



In Reply Refer To
16-CPA-0109

United States Department of the Interior

FISH AND WILDLIFE SERVICE

New Jersey Field Office
Ecological Services
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Robert A. Gates, Executive Vice-President of Operations
Eagle Creek Renewable Energy
85 Madison Avenue, Suite 500
Morristown, New Jersey 07960

MAR 30 2016

Dear Mr. Gates:

The U.S. Fish and Wildlife Service (Service) has reviewed the *Notice of Intent, Pre-Application Document, and Request to Use the Traditional Licensing Process* for the Great Falls Hydroelectric Project as requested in your letter dated February 26, 2016.

AUTHORITY

This response is provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA) ensuring the protection of federally listed endangered and threatened species. These comments do not address all Service concerns for fish and wildlife resources and do not preclude separate review and comments by the Service pursuant to the December 22, 1993 Memorandum of Agreement among the U.S. Environmental Protection Agency, New Jersey Department of Environmental Protection (NJDEP), and the Service, if project implementation requires a permit from the NJDEP pursuant to the New Jersey Freshwater Wetlands Protection Act (N.J.S.A. 13:9B *et seq.*); nor do they preclude comments on any forthcoming environmental documents pursuant to the National Environmental Policy Act of 1969 as amended (83 Stat. 852; 42 U.S.C. 4321 *et seq.*).

FEDERALLY LISTED SPECIES

The project is within the summer migratory range of the federally listed (endangered) Indiana bat (*Myotis sodalis*) and (threatened) northern long-eared bat (*Myotis septentrionalis*). The Service does not anticipate any adverse effects to these species that may result from re-licensing the Great Falls Hydroelectric Project. No other federally listed or proposed threatened or endangered species under Service jurisdiction are known to occur within the project area. No further consultation pursuant to Section 7(a)(2) of the ESA is required by the Service. If new information is obtained that indicates the occurrence of a federally listed species at the proposed project site, this determination may be reconsidered.

The Service has no objections to re-licensing the Great Falls Hydroelectric Project and, therefore, has no need to participate as part of the relicensing proceedings.

Should you have any questions or require additional information, please contact Carlo Popolizio at (609) 382-5271.

Sincerely,



for Eric Schrading,
Field Supervisor

Cc: Domenick Stampone, Corporation Counsel
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