



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Field Office
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<http://www.fws.gov/northeast/nyfo>

To: Mark Gregor

Date: Dec 20, 2010

USFWS File No: 100489

Regarding your: Letter FAX Email

Dated: December 13, 2010

For project: Port of Rochester Marina

Located: Lake Avenue

In Town/County: City of Rochester / Monroe County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Is taking no action pursuant to ESA or any other legislation at this time but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project area is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s):

Sandra L. Deane

12-20-2010

Supervisor:

Donald A. Scarpino

Date:

12/20/2010