Abigail Thrall
• Roberta Budnik (temp)
• Richard Porter (Army Fellow)



CT & RI Section (8)
Kevin Kotelly, Chief
• Charlotte Skolnick
• Paula Kullberg
• Andrea Williams
• Chris Veinotte
• Joseph Bozzo (Army Fellow)
• Beth Waterhouse
• Paul Silva



NH & VT Section (9)
Frank DelGiudice, Chief
• Lindsey Lefebvre (IWR)
• Mike Hicks
• Rick Kristoff
• Chris Marron
• Stephanie Morrison



VT Project Office
• Mike Adams
• Angela Repella
• Vacant

ME Section (9)
Peter Olmstead, Chief
• Natalie Bingham
• Shawn Mahaney
• LeeAnn Neal
• Heather Stukas
• Amanda Sayles
• Jami MacNeil
• Zach Normile
• Jeremy Lessard

Trans & Utility Section (9)
Dan Breen, Chief
MA DOT
• Dan Vasconcelos
• Vacant
CT DOT
• Vacant
• Eva Szigeti
CT Municipal
• Matt Hackett
NH DOT
• Vacant
National Grid
• Mike Wierbonics
Eversource
• Keith Goulet

REGULATORY DIVISION PROGRAM AUTHORITIES OVERVIEW



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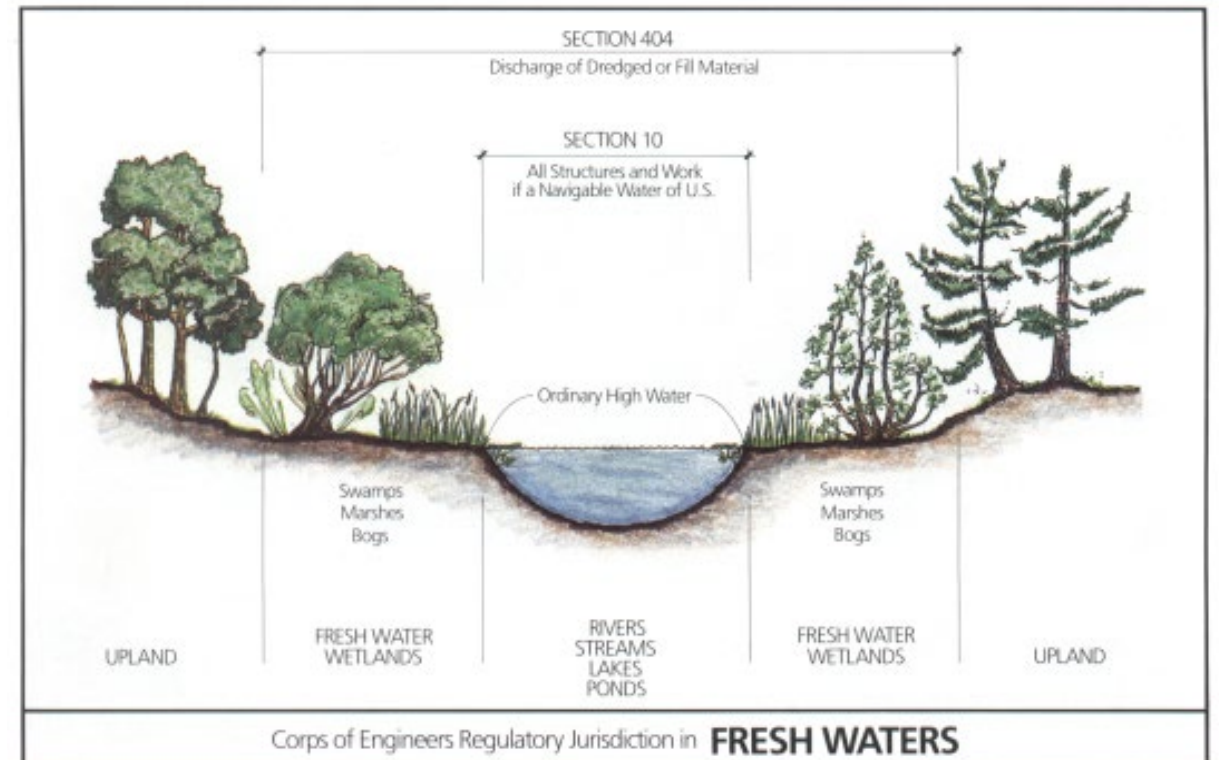
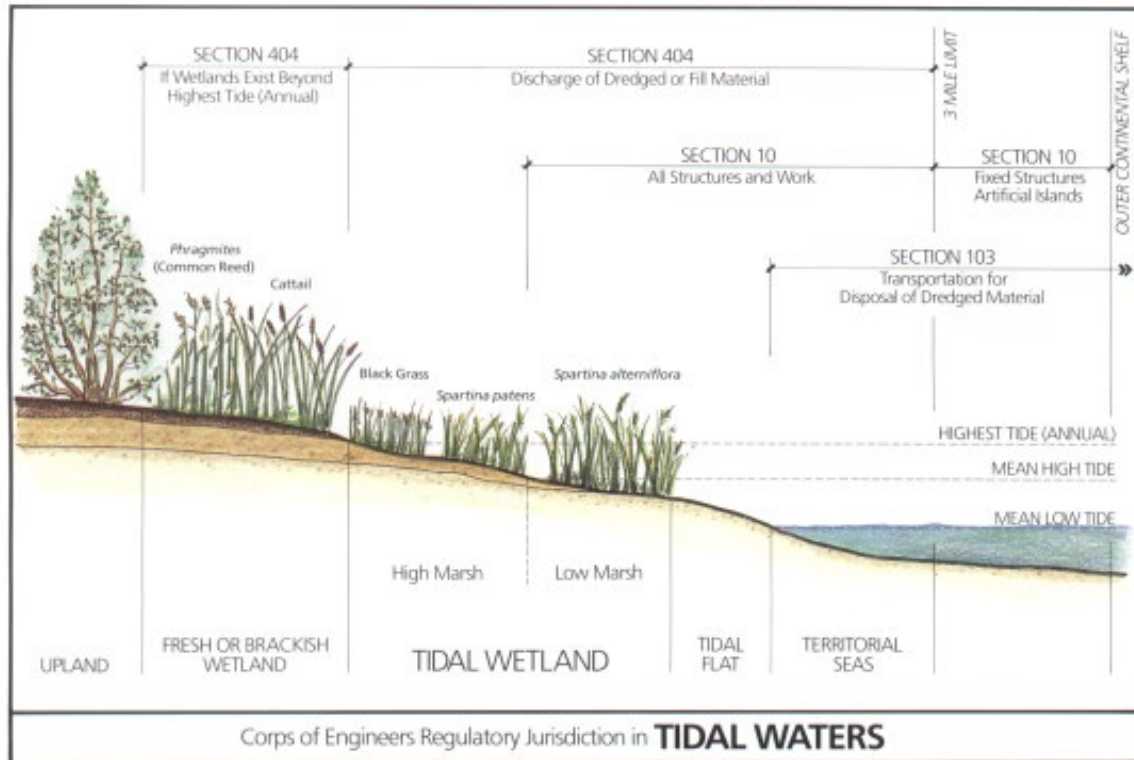
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USACE REGULATORY PROGRAM AUTHORITIES

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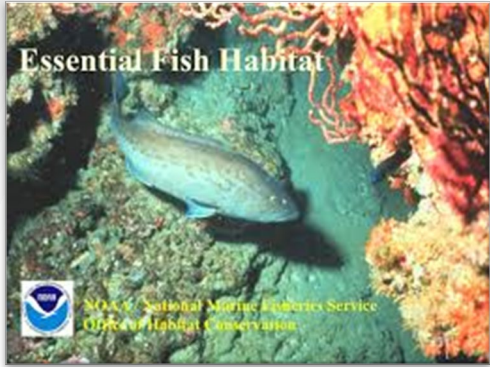
- Section 10 - Rivers and Harbors Act of 1899 (RHA)
 - Regulate work in, over or under navigable waters of the U.S.
- Section 404 - Clean Water Act of 1972 (CWA)
 - Regulate discharges of dredged & fill material in waters of the U.S.
- Section 103 - Marine Protection, Research & Sanctuaries Act (MPRSA)
 - Regulate transportation of dredged material for ocean disposal.





USACE REGULATORY PROGRAM RELATED LAWS & REGULATIONS

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- National Environmental Policy Act (NEPA)
- Wild and Scenic Rivers Act
- National Historic Preservation Act (NHPA)
- Endangered Species Act (ESA)
- Magnuson-Stevens Fishery Conservation & Management Act (EFH)



REGULATORY DIVISION CONNECTICUT GENERAL PERMITS



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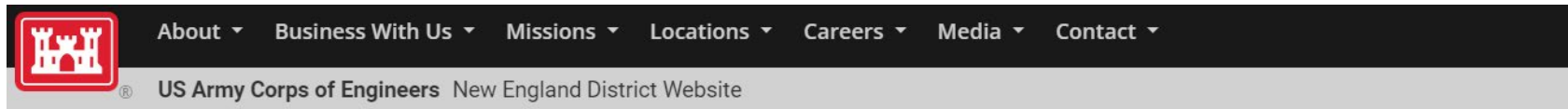
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CT GENERAL PERMITS (GPs)

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<https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Connecticut-General-Permit/>



[Home](#) / [Missions](#) / [Regulatory](#) / [State General Permits](#) / [Connecticut General Permit](#)

Connecticut General Permit Documents



- [Connecticut General Permits \(December 2021\)](#)
- [CT DEEP 401 Conditions for Connecticut General Permits](#)
- [A Guide to Marine Aquaculture Permitting in CT \(access the Joint Agency Application to Conduct Marine Aquaculture in Connecticut\)](#)
- [Endangered Species Act Information Needs for Aquaculture Projects in the U.S. Atlantic](#)
- [Guide to Permitting Marine Aquaculture in the United States \(2022\)](#)
- [CT DEEP License Application Transmittal Form](#)
- [CT DEEP License Transmittal Application Form Instructions](#)
- [CT DEEP LWRD License Application Form L Pre-Construction Notification \(PCN\) - USACE General Permits](#)
- [CT DEEP, Land and Water Resources Division - All Application Forms](#)
- [New York DOS: Federal Consistency Assessment Form](#)
- [Submerged Aquatic Vegetation Survey Guidance for the New England Region](#)
- [Appendix C \(General Permit 16-Standard Aquaculture Terms and Conditions\)](#)
- [Pre-Application Meeting Recommendations](#)
- [Pre-Application Screening Form](#)
- [Required Information Tidal Navigable Waters](#)
- [ESA Programmatic Agreements and Programmatic Consultations](#)





Applicant: General Public, State of Connecticut

Effective Date: December 15, 2021

Expiration Date: December 15, 2026

DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMITS FOR THE STATE OF CONNECTICUT

The New England District of the U.S. Army Corps of Engineers (USACE) hereby issues twenty-three (23) regional general permits (GPs), listed in Appendix A, for activities subject to USACE jurisdiction in waters of the United States (U.S.), including navigable waters within the State of Connecticut, adjacent ocean waters to the seaward limit of the outer continental shelf, and tribal lands¹. These GPs are issued in accordance with USACE regulations at 33 CFR 320 - 332 [see 33 CFR 325.5(c)(1)] and authorize activity-specific categories of work that are similar in nature and cause no more than minimal individual and cumulative adverse environmental impacts while providing protection to the aquatic environment and the public interest.

This document contains the following sections and appendices:	Page
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Appendix A – General Permits for The State of Connecticut and Tribal Lands	17
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Appendix A

GP Activity #	Category of Activity
GP 1	Aids to navigation & temporary recreational structures <i>(Coastal only)</i>
GP 2	Repair or maintenance of existing currently serviceable, authorized, or grandfathered structures & fills and removal of structures <i>(Coastal and Inland)</i>
GP 3	Moorings <i>(Coastal only)</i>
GP 4	Pile-supported structures & floats, including boat lifts/hoists & other miscellaneous structures & work <i>(Coastal only)</i>
GP 5	Boat ramps and marinerailways <i>(Coastal and Inland)</i>
GP 6	Utilities including lines, outfall and intake structures and appurtenant features <i>(Coastal and Inland)</i>
GP 7	Dredging, transport & disposal of dredged material, beach nourishment & rock removal and rock relocation <i>(Coastal only)</i>
GP 8	Discharges of dredged or fill material incidental to the construction of bridges <i>(Coastal only)</i>
GP 9	New shoreline and bank stabilization projects and Living Shorelines <i>(Coastal and Inland)</i>
GP 10	Aquatic habitat restoration, establishment, and enhancement activities <i>(Coastal and Inland)</i>
GP 11	Fish and wildlife harvesting activities <i>(Coastal and Inland)</i>
GP 12	Oil spill and hazardous material response operations <i>(Coastal and Inland)</i>
GP 13	Cleanup of hazardous and toxic waste and removal of contaminated soil <i>(Coastal and Inland)</i>
GP 14	Scientific measurement and monitoring devices <i>(Coastal and Inland)</i>
GP 15	Survey and exploratory survey activities <i>(Coastal and Inland)</i>
GP 16	Aquaculture & Mariculture Activities <i>(Coastal only)</i>
GP 17	New and expansion of recreational, residential, institutional, and commercial developments <i>(Inland only)</i>
GP 18	Wetland crossings for linear transportation projects <i>(Inland only)</i>
GP 19	Stream river and brook crossings (not including wetland crossings) <i>(Coastal and Inland)</i>
GP 20	Energy generation and renewable energy facilities and hydropower projects <i>(Coastal and Inland)</i>
GP 21	Temporary fill not associated with a regulated General Permit activity <i>(Inland only)</i>
GP 22	Modification and Improvement of Existing Minor drainage features and Mosquito Control <i>(Coastal only)</i>
GP 23	Agricultural Activities <i>(Inland only)</i>





Types of Permits (Example: GP #1)

- Self-Verification (SV)
- Pre-Construction Notification (PCN)
- Individual/Standard Permit (IP)

GP1. AIDS TO NAVIGATION & TEMPORARY RECREATIONAL STRUCTURES (Section 10: navigable waters of the U.S.)		
The placement of aids to navigation and regulatory markers that are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66) and/or requirements of the CT DEEP Boating Division (see Connecticut General Statutes Section 15-121 and the corresponding Regulations of Connecticut State Agencies). The installation of temporary buoys, markers, floats, or similar structures solely for recreational use or short-term events such as water-skiing competitions, fireworks display or seasonal swim floats.		
	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
GP1(A) INLAND	Not Applicable These activities in inland waters (as defined in Appendix A, Page 1) do not require USACE authorization.	Not Applicable These activities in inland waters (as defined in Appendix A, Page 1) do not require USACE authorization.
GP1(B) COASTAL A Self-Verification Notification Form (SVNF) is not required.	<u>Not eligible for SV:</u> <ul style="list-style-type: none"> • Aids to Navigation/temporary structures in submerged aquatic vegetation (SAV). • Aids to Navigation/temporary structures in USACE Federal navigation projects (FNPs). FNPs are comprised of Federal channels, anchorages and turning basins. Please click on the link below for more information: http://www.nae.usace.army.mil/Missions/Navigation/Connecticut-Projects/ on the limits of these Federal projects. • Temporary structures in place longer than one season and/or not removed within 30 days after use is discontinued. <u>Eligible for SV:</u> <ul style="list-style-type: none"> • Aids to navigation and regulatory markers (both permanent and temporary) approved by the U.S. Coast Guard (USCG) and/or State of Connecticut Boating Division that are not located within FNPs. • Temporary buoys, markers, floats, etc. for recreational use during specific seasonal or short-term events, provided they are not located within USACE FNPs, are in place no longer than the defined seasonal timeframe and are removed within 30 days after use is discontinued. 	<u>Eligible for PCN (includes work not eligible for SV):</u> <ul style="list-style-type: none"> • Aids to Navigation/temporary structures in SAV. • Aids to Navigation/temporary structures in FNPs. FNPs are comprised of Federal channels, anchorages and turning basins. • Temporary structures in place longer than one season and/or not removed within 30 days after use is discontinued.



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CT GENERAL PERMITS (GPs)

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Information required for all projects (Sec. 3)

- USACE application: ENG Form 4345 (inland activities) or CT DEEP LWRD application (coastal activities)
- Impacts: direct, indirect, and secondary (permanent and temporary)
- Sec. 408 permission for nearby USACE Civil Works projects
- State authorizations
- Historic properties (State & Tribal Historic Preservation Offices)





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CT GENERAL PERMITS (GPs)

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Information required for all projects (Sec. 3)

- Endangered and threatened species
- Site information, surveys, or previous permits
- Photos
- Project plans with jurisdictional limits and delineation sheets
- Mitigation Plan



USACE starts review of a permit application after a federally complete application is received. You will receive a request for additional information with a 30-day notice of withdrawal if the application is incomplete. If your file is administratively withdrawn, the file can easily be reopened when complete information is received.

REGULATORY DIVISION SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT OF 1966



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PROJECT EFFECTS ON HISTORIC PROPERTIES

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Section 106 of the National Historic Preservation Act of 1966 (NHPA)

If a federal or federally-assisted project has the potential to affect historic properties, then a Section 106 consultation must take place.

The consultations give the Advisory Council on Historic Preservation (ACHP), interested parties and the public a chance to consult on the project before a final decision is made.

This process is an important tool for citizens to provide their voice to protect and maintain historic properties and cultural resources in their communities.



PROTECTING HISTORIC PROPERTIES

The Section 106 process ensures that historic preservation is considered in federal project planning.



Section 106 Summary

As part of the S106 requirements, USACE performs the following actions:

- Determine the federal “undertaking”
- Determine other activities USACE has federal control over
- Analyze effects to historic properties within the permit area and known historic properties outside the permit area
- Initiate consultation with the State Historic Preservation Office (SHPO), Tribal Historic Preservation Office (THPO), and other consulting parties if listed/eligible historic properties may be affected
- Determine whether the undertaking will have “No effect (No Historic Properties Present/Affected),” “No adverse effect” or an “Adverse effect” on the property

Federally Recognized Tribes



Mashantucket Pequot Tribe



Mohegan Tribe



Narragansett Indian Tribe



Wampanoag Tribe of Gay Head Aquinnah

The Section 106 process is an important tool to protect and maintain historic properties in the project communities.



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PROJECT EFFECTS ON HISTORIC PROPERTIES

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CTGP General Condition 11 – Historic Properties (Appendix B – General Permit): describes seven requirements for evaluating historic properties for projects.

- b) For activities eligible for self-verification (SV), applicants must document that the activity will not cause adverse effects on historic properties.
- c) Applicants must submit a pre-construction notification (PCN) to USACE if the activity may cause effects.
- d) All PCN inland projects shall provide, if applicable, the SHPO and THPO requests for historic properties or cultural resources, the identification of resources that may be affected by the proposed work; and include available documentation from SHPO/THPO indicating that resources are (not) affected.

Consultation with all the interested parties and USACE early in the planning process is recommended to save the applicant time.



Image: Mark Twain House (marktwainhouse.org)



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PROJECT EFFECTS ON HISTORIC PROPERTIES

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Tribal Historic Preservation Officers

Mashantucket Pequot Tribal Nation

Michael Johnson, THPO
550 Trolley Line Boulevard
P. O. Box 3202
Mashantucket, Connecticut 06338-3202
(860) 396-6887

Mohegan Tribe of Indians of Connecticut

James Quinn, THPO
13 Crow Hill Road
Uncasville, CT 06382
(860) 862-6393

Wampanoag Tribe of Gay Head (Aquinnah)

Bettina Washington, THPO
20 Black Brook Road
Aquinnah, MA 02535
(508)645-9265

Narragansett Indian Tribe

John Brown, THPO
Mark Andrews, Deputy THPO
4425 South County Trail
PO Box 268
Charlestown, RI 02813
(401) 364-1100

Archaeological Information

State Historic Preservation Office

Department of Economic and Community Development
Mary Dunne, State Historic Preservation Officer
45 Columbus Boulevard, Suite 5
Hartford, Connecticut 06103
(860) 256-2800 (main)
(860) 256-2764 (direct)

Office of State Archaeology

Sarah Sportman, CT State Archaeologist
354 Mansfield Road, Unit 1176
Storrs, Connecticut 06269
(860) 486-5248

Helpful Links

ACHP - Section 106 Process

<https://www.achp.gov/protecting-historic-properties/section-106-process/introduction-section-106>

Connecticut Historic Preservation

<https://portal.ct.gov/DECD/Services/Historic-Preservation>

Connecticut Cultural Resources Information System

<https://conncris.ct.gov/>

National Register of Historic Places

<https://www.nps.gov/subjects/nationalregister/index.htm>

REGULATORY DIVISION **USFWS** THREATENED AND ENDANGERED SPECIES



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- “Each Federal agency shall insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species” -Section 7(a)(2) of the ESA
- USFWS maintains a website called IPaC, which includes determination keys (Dkeys) used to conduct programmatic consultations.
- The Northeast Endangered Species Dkey covers ~50 listed species and encompasses all of CT
- Currently used internally at USACE but evaluating an expansion to allow applicants to use the Dkey and provide the results.





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USACE DESIGNATION OF NON-FEDERAL REPRESENTATIVE FOR NORTHERN LONG-EARED BAT (NLEB)

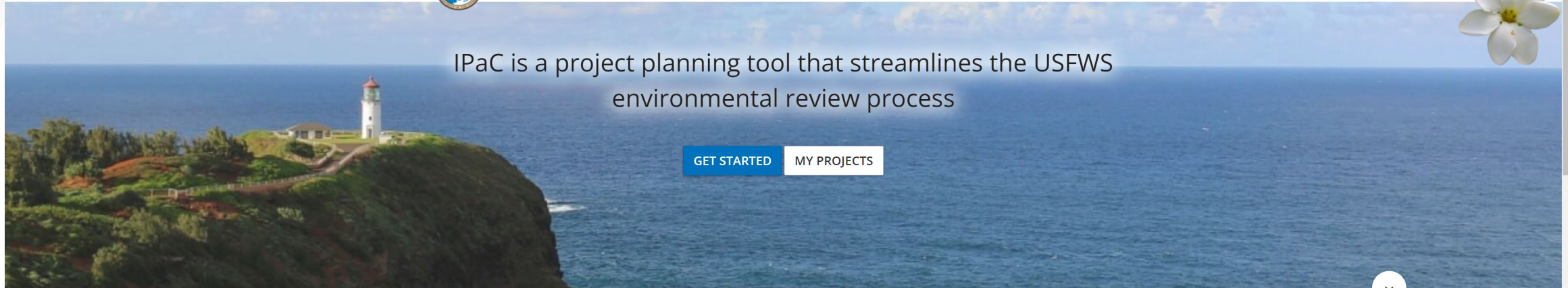
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- 11/29/22: USFWS elevated NLEB status to endangered.
- 06/27/23: USACE designated applicants in New England as non-Federal representatives to conduct informal consultation using the IPaC NLEB Dkey at <https://ipac.ecosphere.fws.gov>.
- NLEB Dkey provides outcomes of: “no effect,” “may affect, not likely to adversely affect” (NLAA), or “may affect, likely to adversely affect” (LAA)
- Provided no other Federally listed species besides the NLEB are present and a determination of “no effect,” or “not likely to adversely affect” is reached, and your project qualifies as self-verification under the CTGPs, then a PCN is not required. Applicant would submit a self-verification form.





IPaC is a project planning tool that streamlines the USFWS environmental review process

GET STARTED

MY PROJECTS



Integrate the environmental review process into your project design

Quickly and easily identify USFWS managed resources and suggested conservation measures for your project.

Explore species and habitat

See if any listed species, critical habitat, migratory birds or other natural resources may be impacted by your project.

Using the map tool, explore other resources in your location, such as wetlands, wildlife refuges, GAP land cover, and other important biological resources.

Conduct a regulatory review

Log in and define a project to get an official species list and evaluate potential impacts on resources managed by the U.S. Fish and Wildlife Service.

Follow IPaC's Endangered Species Act (ESA) Review process—a streamlined, step-by-step consultation process available in select areas for certain project types, agencies, and species.

Build a Consultation Package

Consultation Package Builder (CPB) replaces and improves on the original Impact Analysis by providing an interactive, step-by-step process to help you prepare a full consultation package leveraging U.S. Fish and Wildlife Service data and recommendations, including conservation measures designed to help you avoid or minimize effects to listed species.

CPB will continue to be improved over time.

<https://ipac.ecosphere.fws.gov>

Helpful Videos





IPAC Information for Planning and Consultation

1 Find location

2 Define area

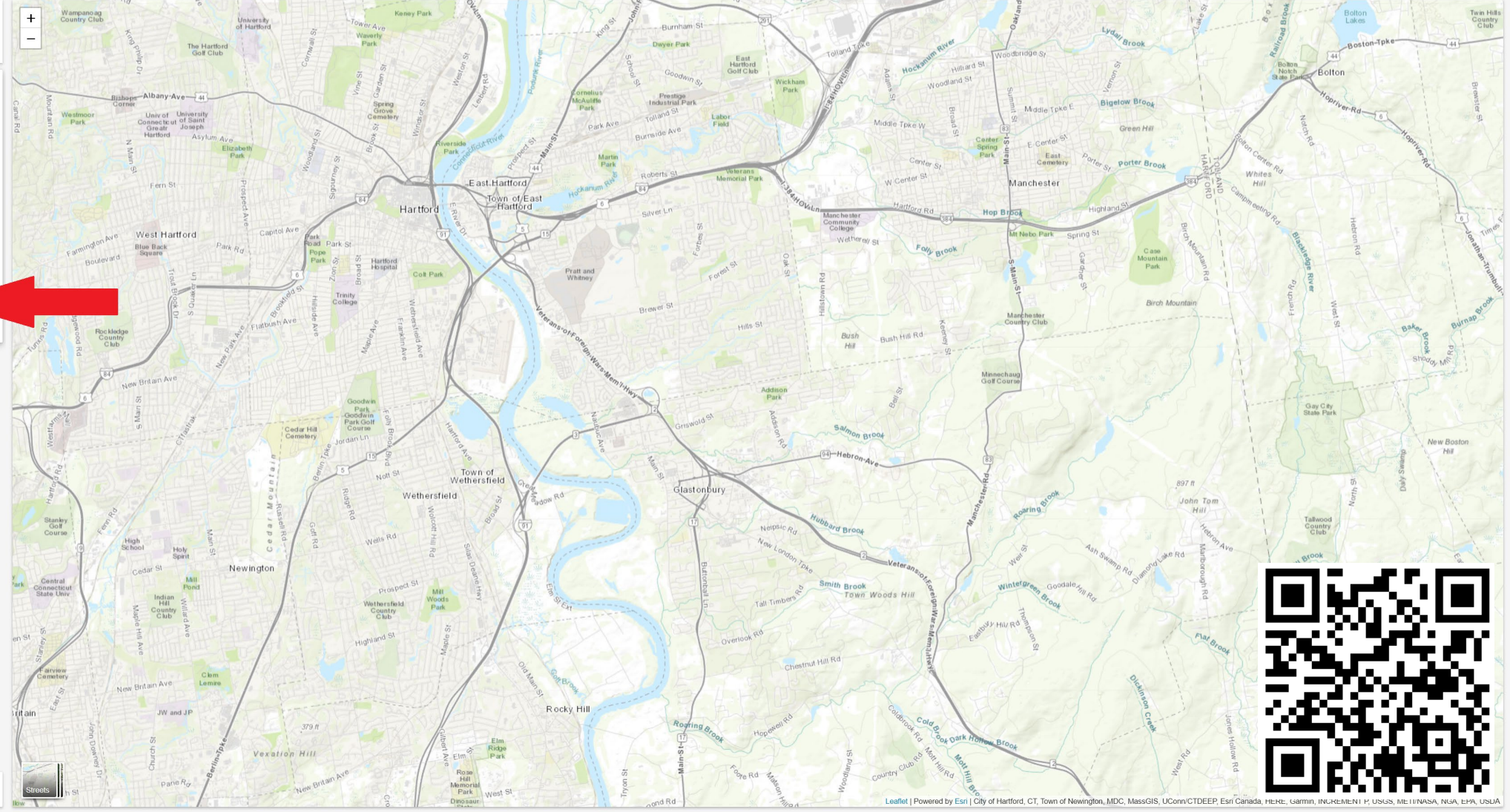
Draw the area where activities will occur

Select a drawing tool

- SKETCH
- POLYGON
- LINE

Other options:

- UPLOAD SHAPE FILE
- SELECT BY STATE OR COUNTY



Layers ADD

IPaC Information for Planning and Consultation
MY PROJECTS

U.S. Fish & Wildlife Service
KEITH GOULET

Explore location
LOCAL OFFICE NEW ENGLAND ESFO

LOCATION
Middlesex County,
Connecticut
CHANGE LOCATION

Resources

ENDANGERED SPECIES	2
BALD & GOLDEN EAGLES	1
MIGRATORY BIRDS	11
FACILITIES	
WETLANDS	✓

PRINT RESOURCE LIST

What's next?

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

DEFINE PROJECT

Endangered species

Listed species and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).


Additional information on endangered species data is provided [below](#).

The following species are potentially affected by activities in this location:

THUMBNAILS LIST

Mammals

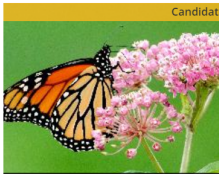
Endangered



Northern Long-eared Bat
Myotis septentrionalis
Wherever found


Insects

Candidate



Monarch Butterfly
Danaus plexippus
Wherever found

Critical habitats





Qualification interview

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

3. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

5. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

Yes

6. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

7. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

8. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer "No" below and continue through the key. If you have determined that the northern



REGULATORY DIVISION NOAA ESA THREATENED AND ENDANGERED SPECIES



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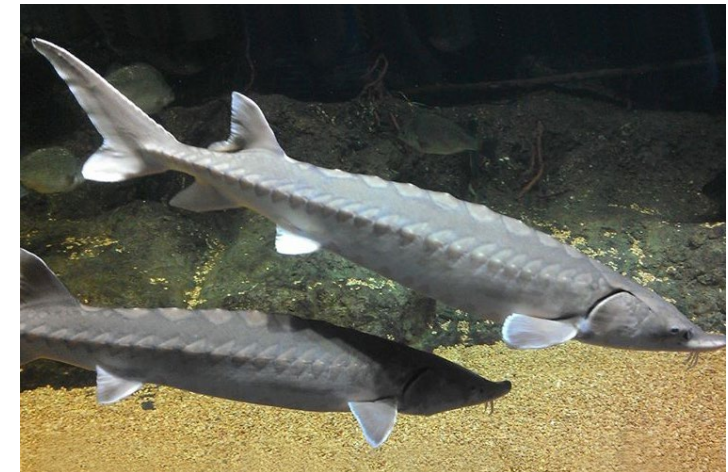
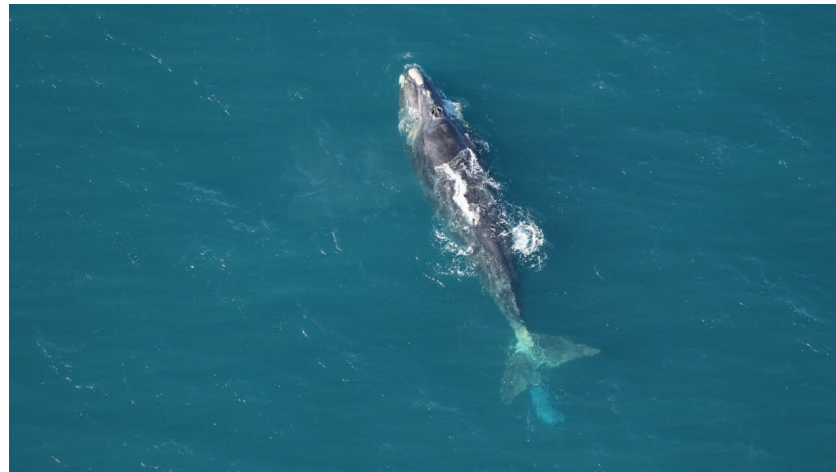


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- ESA consultation also applies to fish and marine life.
- Presence of NOAA listed species requires consultation between USACE and NOAA.
- If NOAA listed species are present, you must submit a PCN even if your project otherwise qualifies as self-verification eligible.
- You can find and use the mapper at (<https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper>)
- Check the mapper before you submit an application. Confirming any listed fish or marine mammals will save the applicant time.





NOAA Fisheries Greater Atlantic Region

🔍

Draw Your Action Area
✕

Draw
Coordinates

Select draw mode

📍
📏
📦
📐
📏

Buffer distance (optional)

Show results within

Miles

Get details
Start Over

More Information
🔼 ✕

Welcome!

August 2022
version 2.1

This panel provides only a broad overview of the ESA S7 Mapper. A detailed User's Guide can be accessed on the GARFO website here: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps>

We welcome your feedback! If you have any questions, comments, or experience any problems, contact information is located at the bottom of this panel.

Purpose

We, the Greater Atlantic Regional Fisheries Office (GARFO) Protected Resources Division, provide this endangered species mapping application (ESA S7 Mapper, or "the mapper") to aid Federal action agencies in their Section 7 consultation responsibilities under the Endangered Species Act (ESA).

Using these data layers, action agencies can better determine whether the activities they plan to authorize, fund, or carry out may affect listed species or designated critical habitat under our jurisdiction (Maine through Virginia).

We plan to update the spatial and temporal data reflecting life stages and behaviors as new data from peer-reviewed literature, research reports, and field observations become available.

About the Data

Use of the ESA S7 Mapper does NOT replace the Section 7 consultation process; it is a first step in determining if a proposed federal action overlaps with listed species or critical habitat presence.

The polygons representing our listed species' presence and behaviors may lack the spatial resolution to capture your action area. We recommend you extend your action area into the nearest major waterway (e.g., main channel of a river), to be certain that we do not expect any listed species or critical habitat to be in your action area.

The ESA S7 Mapper currently displays *Greater Atlantic Region Consultation Areas for Section 7 of the Endangered Species Act* ("S7 Consultation Areas").

Full metadata and a downloadable geodatabase is available here: <https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper>

Navigate the Map

The map is fully interactive. Pan in any direction by clicking and dragging the map.

Map Loading

<https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper>

100mi
Earthstar Geographics | Esri, TomTom



NOAA ESA MAPPER

U.S. ARMY

Charlotte Skolnick



ESA Section 7 Mapper NOAA Fisheries Greater Atlantic Region

Search by address or coordinate

Draw Your Action Area

Your Action Area

Draw Coordinates

Select draw mode

Buffer distance (optional)

Show results within

500 Feet

Get details Start Over

More Information

Welcome!

August 2022 version 2.1

This panel provides only a broad overview of the ESA S7 Mapper. A detailed User's Guide can be accessed on the GARFO website here: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps>

We welcome your feedback! If you have any questions, comments, or experience any problems, contact information is located at the bottom of this panel.

Purpose

We, the Greater Atlantic Regional Fisheries Office (GARFO) Protected Resources Division, provide this endangered species mapping application (ESA S7 Mapper, or "the mapper") to aid Federal action agencies in their Section 7 consultation responsibilities under the Endangered Species Act (ESA).

Using these data layers, action agencies can better determine whether the activities they plan to authorize, fund, or carry out may affect listed species or designated critical habitat under our jurisdiction (Maine through Virginia).

We plan to update the spatial and temporal data reflecting life stages and behaviors as new data from peer-reviewed literature, research reports, and field observations become available.

About the Data

Use of the ESA S7 Mapper does NOT replace the Section 7 consultation process; it is a first step in determining if a proposed federal action overlaps with listed species or critical habitat presence.

The polygons representing our listed species' presence and behaviors may lack the spatial resolution to capture your action area. We recommend you extend your action area into the nearest major waterway (e.g., main channel of a river), to be certain that we do not expect any listed species or critical habitat to be in your action area.

The ESA S7 Mapper currently displays *Greater Atlantic Region Consultation Areas for Section 7 of the Endangered Species Act* ("S7 Consultation Areas").

Full metadata and a downloadable geodatabase is available here: <https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper>

Navigate the Map

The map is fully interactive. Pan in any direction by clicking and dragging the map.

Map Loading

<https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper>



NOAA ESA MAPPER

U.S. ARMY

Charlotte Skolnick



More Information

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This report is designed to be printed on Letter ANSI A (8.5" X 11") Landscape Paper

Print

Close



Drawn Action Area & Overlapping S7 Consultation Areas

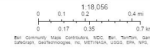
Area of Interest (AOI) Information

Area : 242.55 acres

Jan 18 2024 15:05:06 Eastern Standard Time



▭ Atlantic Sturgeon ▭ In or Near Critical Habitat
▭ Shortnose Sturgeon



Enter comments here

Summary

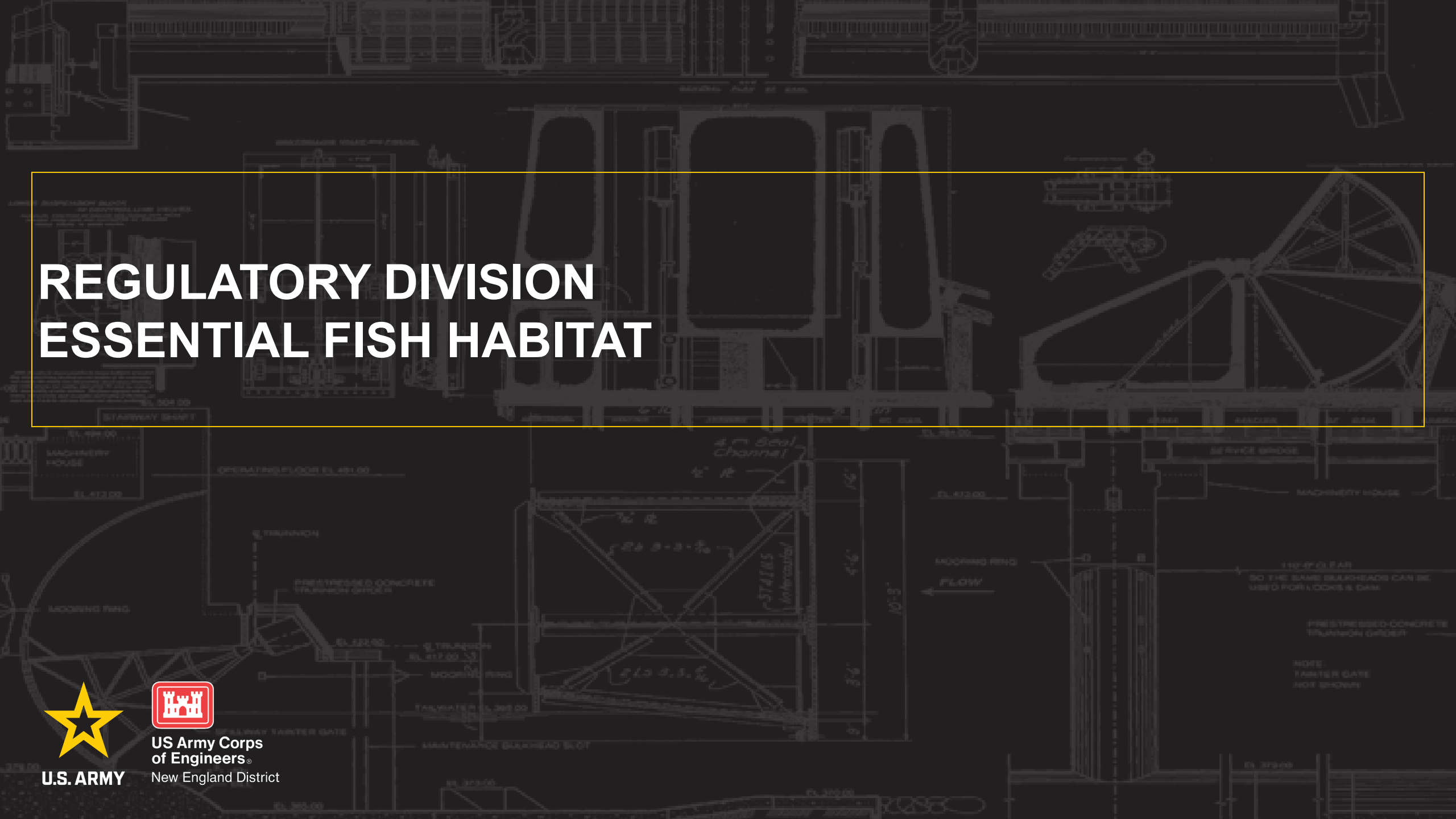
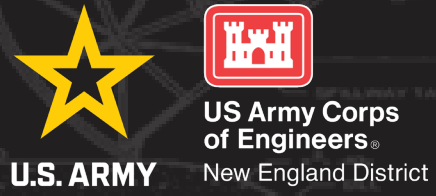
Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	7	538.31	N/A
Shortnose Sturgeon	6	461.41	N/A
Atlantic Salmon	0	N/A	N/A
Sea Turtles	0	0	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	1	70.45	N/A

Atlantic Sturgeon

#	Feature ID	Species	Lifestage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	ANS_CND_ADU_MA_F	Atlantic sturgeon	Adult	Migrating & Foraging	Connecticu 1 River	04/15	11/30	N/A	N/A	76.90
2	ANS_CND_ADU_SP_N	Atlantic sturgeon	Adult	Spawning	Connecticu 1 River	04/15	08/31	N/A	N/A	76.90



REGULATORY DIVISION ESSENTIAL FISH HABITAT



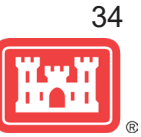


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ESSENTIAL FISH HABITAT (EFH)

- Magnuson-Stevens Fisheries Conservation and Management Act
- Established a federal EFH consultation process that advises federal agencies **to avoid, minimize, mitigate, or otherwise offset adverse effects on EFH.**
- EFH Mapper Report
- Components of EFH
- EFH consultations

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U.S. Senators Ted Stevens (R-AK) and Warren Magnuson (D-WA), 1973. Credit: Ted Stevens Foundation



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ESSENTIAL FISH HABITAT MAPPER

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NOAA FISHERIES
National Oceanic and Atmospheric Administration

QR code Share link

Essential Fish Habitat Mapper

WELCOME TO THE EFH MAPPER START BY CHOOSING A COUNCIL

- Atlantic Highly Migratory Species
- Caribbean
- Gulf of Mexico
- New England / Mid-Atlantic**
- North Pacific
- Pacific
- South Atlantic
- Western Pacific

<https://www.habitat.noaa.gov/apps/efhmapper/>

Esri, TomTom, FAO, NOAA, USGS | NOAA Fisheries, Habitat Conservation - Habitat Protection

Powered by Esri



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ESSENTIAL FISH HABITAT MAPPER

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≡ MENU

Essential Fish Habitat Mapper

New England / Mid-Atlantic

? View Legend

Contents

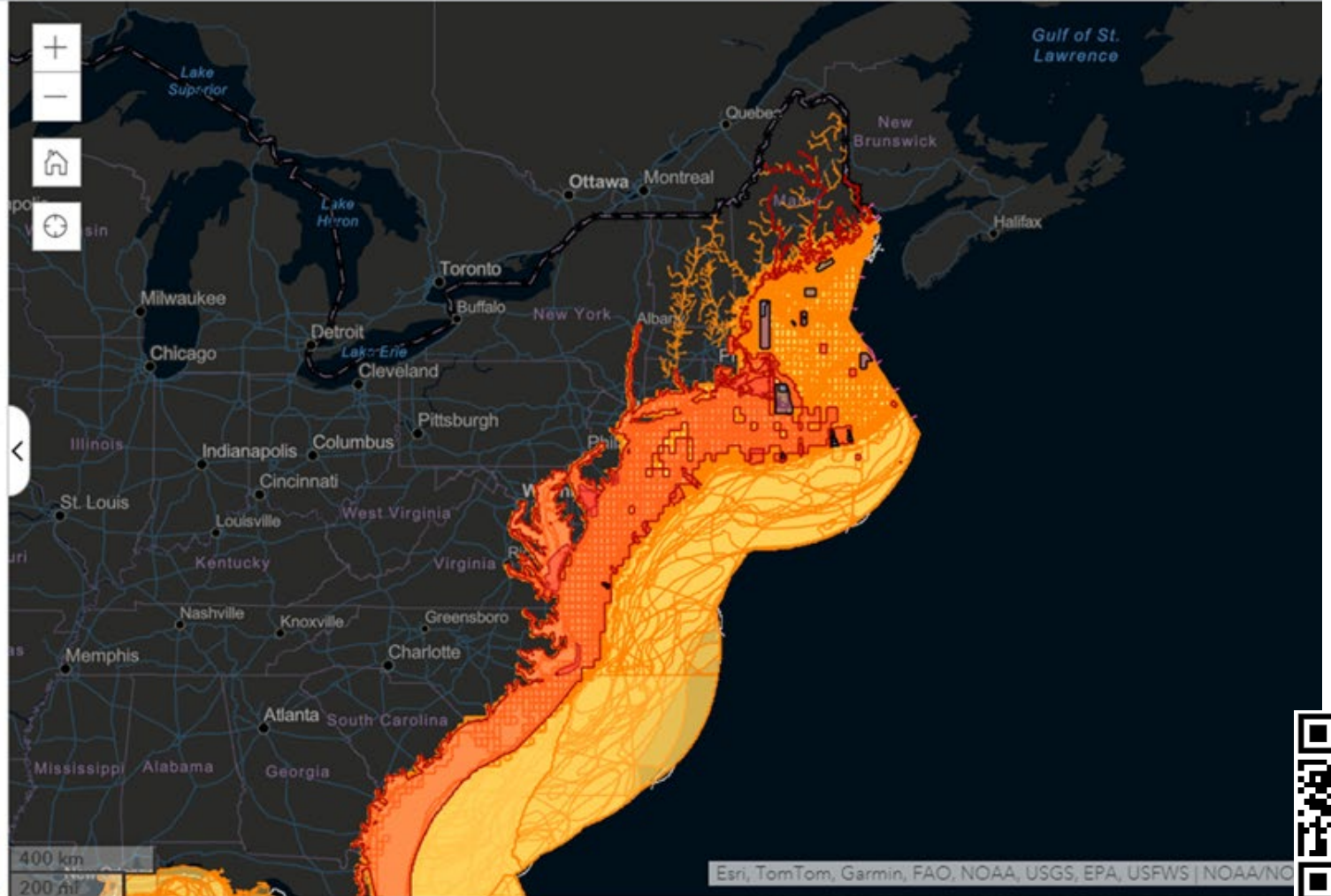
- 👁 EFH Areas Protected From Fishing ...
- ▶ 👁 Habitat Areas of Particular Concern ...
- ▶ 👁 Essential Fish Habitat ...
- ▶ 👁 Reference Data ...

START
Generate Report:



Choose Another Council

Generate Report





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ESSENTIAL FISH HABITAT MAPPER - REPORT

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The screenshot shows a web application interface for generating an Essential Fish Habitat (EFH) report. It features a map of New Haven, CT, with a search bar at the top right containing the text "New Haven, CT". A report panel on the right side displays the title "EFH Mapper Report" and a section for "EFH Data Notice". The panel also includes a "Query Results" section with coordinates and a "Return to Council Data" button. Four red arrows with numbers 1-4 point to specific elements: 1 points to the search bar, 2 points to a red dot on the map, 3 points to the report title, and 4 points to the "Print Report" button.

- STEP 1 – SEARCH/NAVIGATE TO YOUR LOCATION**
- STEP 2 – CLICK THE MAP AT THE POINT OF YOUR LOCATION**
- STEP 3 – AN EFH MAPPER REPORT WILL BE GENERATED**
- STEP 4 – PRINT/SAVE AND SUBMIT REPORT TO USACE**

*** WARNING ***

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages were found at the location. Data provided by Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, U



REGULATORY DIVISION COMPENSATORY MITIGATION



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US Army Corps
of Engineers®
New England District



COMPENSATORY MITIGATION STANDARD OPERATING PROCEDURES (SOP)



Compensatory Mitigation SOP update will be completed soon.
Public notice will be issued.

Overall changes:

- “Adverse Impact” introduced and defined.
- Activities and/or impacts associated with restoration are listed.
- No compensatory mitigation required if a net increase in aquatic resource functions or services.
- Adverse impacts to multiple resources
- If compensatory mitigation is required for one impact, all other jurisdictional impacts require mitigation



US Army Corps
of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: April 25, 2023
In Reply Refer To: Taylor Bell
Phone: (978) 318-8952
E-mail: taylor.m.bell@usace.army.mil

REVISED COMPENSATORY MITIGATION THRESHOLDS FOR THE NEW ENGLAND DISTRICT REGULATORY DIVISION

This notice informs the public of proposed modifications to the New England District Compensatory Mitigation Standard Operating Procedures (“SOP”) “Appendix O – Thresholds” for losses of aquatic resources associated with Department of the Army (“DA”) permits in New England.

The New England District (“District”) has periodically revised and updated its Compensatory Mitigation SOP, most recently in 2022. One of the overall goals of the SOP is to ensure consistent compensatory mitigation practices across the New England states and align nationally. Appendix O – Thresholds, was finalized in the SOP on December 29, 2020. Since then, it has provided stakeholders and project managers guidance on implementing compensatory mitigation requirements. This modification to the SOP will establish minimum compensatory mitigation thresholds across aquatic resources for consistency in application by the District and for transparency to the regulated public.

Enclosed you will find the updated Appendix O – Thresholds. The following changes are under review:



COMPENSATORY MITIGATION STANDARD OPERATING PROCEDURES (SOP)

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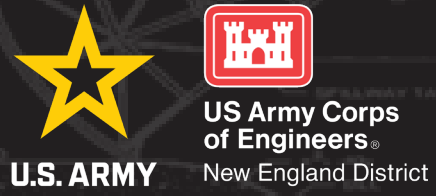


Threshold changes:

- Permanent adverse impacts to non-tidal wetlands greater than 5,000 square feet (SF) require compensatory mitigation.
- Tidal submerged aquatic vegetation was 500 SF, now 25 SF.

Resource¹	Non-Tidal	Tidal
Stream ²	200 Linear Feet	200 Linear Feet
Other Open Waters ³	Project Dependent	Project Dependent
Wetland	5000 Square Feet	500 Square Feet
Vernal Pool ⁴	All	N/A
SAV	Project Dependent	25 Square Feet
Mudflat	N/A	1000 Square Feet
Intertidal ⁵	N/A	1000 Square Feet

REGULATORY DIVISION REGULATORY REQUEST SYSTEM (RRS)





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REGULATORY REQUEST SYSTEM (RRS)

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- The RRS is part of a new multi-faceted, enterprise-wide approach to transforming the Regulatory Program.
- RRS will be an interactive online platform which will allow the regulated public to submit a variety of requests to the District through the online system and will operate nationally.
- RRS will streamline the permit application process and underscores USACE commitment to modernizing our application process, meeting user expectations, and providing a transparent, straightforward process for the timely review of permit requests.
- Status:
 - Phase 1A Implementation – **January 31, 2024**
 - Request jurisdictional determinations (JDs)
 - Submit pre-applications
 - View Regulatory Program information
 - New England District (NAE) Public BETA Testing Phase – **Anticipated fall 2024**



Welcome to the Regulatory Request System

Apply Online • Learn about the Regulatory Program • Track Request

Get Started >>>



Regulatory Program Information

Learn the basics about the Regulatory Program, including recent announcements.



Jurisdiction

Does the property in question contain wetlands/waters? If so does the Corps have jurisdiction?



Permitting

Do you need a permit? Need to schedule a pre-application meeting?



Mitigation

Discover how we help avoid and minimize impacts to aquatic resources.



Report Violations

Submit a report of unauthorized activity or permit non-compliance.



Public Notices

Future Enhancements in Progress
Visit the HQ Regulatory website to find your district and get local public notices.



RRS Support

Future Enhancements in Progress
Learn about upcoming features, new updates and get helpdesk support.



Apply for a Permit

Future Enhancements in Progress
If you're ready to apply for a permit, click here to login.



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REGULATORY REQUEST SYSTEM (RRS)

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NOTICE: THIS SYSTEM IS FOR INFORMATIONAL PURPOSES ONLY! REQUESTS SUBMITTED USING THIS SYSTEM WILL NOT BE ACTED UPON BY USACE! [SUBMIT BETA FEEDBACK](#)



Home Request Page Updates Logged in as First, Last Name Applicant



Pre-application/Project Scoping

Exit Form



Save Progress
Last saved: 9 hours from now



Project Location

Current Step: 1 of 6

- ✓ Instructions
- ✓ General Project Information
- ✓ Contact Information
- ✓ Property Owners
- ✓ Supporting Information
- ✓ Certify, Sign, and Submit

INSTRUCTIONS

The **pre-application meeting and scoping request** provides an electronic option for applicants to request a pre-application meeting with the U.S. Army Corps of Engineers (USACE) or to submit project scoping letters. This electronic application will guide you through providing the information required for a complete request.

Scoping letters, which are typically submitted by applicants using Federal or State funding to accomplish a project of which they are the proponent, seek comment from the USACE regarding potential impacts to waters of the United States during very early phases of project development. These are typically submitted to help meeting requirements of the National Environmental Policy Act or similar state/local laws.

Preapplication meetings are typically held prior to an applicant submitting a project application and are normally reserved for **larger and more complex projects that require a standard individual permit**. The purpose of these meetings is to discuss various aspects of the project, such as the required permit type, estimated permit timeframes, potential complexities related to permitting (such as endangered species, historic properties, section 408, etc.), onsite and offsite alternatives, options for avoidance and minimization, potential construction layouts, compensatory mitigation options, and other information. The meetings usually involve the applicant, USACE staff, interested resource agencies (federal, state, or local), and sometimes the interested public.

Note - If a field site visit is requested, it will be necessary for the property owner to provide a Right of Entry Form and their designated agent (if one was retained) to provide a completed Agent Authorization Form.

Recommended Information for Standard Permit Pre-application Meetings (click to expand each section to learn more):

- Draft Waters of the United States Delineation
- Draft Project Plans
- Draft Alternative Analysis



Supported by Civil Works Business Intelligence

[Privacy & Legal](#) [Contact Us](#) [Site Feedback](#) RRS v0.6.1

Highest Possible Classification is CUI



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REGULATORY REQUEST SYSTEM (RRS)

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[Request Page](#) > Dashboard

My Dashboard

You can review your request statuses in the table below.

Requests (0)

The requests shown below are ones that have been created by you. Select the Project Name to view and/or edit your request.

	Id	Request Type ↓↑	Project Name ↑	District ↓↑	Created Date ↓↑	Request Status ↓↑	Project Manager Name ↓↑
	218	Pre-application/Project Scoping	Shaeffer's Pig Farm	Wilmington District	2023-11-06	Submitted	Placeholder



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QUESTIONS?