APPENDIX B

Agency Correspondence
Consultation Tracking Number: 05E2NJ00-2014-SLI-0033

November 01, 2013

Project Name: Morristown Municipal Airport

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having
similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment
Official Species List

Provided by:
NEW JERSEY ECOLOGICAL SERVICES FIELD OFFICE
927 NORTH MAIN STREET, BUILDING D
PLEASANTVILLE, NJ 08232
(609) 646-9310

Consultation Tracking Number: 05E2NJ00-2014-SLI-0033
Project Type: Transportation
Project Description: Runway 5-23 Environmental Assessment
Project Location Map:


Project Counties: Morris, NJ
Endangered Species Act Species List

Species lists are not entirely based upon the current range of a species but may also take into consideration actions that affect a species that exists in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Please contact the designated FWS office if you have questions.

Bog Turtle (*Clemmys muhlenbergii*)
- Population: northern
- Listing Status: Threatened

Indiana bat (*Myotis sodalis*)
- Population: Entire
- Listing Status: Endangered
November 11, 2013

Mail Code 501-04B
State of New Jersey
Department of Environmental Protection
Historic Preservation Office
PO Box 420
Trenton, NJ 08625-420

Re: Section 106 Review
Environmental Assessment for Runway 5-23 Rehabilitation and Related Projects
Morristown Municipal Airport (MMU)
Morris County, New Jersey

Introduction

The Town of Morristown and its agent, DM AIRPORTS, LTD., retained McFarland Johnson (MJ) to conduct an Environmental Assessment related to the proposed Runway 5-23 Rehabilitation and associated projects. The Runway Rehabilitation and supplemental initiatives result from the previous airport Master Plan Update, a two-phase Runway Feasibility Study, and earlier studies evaluating the Runway Safety Areas and drainage systems at the airport.

Proposed Action

The proposed action consists of the following project elements:

- Runway 5-23 Pavement Rehabilitation
- Connector Taxiway and Fillet Construction
- Runway and Taxiway Lighting System Rehabilitation
- Runway Safety Area Improvements along the length of Runway 5-23
- Runway 5-23 Extended Runway Safety Areas (ERSA)
- Drainage System and Outfall Rehabilitation
- Glide Slope Stabilization Area
- Runway 23 Approach Lighting System (MALS) Replacement
- Runway 13-31 Threshold and End Re-Location for Runway Safety Area (RSA)

Request

MJ is preparing an FAA Environmental Assessment (EA) to comply with the National Environmental Policy Act (NEPA) in order to identify and evaluate any potential environmental
impacts associated with this action. Therefore, MJ is requesting that the State Historic Preservation Office review the proposed actions in accordance with Section 106 and whether or not they have the potential to cause impacts to Section 106 resources.

**Details of the Proposed Action**

The proposed action will take place on the property of the Morristown Municipal Airport in Morris County, New Jersey. The Airport was initially constructed using fill and sediment brought in to the Columbia Meadows. Figure 1 presents the areas of the airport affected by the proposed action. The details of these nine work areas are described below:

**Work Area “A”** – The Runway 23 Departure End ERSA will be improved to FAA standards, including the installation of an EMAS system, additional grading, and adjustments to the localizer antenna array and power feed.

**Work Area “B”** – The Runway 23 Approach End ERSA is to be graded in accordance with the runway rehabilitation. Further work will include the replacement and grading of the existing MALSR system and improvements to the system’s access road. This phase will also require extensive drainage enhancement to existing culverts and the replacement of non-standard deer protection grating within the ERSA.

**Work Area “C”** – The Runway 5-23 Rehabilitation requires an asphalt overlay of the runway to provide a 20 year design life of the pavements. This Work Area is approximately the first quarter of the runway length, beginning at the Runway 5 threshold. Increased pavement elevations resulting from the pavement overlay will affect the runway edge lighting, lateral Runway Safety Areas, and the exit/connector taxiways. These items will be reconstructed to meet current FAA requirements. Recent FAA guidance on taxiway locations also requires the relocation of Taxiway “E”, and this will require drainage modifications at the new location. Runway 5-23 will be paved to an elevation of 2 inches below the final grade in this phase. PAPIs may also be installed pending the completion of tree obstruction related to another scope of work.

**Work Area “D”** – This segment includes pavement rehabilitation at the intersection of Runway 5-23 and Runway 13-31, as well as work on Taxiway “A” and “B.” Increased pavement elevations resulting from the pavement overlay will affect the runway edge lighting, lateral RSAs, and the intersecting parallel taxiways. This Work Area includes extensive drainage revisions to replace a closed drainage network with insufficient capacity, and which extends below Runway 5-23.

**Work Area “E”** – Approximately 1,800 feet of Runway 5-23 located northeast of the intersecting runways will be rehabilitated, including Taxiways “F” and “G.” Runway edge lighting and lateral RSAs are also affected.

**Work Area “F”** – This Work Area is the last of the initial paving phases on Runway 5-23 which pave the runway to an elevation 2 inches below the final proposed grade. The Glide Slope Stabilization Area will also be corrected during at this time to mitigate terrain affects on the Instrument Landing System performance. Minor changes to drainage in the taxiway infield areas
are to be included, and PAPIs may also be installed pending the completion of tree obstruction related to a different scope of work.

Work Area "G" – As the final phase of the project, work will include nominal removal of the previously paved asphalt surface course to remove grooving and marking, and replacement with a single asphalt lift to meet the final grade.

Work Areas "H" and "J" – These areas focus on Runway 13-31. The proposed elements are intended to standardize the RSAs on both ends, bringing them into compliance with FAA criteria. This adherence will be achieved through the use of declared distances, a 123-foot displaced threshold on Runway 31, and the relocation of the Runway 13 end by 100 feet. The relocation of the connecting taxiway to Runway 13 will also be necessary, as will adjustments to existing lighting systems that will be affected.

Closing

Thank you for your time and assistance with this request. Please use the contact information above for any questions or comments you may have.

Sincerely,

Mcfarland Johnson, Inc.

Deanna Stoddard
Airport Planner

I concur with your finding that there are no historic properties affected within the project's area of potential effects. Consequently, pursuant to 36 CFR 800.44(c)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Deputy State Historic Preservation Officer

Date

NPR
Rachel Passer  
McFarland Johnson  
49 Court Street, Metrocenter  
PO Box 1980  
Binghamton, NY 13902-1980  

Re: Environmental Assessment for Runway 5-23 Rehabilitation  

Dear Ms. Passer:  

Thank you for your data request regarding rare species information for the above referenced project site in Morristown Town, Morris County.  

Searches of the Natural Heritage Database and the Landscape Project (Version 3.1) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Request for Data into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.  

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as ‘Yes’ in Table 1.  

We have also checked the Landscape Project habitat mapping and Biotics Database for all occurrences of rare wildlife species or wildlife habitat within one mile of the referenced site. Please refer to Table 2 (attached) to determine if any rare wildlife species or wildlife habitat are documented within one mile of the project site. Detailed reports are provided for each category coded as ‘Yes’ in Table 2. These reports may include species that have also been documented on the project site.  

For requests submitted as part of a Flood Hazard Area Control Act (FHACA) rule application, we report records for all rare plant species and ecological communities tracked by the Natural Heritage Program that may be on your project site. (In some borderline cases these records may be described as on or in the immediate vicinity of your project site.) A subset of these plant species are also covered by the FHACA regulations as being critically dependent on the watercourse. Please refer to Table 2 (attached) to determine if any rare plant species covered by the FHACA rules have been documented. Detailed reports are provided for each category coded as ‘Yes’ in Table 2. These reports may include species that have also been documented on the project site.  

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State’s best habitats for rare and endangered species and ecological communities. Please refer to Tables 1 and 2 (attached) to determine if any priority sites are located on or within one mile of the project site.
A list of rare plant species and ecological communities that have been documented from Morris County can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf.

If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive NJ-GeoWeb website at the following URL, http://www.state.nj.us/dep/gis/geowebsplash.htm or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.


Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,

Robert J. Cartica
Administrator

NHP File No. 14-4007474-4784
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<td>Natural Heritage Priority Sites On Site:</td>
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<tr>
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<td>Other Animals Tracked by ENSP On Site:</td>
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On the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program

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<td>Natural Heritage Priority Sites within 1 mile:</td>
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<td>Landscape 3.1 Species Based Patches within 1 mile:</td>
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<tr>
<td>Landscape 3.1 Vernal Pool Habitat within 1 mile:</td>
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<td>Landscape 3.1 Stream/Mussel Habitat within 1 mile:</td>
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<tr>
<td>Other Animals Tracked by ENSP within 1 mile:</td>
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## Rare Plant Species Covered by the Flood Hazard Area Control Act Rule
### Within One Mile of the Project Site Based on Search of Natural Heritage Database

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**Other Animal Species**  
**Within One Mile of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program**

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<th>Scientific Name</th>
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</table>

**Invertebrate Animals**

Total number of records: 1
Ms. Jennifer L. Zorn
Senior Planner
McFarland Johnson
53 Regional Drive
Concord, NH 03301

Dear Ms. Zorn:

This is in response to your June 3, 2014 letter requesting a Sole Source Aquifer review of the proposed Morristown Municipal Airport rehabilitation project. The airport is located in Hanover Township, Morris County, New Jersey. The project is to receive funding from the Federal Aviation Administration. The project site is located in the Buried Valley Aquifer System, which was designated by the Environmental Protection Agency (EPA) as a Sole Source Aquifer on May 8, 1980 (citation 45 F.R. 3053). Therefore, our review has been conducted in accordance with Section 1424(e) of the Safe Drinking Water Act (SDWA).

The proposed project consists of the following: (1) runway pavement rehabilitation within the existing footprint; (2) grading and stormwater drainage improvements; and (3) several safety enhancements. Provided that the mechanized equipment carrying out these improvements are refueled off-site, and that care is taken to prevent spills during construction, there should be no threat to the aquifer.

Based on the information provided, the project satisfies the requirements of Section 1424(e) of the SDWA. Please be advised that meeting the requirements of 1424(e) does not preclude the need to meet National Environmental Policy Act (NEPA) requirements to address direct, indirect, and cumulative impacts. This review does not constitute a review under Section 309 of the Clean Air Act; EPA therefore reserves the right to review additional environmental documents on this project.

EPA encourages the utilization of technologies and fuels that minimize greenhouse gas emissions. We have enclosed “U.S. EPA Region 2 Green Recommendations” which provides further information on how to create a more sustainable project; this information can be used for future projects as well. We commend efforts to use green building/energy-efficient/water-
efficient products and would appreciate being made aware of their usage. If you have any questions concerning this matter or would like additional information, please feel free to contact Rajini Ramakrishnan of my staff at (212) 637-3731.

Sincerely yours,

[Signature]

Grace Musumeci, Chief
Environmental Review Section

Enclosure
Jennifer L. Zorn, Senior Planner
McFarland Johnson
53 Regional Drive
Concord, New Hampshire, 03301

Re: Runway 5-23 Rehabilitation Project, Morristown Municipal Airport, Hanover Township, Morris County, New Jersey

Dear Ms. Zorn:

The U.S. Fish and Wildlife Service (Service), New Jersey Field Office (NJFO) has reviewed the above-referenced project. The proposed project requires temporary and permanent ground disturbance to improve the function and utility of Runway 5-23. On August 7, 2014, Service biologist Jeremy Markuson visited the Morristown Municipal Airport (MMU) to evaluate the potential impacts of the rehabilitation project. Based on the site visit, MMU agreed to implement conservation measures to protect the federally listed (threatened) bog turtle (Glyptemys muhlenbergii).

AUTHORITY

This response is pursuant to Section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) (ESA) as amended, ensuring the protection of federally listed endangered and threatened species.

FEDERALLY LISTED SPECIES

Bog Turtle

The project area is within the known range of the bog turtle. Bog turtles inhabit open, unpolluted emergent and scrub/shrub wetlands such as shallow spring-fed fens, sphagnum bogs, swamps, marshy meadows, and wet pastures. These habitats are characterized by soft muddy bottoms, interspersed wet and dry pockets, vegetation dominated by low grasses and sedges, and a low volume of standing or slow-moving water which often forms a network of shallow pools and rivulets (Bourg 1992). Bog turtles prefer areas with ample sunlight, high evaporation rates, high humidity in the near-ground microclimate, and perennial saturation of portions of the ground. Threats to bog turtles include habitat loss from wetland alteration, development, pollution, natural vegetation succession, and illegal collection for the commercial pet trade (Bourg 1992).
After reviewing the proposed maintenance activities and locations, the Service notes that wetlands adjacent to the departure end of Runway 5 provide suitable habitat for the bog turtle. To protect the bog turtle MMU has agreed to implement the following conservation measures (August 11, 2014 e-mail from MMU Facilities and Projects Manager, Darren Large):

1.) Locate temporary work areas and access routes outside of wetlands.

2.) Install toed-in (buried) silt fencing (serves as a wildlife barrier). Silt fencing should be placed along the edge of wetland areas.

3.) A biologist should personally oversee and monitor the installation of silt fencing, and in advance of such work, search these areas (e.g. adjacent to culverts) for the presence of bog turtles.

4.) Search all work areas and equipment and staging areas daily for bog turtles prior to the commencement of work.

5.) If a bog turtle is found, construction work will stop and the New Jersey Field Office will be contacted immediately – do not move the animal.

6.) To minimize sedimentation along the Runway 5 departure area, use jute matting or other erosion control blankets on disturbed areas immediately after project completion and promptly re-vegetate areas of temporary disturbance with native herbaceous species.

7.) To avoid introduction of invasive species thoroughly wash construction equipment offsite (at least 500 feet).

Provided the implementation of the agreed upon conservation measures, the Service concurs that the activity as proposed is not likely to adversely affect the bog turtle. If project plans change, this determination may be reconsidered.

CONSERVATION ACTIVITIES

Section 7(a)(1) of the ESA directs Federal action agencies to assist in recovering federally listed species. This statutory requirement calls for proactive conservation activities such as preservation of listed species habitat; implementation of recovery actions; or development of information or databases. As described during the August 7, 2014 field visit, the Service can provide information on recovery activities that MMU can consider implementing and/or supporting.
If you have any questions or require further assistance regarding federally listed threatened or endangered species, please contact Jeremy Markuson at (609) 383-3938, extension 45.

Sincerely,

[Signature]

Eric Schrading
Field Supervisor

REFERENCE


cc: Darren Large - Darrenl@mmuair.com
Record of Telephone Conversation

Date: June 24, 2014
Subject: Proposed land development projects in vicinity of Morristown Airport
Official: Mr. Gerry Maceira, P.E., Township Engineer, Township of Hanover
MJ Staff: Jennifer Zorn

Summary of Conversation:

Jennifer Zorn contacted the Township of Hanover Engineering Department to inquire of the status of any proposed or recently approved land development projects in the vicinity of Morristown Airport. The purpose of the inquiry is to document potential cumulative impacts in the NEPA Environmental Assessment being prepared for the Runway 5-23 Rehabilitation Project. According to Mr. Gerry Maceira, Township Engineer, there are no proposed and/or recently approved developments near the airport that would be in conflict or would be considered a cumulative impact.

Record of Telephone Conversation

Date: June 27, 2014
Subject: Proposed land development projects in vicinity of Morristown Airport
Official: Mr. Michael Sgaramella, P.E., Borough Engineer, Borough of Florham Park
MJ Staff: Jennifer Zorn

Summary of Conversation:

Jennifer Zorn contacted the Borough of Florham Park Engineering Department to inquire of the status of any proposed or recently approved land development projects in the vicinity of Morristown Airport. The purpose of the inquiry is to document potential cumulative impacts in the NEPA Environmental Assessment being prepared for the Runway 5-23 Rehabilitation Project. According to Mr. Sgaramella, Borough, there are no proposed and/or recently approved developments near the airport that would be in conflict or would be considered a cumulative impact. He noted that the Rockefeller project (a new office building south of Campus Drive) had been completed. And, the hotel/residential complex off of Park Avenue was planned for 2015, but should not be in conflict or add to any cumulative impacts to the Runway 5-23 Rehabilitation Project.
Record of Telephone Conversation

Date: June 24, 2014

Subject: Proposed land development projects in vicinity of Morristown Airport

Official: Ms. Linda Kiss, Secretary, Land Use Planning Board, Township of Morris

MJ Staff: Jennifer Zorn

Summary of Conversation:

Jennifer Zorn contacted the Township of Morris Planning Department to inquire of the status of any proposed or recently approved land development projects in the vicinity of Morristown Airport. The purpose of the inquiry is to document potential cumulative impacts in the NEPA Environmental Assessment being prepared for the Runway 5-23 Rehabilitation Project. According to Ms. Linda Kiss, Land Use Planning Board Secretary, there are no proposed and/or recently approved developments near the airport that would be in conflict or would be considered a cumulative impact.

Record of Telephone Conversation

Date: June 27, 2014

Subject: Proposed land development projects in vicinity of Morristown Airport

Official: Mr. Thomas Pershouse, Zoning/Construction Official, Township of East Hanover

MJ Staff: Jennifer Zorn

Summary of Conversation:

Jennifer Zorn contacted the Township of East Hanover Zoning Department to inquire of the status of any proposed or recently approved land development projects in the vicinity of Morristown Airport. The purpose of the inquiry is to document potential cumulative impacts in the NEPA Environmental Assessment being prepared for the Runway 5-23 Rehabilitation Project. According to Mr. Thomas Pershouse, Zoning/Construction Official, there are no proposed and/or recently approved developments near the airport that would be in conflict or would be considered a cumulative impact.