Appendix V

Biological Resources Technical Memorandum

- Final EIS Addendum V, Biological Resources Technical Memorandum, July 2022
    - Attachment A, Coordination

Chicago Red Line Extension Project

Biological Resources

Final EIS Addendum V

July 2022

Prepared for:
Chicago Transit Authority
567 W. Lake Street
Chicago, IL 60661

Prepared by:
TranSystems
222 South Riverside Plaza, Suite 610
Chicago, IL 60606

Table of Contents

Figures

Tables

Attachments

Abbreviations

API	Area of Potential Impact
CHA	Chicago Housing Authority
CN/MED	Canadian National/Metra Electric District
CTA	Chicago Transit Authority
EA	Environmental Assessment
EcoCAT	Ecological Compliance Assessment Tool
ECOS	Environmental Conservation Online System
EIS	Environmental Impact Statement
FTA	Federal Transit Administration
IDNR	Illinois Department of Natural Resources
IPaC	Information for Planning and Consultation
IHB	Indiana Harbor Belt Railroad
MBTA	Migratory Bird Treaty Act
MED	Metra Electric District
MWRD	Metropolitan Water Reclamation District of Greater Chicago
NEPA	National Environmental Policy Act
NS	Norfolk Southern Railway
RLE	Red Line Extension
UPRR	Union Pacific Railroad
USFWS	U.S. Fish and Wildlife Service

Section 1 - Summary

This technical memorandum provides an update on the potential impacts of the Red Line Extension (RLE) Project on biological resources, including threatened and endangered species and their habitats, vegetation, and other wildlife habitats, in comparison with the Draft Environmental Impact Statement (EIS).

The purpose of investigation regarding vegetation and wildlife habitat remains the same as described in **Appendix V** of the Draft EIS. The Preferred Alignment of the Union Pacific Railroad (UPRR) Rail Alternative would have the potential to require the removal of trees within the area of potential impact (API). As evaluated in blocks of habitat, the Preferred Alignment may remove up to 64.1 acres of trees, as estimated through canopy coverage, plus isolated trees. This number represents a maximum potential acreage quantity. The final acreage of tree removal is anticipated to be lower, as it would likely not be necessary to clear all trees in the analyzed area. Tree removal in any part of the API might affect birds protected under the Migratory Bird Treaty Act (MBTA) and, depending on what part of the API the trees are located, tree removal might also be regulated by local ordinances. Tree removal has the potential to adversely affect vegetation and wildlife; however, with implementation of mitigation measures, potential impacts on vegetation and wildlife would not be significant. Operation of the Red Line following construction of the Preferred Alignment would have minor adverse impacts on vegetation and wildlife habitat.

The purpose of the investigation regarding threatened and endangered species remains the same as described in **Appendix V** of the Draft EIS. Of the 114 species identified in the Draft EIS, two were federally listed only, nine were delisted, and four underwent a scientific name change. There are currently 135 state-listed species that potentially occur within Cook County. Two of these state listed species are newly listed at the federal level as well. One additional newly listed species is only listed at the federal level. The peregrine falcon, identified in the Draft EIS, is no longer a listed species. Removal of suitable roost trees has the potential to adversely affect the northern long-eared bat; however, with the implementation of proposed standard mitigation measures, the potential to affect threatened and endangered species would not be significant. The USFWS determined the RLE Project "May Affect – Not Likely to Adversely Affect" the northern long-eared bat. IDNR has determined that impacts are unlikely, with inclusion of proposed mitigation measures. Operation of the Red Line following construction of the Preferred Alignment would have no measurable impacts on listed species.

Development of the Preferred Alignment in combination with related renovation, new construction, and transportation projects identified in the API would not contribute to cumulative impacts on wildlife, vegetation, or listed species.

Section 2 - Project Description and Background

The Chicago Transit Authority (CTA), as project sponsor to the FTA, proposes to extend the existing Red Line heavy rail transit service 5.6 miles south from the existing 95th/Dan Ryan terminal to Chicago's Far South Side. This project is one part of the Red Ahead Program to extend and enhance the entire Red Line. The Red Line provides rapid transit services 24/7 and is the most heavily traveled rail line in the CTA System.

The RLE Project would reduce commute times for residents, improve mobility and accessibility, and provide connection to other transportation modes. The RLE Project could also foster economic development, where new stations may serve as catalysts for neighborhood revitalization and help reverse decades of disinvestment in local business districts. The RLE Project would also provide a modern, efficient railcar storage yard and shop facility.

CTA undertook an extensive Alternatives Analysis process from 2006 to 2009 that considered multiple modes and corridor options for the RLE Project. The Chicago Transit Board designated the UPRR Rail Alternative as the Locally Preferred Alternative on August 12, 2009. Based on further technical analysis and public input, CTA selected the UPRR Rail Alternative as the NEPA Preferred Alternative in August 2014. The Draft EIS, published on October 6, 2016, disclosed the environmental benefits and impacts of the No Build Alternative and the two UPRR Rail Alternative options: the East Option and the West Option shown in **Figure 2-1**.

Subsequent to the publication of the Draft EIS, continued design and outreach by CTA resulted in the selection of the Preferred Alignment for the RLE Project. The Preferred Alignment was announced to the public on January 26, 2018. The Preferred Alignment is a hybrid of the East and West Options of the UPRR Rail Alternative presented in the Draft EIS. CTA reviewed multiple locations for a cross-over area that would maximize the benefits and reduce the impacts of the East and West Options.

The UPRR provided comments on the Draft EIS where they expressed their preference for the West Option due to concerns for the proximity of the East Option to their tracks. UPRR noted that the location of the Roseland Pumping Station could not accommodate UPRR's requested clearance of 25 feet between the centerlines of the UPRR's potential tracks and the proposed East Option. Therefore, all hybrid options considered in selecting the Preferred Alignment started with the West Option and crossed over from the west to the east side of the UPRR tracks south of the pumping station and north of 115th Street to minimize property impacts. Comparative analysis of parcel impacts and alignment with the goals of the RLE Project identified the vicinity of 108th Place as the cross-over location that would provide the greatest benefit. A cross-over in the vicinity of 108th

Place would preserve viable businesses; minimize impacts on schools, residences, and the historic Roseland Pumping Station; and preserve properties slated for future development surrounding the station areas. However, additional engineering refined the alignment further, which moved the UPRR crossing north from 108th Place to 107th Place. The refinement would lower the 111th Street station platform height and would lower the profile of the elevated structure.

After the announcement of the Preferred Alignment in 2018, CTA continued to conduct stakeholder coordination and further develop design plans. Norfolk Southern Railway (NS) shared their plans for future potential access to Canadian National/Metra Electric District (CN/MED) tracks to the north of Kensington Yard and the national freight rail network at that location. This access would allow restoration of a former connection that the Michigan Central Railroad had with the CN/MED tracks, which were then owned by the Illinois Central Railroad. The 120th Street yard and shop presented in the Draft EIS would have precluded future potential access to those tracks as well as access to All American Recycling located west of the railroad tracks (11900 S. Cottage Grove Avenue). The All American Recycling facility is served by the NS via its joint ownership of Conrail and the Indiana Harbor Belt Railroad (IHB). This coordination with NS resulted in additional adjustments to the Preferred Alignment near the 120th Street yard and shop. The 120th Street yard and shop and the tracks south to 130th Street were shifted approximately 100 feet to the west to accommodate NS railroad access to the All American Recycling and potential improvements to the national freight rail network, namely a future connection from the NS track to CN tracks along the MED corridor. In addition, this design refinement would provide a rail connection to facilitate rail delivery of ballast, ties, and other material to support CTA operations.

In 2019, CTA began exploring an opportunity to relocate the 130th Street station, the terminating station of the RLE Project, to a location south of 130th Street. The Draft EIS had originally proposed the station location north of 130th Street. In 2017, after publication of the Draft EIS, the Chicago Housing Authority (CHA) demolished Blocks 11, 12, and 13 of the Altgeld Gardens neighborhood, creating an opportunity to relocate the station south of 130th Street to the area of the demolished blocks. The demolition of Blocks 11, 12, and 13 of Altgeld Gardens was an activity completed by CHA and was independent and unrelated to the RLE Project. CTA evaluated the station relocation for feasibility. Meetings were held with partner agencies and stakeholder groups of residents in the station area with these agencies and groups expressing support for the station relocation. The design refinement relocated the station from north of 130th Street, as presented in the Draft EIS, to south of 130th Street, adjacent to the Altgeld Gardens neighborhood.

Since the publication of the Draft EIS and selection of the Preferred Alignment, three design refinements were made as discussed above: (1) the location of the 107th Place cross-over between UPRR East and West alignment options evaluated in the Draft EIS required for selection of a hybrid

Preferred Alignment; (2) refinement of the 120th Street yard and shop location; and (3) relocation of the 130th Street station to extend the Preferred Alignment farther south so the 130th Street station would be within the Altgeld Gardens neighborhood. These design refinements were evaluated in a Supplemental Environmental Assessment (EA). The agency coordination and outreach associated with the Supplemental EA have influenced the design refinements incorporated into the Preferred Alignment and that is analyzed in this Final EIS.

Additional details about the Preferred Alignment may be found in **Appendix E**.

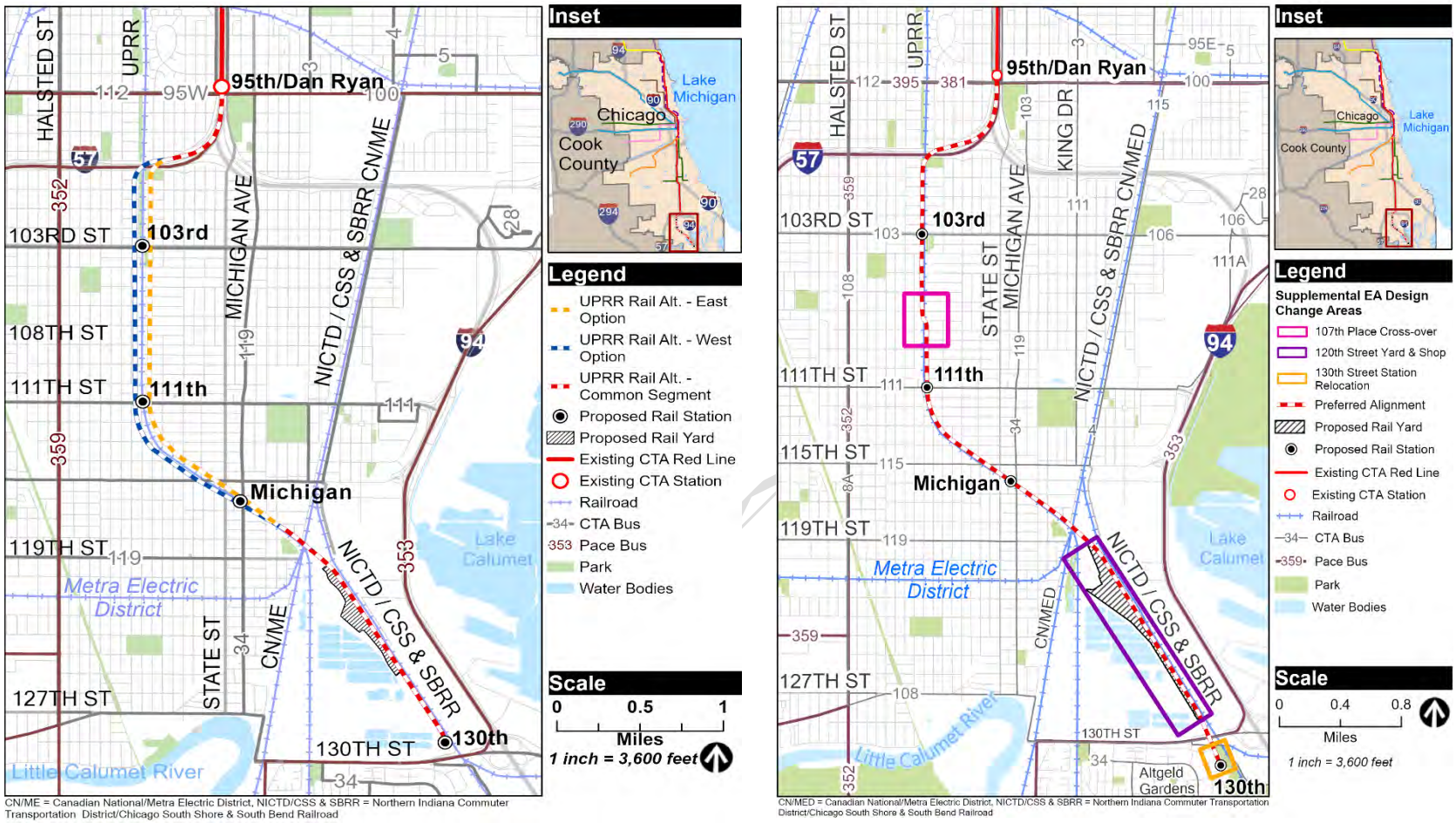


Figure 2-1: Left- East and West Options of the UPRR Rail Alternative (Draft EIS), Right- Preferred Alignment (Final EIS)

Section 3 - Methods for Impact Evaluation

Methods presented in **Appendix V** for the Draft EIS analysis have been carried forward to evaluate biological resources. This section documents the methodology for evaluating this resource, consistency with the methodology used in the Draft EIS, and any methodological changes.

3.1 Regulatory Framework

There are no changes to the applicable federal or state regulations referenced in **Appendix V** of the Draft EIS. **Appendix V** further notes there are no local regulations requiring analysis of threatened or endangered species impacts. There are local regulations regarding the removal of landscape trees without a permit, as documented in the Draft EIS.

3.2 Impact Analysis Thresholds

The National Environmental Policy Act (NEPA) does not set specific thresholds of significance for impacts on threatened and endangered species, vegetation, or wildlife habitats. The approach taken in the Draft EIS based on disturbance or impact to threatened and endangered species, habitat, or sensitive environments is maintained as thresholds of impact for this project. There is no change to the impact analysis thresholds from the Draft EIS **Appendix V**.

3.3 Area of Potential Impact

The Draft EIS defined the evaluation area as a ¼ mile radius from the proposed alignments, stations, park & ride lots, and maintenance yards for each project alternative. This approach is applied in a manner consistent with the Draft EIS. Specific attention is given to the project defined action area in calculating disturbance to potential species habitats. The approach to identifying an API is the same as in the Draft EIS and is applied to the Preferred Alignment. With the extension of the Preferred Alignment south of 130th Street, the API also extends farther south than described in the Draft EIS and now extends into the Beaubien Woods Forest Preserve.

3.4 Methods

The analysis of biological resources of the RLE Preferred Alignment was performed using the same methods as were documented in the Draft EIS consistent with **Appendix V**.

Information collected for the Draft EIS was reviewed and verified. Vegetation was classified based on aerial desktop review using Google Earth and Nearmap aerial imagery (Google 2020, Nearmap 2021). Updated lists of protected species that may occur in the API were generated from the Illinois Ecological Compliance Assessment Tool (EcoCAT) (IDNR 2021). The EcoCAT was utilized to submit the project for formal project consultation, completed in November 2021. General lists of species likely to occur in Cook County were obtained from the Illinois Department of Natural Resources (IDNR) and USFWS (USFWS 2017). The USFWS Information for Planning and Consultation (IPaC) system was not in operation at the time of the preparation for the Draft EIS. This system was used for generating a project-specific list in a similar manner as the EcoCAT system. Field review included a "windshield" style survey verification of desktop information and information collected during the production of the Draft EIS. The "windshield" survey was completed on October 27, 2020. A second subsequent visit was completed on May 11 and 12, 2021. The October 2020 field effort included traversing all accessible streets in the API where potential habitat was present. The May 2021 field effort included similar street side reviews as the October 2020 site review, as well as pedestrian reviews into wooded areas away from the roadways. The site reviews included general observations of habitat, landscape, and plant species composition. The landscape review did not include any protocol level surveys and was based on general observations of the API. EcoCAT results and the updated IPaC list are provided in **Attachment A.**

Section 4 - Affected Environment

This section describes updates to the existing biological resources conditions near the RLE Project since the publication of the Draft EIS. This section documents the updates to the baseline data and planning horizon, as well as any changes to the biological resources planning and policy framework in the communities and jurisdictions affected by the Preferred Alignment.

Where appropriate, Draft EIS data from **Appendix V** have been included for comparison to provide context to the updates in this addendum. Consistent with the Draft EIS, this document provides information and analyses on the threatened and endangered species that potentially occur in the project vicinity and habitats that may be affected by project implementation. IDNR and USFWS lists of threatened and endangered species have been updated since development of the Draft EIS.

4.1 Vegetation and Wildlife Habitat

Regulations governing vegetation and wildlife habitats have not changed in any way that changes the analysis of biological resources in the Draft EIS. The general description of habitats present along the Preferred Alignment included urban woodland forest and city neighborhoods. The 130th Street station is now located farther south, as described in **Section 2**. The area where housing Blocks 11 and 13 were located and where the 130th Street station would be located was converted to open space dominated by mowed/maintained turf grasses following the demolition of the structures. Mature landscape trees located in the area surrounding the demolition were kept in place. Other trees are present in two main areas south of 130th Street: the railroad right-of-way and in a strip immediately east of the Altgeld Gardens demolished housing blocks. The two tree corridors are generally described as including early successional native and non-native species located in two distinct bands or corridors. Observed dominant species include eastern cottonwood (*Populus deltoides*) and oak species (*Quercus sp.*). Trees in the area south of 130th Street are fragmented from any nearby forested areas by transportation infrastructure and urban maintenance.

The removal of residential buildings from Altgeld Gardens increased the open green space in the area by approximately 23 acres. The open green space does not provide unique habitat opportunities in comparison to the surrounding area. Habitats in this segment include open, mowed grass and two strips of early successional tree species.

Habitats in the 120th yard and shop area and the 107th Place cross-over have not considerably changed from those described in the Draft EIS. As documented in the Draft EIS, Lake Calumet is located east of the 120th yard and shop. Lake Calumet is an Illinois Natural Area Inventory Site. Beaubien Woods Forest Preserve, the main part of which is located to the south and southeast of

the API, has higher quality habitat opportunities in comparison to areas affected by the Preferred Alignment because it has larger areas of contiguous forest, a wetland complex, Flatfoot Lake, and the Little Calumet River. Trees north of 132nd Street are separated from the larger forest area by only the street and may provide opportunities for wildlife to shelter in and travel through.

Table 4-1 provides acreages of trees in the API based on aerial photography interpretation. Acreages are based on three project segments:

- North Segment: Vegetation from the 95th/Dan Ryan terminal to the CN/MED crossing
- 120th Street yard and shop: Vegetation from the CN/MED crossing to 130th Street
- 130th Street station: Vegetation from 130th Street to 132nd Street

Table 4-1: Acres of Tree Vegetation

Segment	Acreage
North Segment	15.5
120th Street yard and shop	42.9
130th Street station	5.7
Total	64.1

Kensington Marsh has been identified as a receiving location for treated stormwater from the 120th Street yard and shop. Kensington Marsh is a Metropolitan Water Reclamation District of Greater Chicago (MWRD) developed compensatory mitigation property approved by the U.S. Army Corps of Engineers in 1985 to offset impacts related to construction of the nearby MWRD facilities. The total marsh area is approximately 9 acres. The marsh consists of open water areas surrounded by emergent wetland vegetation. The vegetated portions of the marsh are dominated by common reed (*Phragmites australis*).

4.2 Threatened and Endangered Species

There are 135 state-listed species that potentially occur within Cook County (IDNR 2020). Of the 114 species identified in the Draft EIS, two were federally listed only, nine were delisted, and four underwent a scientific name change. Changes in federal- and state-listed species status are documented in **Table 4-2**. The updated species list includes 30 additions to the state list, which are documented in **Table 4-3**. Additionally, three federal species are newly accounted for on the species list, with some overlap on the state list.

Table 4-2: State-Listed Species Updates

Scientific Name in Draft EIS	Common Name	Updated Information
Alasmidonta viridis	Slippershell	Delisted
Carex woodii	Pretty Sedge	Delisted
Cypripedium candidum	White Lady's slipper	Delisted
Deschampsia flexuosa	Hairgrass	Updated to *Avenella flexuosa*
Ethiostoma exile	Iowa Darter	Delisted
Falco peregrinus	Peregrine Falcon	Delisted
Gallinua chloropus	Common Gallinule	Updated to *Gallinua galeata*
Juncus alpinus	Richardson's Rush	Updated to *Juncus alpinoarticulatus*
Liatris scariosa var nieuwlandi	Blazing Star	Delisted
Oenothera perennis	Small Sundrops	Delisted
Spermophilus franklinii	Franklin's Ground Squirrel	Updated to *Poliocitellus franklinii*
Tomanthera auriculata	Ear-leafed Foxglove	Delisted
Viola conspersa	Dog Violet	Delisted

Source: IDNR 2020.

Table 4-3: Additional State-Listed Species

Scientific and Common Name	Status	Habitat Requirements	Likelihood of Occurrence
Agalinis skinneriana Pale False Foxglove	LT	Moist to wet sandy prairies and on loess hill prairies	Unlikely, habitat does not occur in the API.
Antrostomus carolinensis Chuck-will's-widow	LT	Deciduous forest, pine-oak association, live-oak groves, and edges of clearings.	Unlikely, habitat does not occur in the API.
Arctostaphylos uva-ursi Bearberry	LE	Dry sandy woodlands, dry sandy prairies, sandstone glades, exposed sandstone cliffs, and sand dunes.	Unlikely, habitat does not occur in the API.
Asio flammeus Short-eared Owl	LE	Fresh and saltwater marshes, bogs, dunes, prairies, grassy plains, old fields, tundra, moorlands, river valleys, meadows, savanna.	Unlikely, habitat does not occur in the API.
Bombus affinis Rusty Patched Bumble Bee	FE, LE	Nests underground in deserted mammal burrows close to or within woodlands, urban parks, and gardens.	Unlikely, the project is outside of the known species range.
Botaurus lentiginosus American Bittern	LE	Marshes, including lake and pond edges with cattails, sedges, or bulrushes and with patches of open water.	Unlikely, habitat does not occur in the API.
Buchnera americana Blue Hearts	LT	Sandy or gravelly soil of upland woods or prairies where fire is part of a natural disturbance regime.	Unlikely, habitat does not occur in the API.
Calephelis muticum Swamp Metalmark	LE	Shrub swamps, fens, lake, and pond shores with *Cirsium* species available as food plants.	Unlikely, habitat does not occur in the API.
Carex cryptolepis Sedge	LT	Moist meadows, swales, lower banks of streams, shorelines of ponds or small lakes, and seeps.	Unlikely, habitat does not occur in the API.
Calidris canutus rufa Red Knot	FT	Coastal areas or large wetland complexes for migratory stopovers.	Unlikely, habitat does not occur in the API.
Castilleja sessiliflora Downy Yellow Painted Cup	LE	Dry plains and hills.	Unlikely, habitat does not occur in the API.
Cimicifuga racemosa False Bugbane	LE	Mesic deciduous forest, forest coves, and ravines with fertile soils and circumneutral to basic soil pH.	Unlikely, habitat does not occur in the API.

Scientific and Common Name	Status	Habitat Requirements	Likelihood of Occurrence
Circus hudsonius Northern Harrier	LE	Sloughs, wet meadows, marshlands, swamps, prairies, plains, grasslands, and shrublands.	Unlikely, habitat does not occur in the API.
Coccyzus erythropthalmus Black-billed Cuckoo	LT	Forest edge and open woodland with dense deciduous thickets.	Unlikely, habitat does not occur in the API.
Coregonus artedi Cisco	LE	Open waters of lakes and large rivers.	Unlikely, habitat does not occur in the API.
Cottus bairdii Mottled Sculpin	LT	Headwaters, creeks, springs, small rivers, and lakes, with sand and gravel or rocky substrate.	Unlikely, habitat does not occur in the API.
Dendrolycopodium hickeyi Hickey's groundpine	LT	Sandy acidic soils in hardwood, mixed, and coniferous forests.	Unlikely, habitat does not occur in the API.
Epilobium strictum Downy Willow Herb	LT	Fens, marshes, and sedge meadows.	Unlikely, habitat does not occur in the API.
Eurynia dilatata Spike	LE	Medium streams to large rivers primarily in shoal habitat of unimpounded streams and rivers.	Unlikely, habitat does not occur in the API.
Fundulus dispar Starhead Topminnow	LE	Well-vegetated swamps, marshes, floodplain sloughs, lakes, and other standing water bodies.	Unlikely, habitat does not occur in the API.
Hybognathus hankinsoni Brassy Minnow	LT	Small, clear, sluggish weedy creeks or small rivers with sand, gravel, or mud bottoms.	Unlikely, habitat does not occur in the API.
Juglans cinerea Butternut	LE	Mesophytic forests, lower slopes, ravines, and various types of bottomland.	Unlikely, habitat does not occur in the API.
Lonicera dioica Red Honeysuckle	LE	Rocky banks, dry woods and thickets in hardwood to mixed forests.	Unlikely, habitat does not occur in the API.
Moxostoma cariatum River Redhorse	LT	Large creeks and rivers, or occasionally in natural lakes and reservoirs.	Unlikely, habitat does not occur in the API.
Myotis septentrionalis Northern Long-eared Bat	FT, LT	Winter habitat includes caves and mines suitable for hibernation. Summer habitat includes trees with loose (exfoliating) bark or crevices of live trees or snags.	Potentially to occur due to potential suitable habitat in the API.

Scientific and Common Name	Status	Habitat Requirements	Likelihood of Occurrence
Orobanche fasciculata Clustered Broomrape	LE	Dry prairies, dunes, and savannas.	Unlikely, habitat does not occur in the API.
Pinus banksiana Jack Pine	LE	Pure stands on poor, sandy soil in areas of regular fire disturbance.	Unlikely, habitat does not occur in the API.
Potamogeton strictifolius Stiff Pondweed	LE	Fresh or somewhat alkaline, shallow water of lakes.	Unlikely, habitat does not occur in the API.
Sanguisorba canadensis American Burnet	LE	Peaty or boggy soils in non-forested seasonal wetlands.	Unlikely, habitat does not occur in the API.
Speyeria idalia Regal Fritillary	LT	Tallgrass prairie and prairie pastures with dry, mesic, and wet soils.	Unlikely, habitat does not occur in the API.
Triglochin maritima Common Bog Arrow Grass	LT	Fens, calcareous gravelly seeps, marl flats, and calcareous sandy pannes.	Unlikely, habitat does not occur in the API.

Sources: IDNR 2020, MDNR 2018, MFO 2011, NatureServe 2021, Snyder 1993, USFWS 2017, USFWS 2021, Walsh 1993.
Status Legend: FT – Federally Threatened, FE – Federally Endangered, LT – State Threatened, LE – State Endangered

The Draft EIS identified the peregrine falcon (*Falco peregrinus*) as the only state-listed species with potential to occur in the API. Due to removal from the list, this species is no longer considered a state-listed species concern. As a migratory bird, protections of the MBTA still apply to this species.

In addition to the species identified in the Draft EIS, the updated EcoCAT search listed the state-endangered osprey (*Pandion haliaetus*). No suitable habitat for this species was identified in the project action area in the Draft EIS. Observations during the windshield survey are consistent with this determination. The addition of the area associated with the 130th Street station did not add any habitat for the osprey to the API. During the consultation process, IDNR indicated that here are records of osprey in the project vicinity. No osprey nests have been documented in the project API.

The rusty patched bumble bee (*Bombus affinis*) was added to the federal species list for Cook County since the Draft EIS analysis. The API is outside the range of this species, as identified by the USFWS Environmental Conservation Online System (ECOS). The IPaC system review did not indicate this species to be of concern for the project area.

The IPaC system review indicated the rufa red knot (*Calidris canutus rufa*) may occur in the API and vicinity. No suitable habitat (i.e., coastal areas of large wetland complexes for migratory stopovers) for the rufa red knot was identified in the API during the windshield survey nor was any described in the Draft EIS. Therefore, the rufa red knot is unlikely to occur in the API.

The IPaC system review also indicated that the northern long-eared bat (*Myotis septentrionalis*) may be of concern for project activities. The bat species is also listed on the Cook County state list. The EcoCAT review did not provide any indications of presence in the screening area. Suitable habitat for the northern long-eared bat may be present in limited quantities in the proposed 120th Street yard and shop area. The bat spends winter months hibernating in caves and mines, referred to as hibernacula (USFWS 2015). Summer roosting habitat for the northern long-eared bat includes loose (exfoliating) tree bark, tree crevices, or snags. The northern long-eared bat has also been known to roost in man-made structures. Foraging habitat includes forest and below-canopy areas in primarily upland forests on hillsides and ridges as well as along paths, ponds, and streams at forest edges.

The wooded area in the 120th Street yard and shop API has not been formally assessed for the presence of suitable bat habitat trees at this time. Trees described in the Draft EIS and observed during the windshield survey in the API have grown in the area since removal of a railyard after 1974 (based on review of aerial photography), and do not exhibit the characteristics of older tree damage that create suitable bat roost opportunities. Trees with exfoliating bark, such as shagbark hickory (*Carya ovata*), were not observed in the project action area during the October 2020 or May

2021 site reviews. Suitable habitat is assumed to be potentially present in the absence of a formal survey.

USFWS considers information about Indiana bat (*Myotis sodalis*) habitat requirements and responses to impacts to be applicable to the northern long-eared bat because the species have similar life histories, habitat requirements, and ranges. Indiana bats have been shown to have a low likelihood of roosting within 100 feet of a roadway (USFWS 2018). USFWS found that less than four percent of all Indiana bat roosts identified were within 100 feet from roadways and less than 13 percent of roosts were within 300 feet. The entirety of the API with trees that may be removed is 300 feet or less to a currently active rail line or roadway. Northern long-eared bats may be transient through the area, but more suitable foraging and roost habitat is likely to be present in the wooded areas and riverine corridor along the Little Calumet River. It is assumed that there is a low probability for the presence of this bat species to be present in the project action area for the reasons described above.

Section 5 - Impacts and Mitigation

Consistent with the Draft EIS, the impact and mitigation summaries are organized into three impact categories—permanent, construction, and cumulative.

- Permanent impacts relate to system operations after the RLE Project has been constructed, as well as land acquisitions necessary for the permanent right-of-way.
- Construction impacts are temporary and are anticipated to occur for the construction phase of the project, up to five years, including construction staging and utility relocations.
- Cumulative impacts are those of the RLE Project combined with other past, present, or near future projects within the API.

This section also documents new or revised mitigation measures for identified project impacts, where applicable. If there is no change in mitigation, this section indicates where there is no change when compared to the East and West Options evaluated in the Draft EIS. Likewise, this section indicates what additional (or fewer) measures apply to the Preferred Alignment.

5.1 No Build Alternative

The No Build Alternative is defined as the existing transportation system plus any committed transportation improvements that are already in the current Chicago Metropolitan Agency for Planning Transportation Improvement Program. No new infrastructure would be built as part of the RLE Project under the No Build Alternative. The No Build Alternative is a required alternative as part of the NEPA environmental analysis and is used for comparison purposes to assess the relative benefits and impacts of implementing the Preferred Alignment.

As described in **Appendix V** in the Draft EIS, there would be no impacts on vegetation and wildlife habitat or threatened and endangered species from the No Build Alternative.

5.2 Union Pacific Railroad Alternative – Preferred Alignment

The Preferred Alignment would have the potential to adversely affect vegetation and wildlife habitat both permanently and during construction. Consistent with the Draft EIS, implementation of the described and referenced mitigation measures would render the potential for impacts to be not significant. Operation of the RLE Project following construction would have minor adverse impacts on listed species if they are present.

5.2.1 Permanent Impacts and Mitigation – Preferred Alignment

Permanent impacts on vegetation and wildlife habitat under the Preferred Alignment include removal of up to 64.1 acres of trees from the project action area. Vegetation removal was identified in the Draft EIS as up to 70.2 acres for the East Option and 76 acres for the West Option. A permanent reduction in habitat would occur but the loss would not constitute a substantial impact because the existing habitats are fragmented and somewhat isolated by surrounding industrial and transportation uses. The loss of trees would reduce migratory bird habitat. Migratory species passing through Chicago are likely to be adapted to urban habitats and are highly mobile, enabling them to overcome industrial and land use barriers between the API and more natural areas. Mitigation measures would be required, as defined in the Draft EIS, including following local tree ordinances, timing of construction, and nesting bird surveys. An additional concern subsequent to development of the Draft EIS includes concerns related to the northern long-eared bat. Suitable bat roost trees have a minimal likelihood of being present. Coordination was submitted to the USFWS on September 3, 2021. The USFWS responded on September 28, 2021, finalizing any determinations regarding potential impacts on the northern long-eared bat. Under the *Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana bat and Northern Long-Eared Bat (USFWS)* a "May Affect – Not Likely to Adversely Affect" determination was provided by the USFWS. The USFWS concurred with the following mitigation measures: tree removal activities would occur outside of the northern long-eared bat active season (April 1 through October 31).

In addition, the coordination letter response received from the USFWS on September 28, 2021 agreed with the finding of "No Effect" for the threatened and endangered species listed in Cook County, Illinois, except for the northern long-eared bat, as noted above. The submittal package and response is provided in **Attachment A.**

CTA requested a formal consultation from IDNR on November 17, 2021. IDNR provided a determination that impacts are unlikely with implementation of recommendations on November 24, 2021. Recommendations will be incorporated, as described below. The submittal package and response is provided in **Attachment A.**

For the protection of wildlife associated with Lake Calumet, IDNR requested implementation of the following mitigation measures related to lighting: All lighting should be fully shielded fixtures that emit no light upward. Only "warm-white" or filtered LEDs (CCT < 3,000 K; S/P ratio <1.2) should be used to minimize blue emission. Only light the exact space with the amount (lumens) needed to meet industry safety requirements.

With the exception of the potential to adversely impact suitable northern long-eared bat roost trees (presence assumed), the nature of permanent impacts has remained the same as those described in

Appendix V of the Draft EIS. Mitigation would be implemented in the same manner as described in **Appendix V** of the Draft EIS.

After mitigation, there would be minor adverse impacts on biological resources.

5.2.2 Construction Impacts and Mitigation - Preferred Alignment

Construction impacts are related to vegetation removal in quantities similar to those described above and in the Draft EIS. Tree removal would potentially affect migratory birds and urban-adapted wildlife through removal of roosting, feeding, and breeding areas. Tree removal would potentially affect migratory birds during construction. In addition, any removal of suitable bat roost trees, if present, would have the potential to affect the northern long-eared bat. Mitigation would be implemented in the same manner as described in **Appendix V** of the Draft EIS. An additional mitigation measure related to removal of suitable bat roost trees is described in **Section 5.2.1** and would apply to construction impacts in the same manner. Mitigation measures related to lighting would also apply to any temporary construction lighting.

Mitigation measures requested by IDNR for protection of the osprey include the following: Removal of vertical structures such as telephone poles, light poles, etc. would be done outside of the osprey active season (April 1 through October 31). If these dates cannot be accommodated, a nesting survey will be conducted to determine if species are utilizing structures in the project area. Survey results will be coordinated with IDNR.

After mitigation, there would be minor adverse impacts on biological resources.

5.2.3 Cumulative Impacts and Mitigation - Preferred Alignment

As described in **Appendix V** of the Draft EIS, development of the Preferred Alignment in combination with related renovation, new construction, and transportation projects identified in the vicinity of the project would not contribute to cumulative impacts on wildlife, vegetation, or listed species.

Section 6 - Impacts Remaining after Mitigation

This section describes the permanent impacts of the RLE Project remaining after mitigating for impacts as described in **Section 5**.

6.1 No Build Alternative

Consistent with the findings of the Draft EIS, there would be no adverse impacts on biological resources as a result of the No Build Alternative.

6.2 Union Pacific Railroad Alternative - Preferred Alignment

There would be minor adverse impacts on biological resources remaining as a result of the Preferred Alignment.

Section 7 - References Cited

Chicago Transit Authority (CTA). 2016. Chicago Red Line Extension Draft Environmental Impact Statement and Section 4(f) Evaluation. Accessed at https://www.transitchicago.com/rle/drafteis/. Accessed on October 28, 2020.

Google. 2020. Google Earth Pro Version 7.3.3.7786 (64-bit). Accessed on April 14, 2021.

Illinois Department of Natural Resources (IDNR). 2020. Illinois Natural Heritage Database - Illinois Threatened and Endangered Species by County. Accessed at https://www2.illinois.gov/dnr/ESPB/Documents/ET%20List%20Review%20and%20Revision/Illinois%20Threatened%20and%20Endangered%20Species%20by%20County.pdf. Accessed on November 24, 2020.

Illinois Department of Natural Resources (IDNR). 2021. Ecological Compliance Assessment Tool (EcoCAT), IDNR Project Numbers 2109145, 2109146, and 2109147. Accessed at https://dnr2.illinois.gov/EcoPublic/. Accessed on January 6, 2021.

Michigan Flora Online (MFO). 2011. A. A. Reznicek, E. G. Voss, & B. S. Walters. University of Michigan. Accessed at https://michiganflora.net/species.aspx?id=1655. Accessed on April 15, 2021.

NatureServe. 2021. NatureServe Explorer. NatureServe, Arlington, Virginia. Accessed at https://explorer.natureserve.org/. Accessed on April 15, 2021.

Nearmap. 2021. Chicago Aerial Friday, September 25, 2020. Accessed at https://apps.nearmap.com/maps/. Accessed on April 14, 2021.

Snyder, S. A. 1993. Circus hudsonius. In: Fire Effects Information System, [Online]. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory (Producer). Accessed at www.fs.fed.us/database/feis/animals/bird/cihu/all.html. Accessed on April 14, 2021.

U.S. Fish and Wildlife Service (USFWS). 2015. Northern Long-Eared Bat (*Myotis septentrionalis*). Accessed at https://www.fws.gov/midwest/endangered/mammals/nleb/pdf/NLEBFactSheet01April2015.pdf. Accessed on December 15, 2020.

U.S. Fish and Wildlife Service (USFWS). 2017. Illinois County Distribution – Federally, Endangered, Threatened, and Candidate Species. Accessed at https://www.fws.gov/midwest/endangered/lists/illinois-cty.html. Accessed on November 24, 2020.

U.S. Fish and Wildlife Service (USFWS). 2018. Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat. Accessed at https://www.fws.gov/midwest/endangered/section7/fhwa/pdf/BORevised02052018forIbatNLEB_FHWA_FRA_%20FTA.pdf. Accessed on April 14, 2021.

U.S. Fish and Wildlife Service (USFWS). 2021. Information for Planning and Consultation (IPaC) System. Accessed at https://ecos.fws.gov/ipac/. Accessed on April 14, 2021.

Walsh, Roberta A. 1993. Castilleja sessiliflora. In: Fire Effects Information System, [Online]. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory (Producer). Accessed at https://www.fs.fed.us/database/feis/plants/forb/casses/all.html. Accessed on April 14, 2021.

Attachment A
Coordination

- CTA Request to USFWS - September 3, 2021
- USFWS Response - September 28, 2021
- CTA EcoCAT Request - November 17, 2021
- IDNR EcoCAT Response - November 24, 2021

CHICAGO TRANSIT AUTHORITY

567 West Lake Street
Chicago, Illinois 60661-1498
TEL 312 664-7200
www.transitchicago.com

September 3, 2021

Ms. Louise Clemency
Field Supervisor
U.S. Fish and Wildlife Service
Chicago Illinois Field Office
230 South Dearborn Street, Suite 2938
Chicago, IL 60604

Re: Evaluation of Effects on Federally Listed Species and Critical Habitats
CTA Red Line Extension Project
Chicago, Cook County, Illinois

Dear Ms. Clemency:

The Chicago Transit Authority (CTA) is preparing a Final Environmental Impact Statement (EIS) for the Red Line Extension (RLE) Project (Proposed Action). Part of this process includes an evaluation of the project's impact on endangered species and critical habitat.

Project Description

CTA, as project sponsor to the Federal Transit Administration (FTA), proposes to extend the Red Line from the existing 95th/Dan Ryan terminal to 130th Street. The proposed 5.6-mile extension would include four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street. Each new station would include bus and parking facilities. This project is one part of the Red Ahead Program to extend and enhance the entire Red Line. The Preferred Alignment potential action area is shown in **Enclosure A** as **Figure 1: Project Location**.

Endangered Species Act Federally Listed Species

The USFWS Chicago Ecological Services Field Office was contacted through the Information for Planning and Consultation (IPaC) system regarding the potential presence of species under the jurisdiction of USFWS within the Preferred Alignment potential action area (Consultation Code: 03E13000-2021-SLI-0700). This list was generated using a quarter mile buffer around the Preferred Alignment. The USFWS Official Species List is included as **Enclosure B** of this document. Species lists were previously generated for different project segments as follows: 108th Street crossover (03E13000-2021-E-01134), 120th Street yard and shop (03E13000-2021-E-01136), and 130th Street station (E03E13000-2021-E-01138). Listed species are the same

across all three segments. The IPaC system review indicates that eight (8) threatened, endangered, or candidate species may occur within the area: Northern long-eared bat (*Myotis septentrionalis*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), eastern massasauga (*Sistrurus catenatus*), Hine's emerald dragonfly (*Somatochlora hineana*), eastern prairie fringed orchid (*Platanthera leucophaea*), leafy prairie-clover (*Dalea foliosa*), and prairie bush-clover (*Lespedeza leptostachya*). **Table 1** presents a list of the federally listed species and their preferred habitat. Additional descriptions of these species and their habitats are summarized below.

Table 1: USFWS IPaC Identified Species

Federal Threatened and Endangered Species Matrix				
Common Name	**Species Name**	**Status**	**Habitat**	**Presence**
Mammals				
Northern Long-eared Bat	*Myotis septentrionalis*	T	Winter habitat includes caves and mines suitable for hibernation. Summer habitat includes trees with loose (exfoliating) bark or crevices of live trees or snags.	Suitable habitat may be present
Birds				
Piping Plover	*Charadrius melodus*	E	Wide, flat, open, sandy beaches with very little grass or other vegetation. Nesting territories often include small creeks or wetlands.	Suitable habitat is not present
Red Knot	*Calidris canutus rufa*	T	Coastal areas or large wetland complexes for migratory stopovers.	Suitable habitat is not present
Reptiles				
Eastern Massasauga	*Sistrurus catenatus*	T	Wet areas including wet prairies, marshes, and low areas along rivers and lakes. Also uses adjacent uplands during part of the year. Often hibernates in crayfish burrows but may also be found under logs and tree roots or in small mammal burrows.	Suitable habitat is not present
Insects				
Hine's Emerald Dragonfly	*Somatochlora hineana*	E	Spring fed wetlands, wet meadows, and marshes.	Suitable habitat is not present
Plants				
Eastern Prairie Fringed Orchid	*Platanthera leucophaea*	T	Moist to mesic black soil prairies, sand prairies, thickets, pothole marshes, and fens.	Suitable habitat is not present

Federal Threatened and Endangered Species Matrix				
Common Name	**Species Name**	**Status**	**Habitat**	**Presence**
Leafy Prairie-clover	*Dalea foliosa*	E	Prairie remnants along the Des Plains River in Illinois, in thin soils over limestone substrate.	Suitable habitat is not present
Prairie Bush-clover	*Lespedeza leptostachya*	T	Dry to mesic prairies with gravelly soil.	Suitable habitat is not present

Status Key: C = Candidate, CH = Critical Habitat, E = Endangered, T = Threatened

Preferred Alignment Habitat

Vegetation in the northern two thirds of the Preferred Alignment potential action area and vicinity primarily consists of parkway trees and landscaping around buildings. According to the descriptions in the *Chicago Nature and Wildlife Plan*, the Preferred Alignment potential action area is comprised of woodland forest and city neighborhoods habitat. The majority of woodland forest is in the 120th Street yard and shop area located roughly between Kensington Avenue and 130th Street on the west side of Cottage Grove Avenue. Some smaller wooded sections are also present south of 130th Street. Observed species include eastern cottonwood (*Populus deltoides*) and oak species (*Quercus* sp.). Cottonwood trees are the primary dominant tree species in the vicinity. Common reed (*Phragmites australis*) dominated wetlands are present in the Preferred Alignment potential action area, generally adjacent to the "woodland forest" areas. These wetlands are low quality wetlands with low plant diversity. The remaining area includes urban lots and maintained landscapes.

The Metropolitan Water Reclamation District of Greater Chicago (MWRD) operates the Calumet Water Reclamation Plant in the area south of Kensington Avenue. The American Recycling facility is located immediately north of the proposed 120th Street yard and shop location. Both operations involve regular passage of heavy vehicle traffic through the "woodland forest" segments. Existing rail and roads are present throughout the Preferred Alignment potential action area.

No Effect Finding

CTA, in coordination with FTA, has determined that implementation of the Proposed Action would have No Effect on the piping plover, red knot, eastern massasagua, Hine's emerald dragonfly, eastern prairie fringed orchid, leafy prairie-clover, or prairie bush-clover. The following species accounts are sourced from USFWS descriptions.

Piping Plover: Piping plovers are a migratory shorebird that nests in North America and winters along the coast of the Gulf of Mexico, or further south. It includes the Great Lakes in its breeding grounds. Piping plovers use wide, flat, open, sandy beaches with limited grass or other vegetation. No suitable habitat is present in the Preferred Alignment potential action area.

Red Knot: Similar to the piping plover, the red knot is a migratory shorebird that nests in North America and migrates south for the winter. Primary habitat includes sandy or gravelly beaches

and sandbars or alkaline wetlands. No suitable habitat is present in the Preferred Alignment potential action area.

Eastern Massasagua: Eastern Massasagua are found in wet areas, including wet prairies, marshes, and low areas along rivers and lakes. They use adjacent uplands during part of the year, including areas of open canopy for basking, and areas of suitable foraging and retreat sites. They often hibernate in crayfish burrows, the burrows of other small animals, or under logs and tree roots. Generally, the eastern massasagua requires non-fragmented connections between the different habitat areas inhabited throughout the year. Population persistence declines in populations of less than 130 individuals. Home ranges can vary from 2.5 acres to 336 acres. No suitable habitat is present in the Preferred Alignment potential action area.

Hines Emerald Dragonfly: Hine's emerald dragonfly lives in calcerous spring-fed marshes and sedge meadows that overlie dolomite bedrock. No suitable habitat is present in the Preferred Alignment potential action area.

Eastern Prairie Fringed Orchid: Eastern prairie fringed orchid are found in wet to mesic prairie or wetland communities, such as sedge meadows, fens, or marsh edges. No suitable habitat is present in the Preferred Alignment potential action area.

Leafy Prairie-clover: In Illinois, leafy prairie-clover is found along the Des Plaines River in prairie remnants in thin soils over limestone substrate. It prefers sites with a wet spring and fall and a dry summer with open sun. No suitable habitat is present in the Preferred Alignment potential action area.

Prairie Bush-clover: Prairie bush-clover is found in mesic prairies that have gravelly soil. No suitable habitat is present in the Preferred Alignment potential action area.

Northern Long-eared Bat Determinations

A Project Submittal Form for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat is attached as **Enclosure C**.

The northern long-eared bat spends winter months in hibernacula located in caves and mines. Summer roosting habitat for the northern long-eared bat includes loose (exfoliating) tree bark, tree crevices, or snags. The northern long-eared bat has also been known to roost in man-made structures. Foraging habitat includes forest and below-canopy areas in primarily upland forests on hillsides and ridges as well as along paths, ponds, and streams at forest edges.

The Preferred Alignment has not been formally surveyed for the presence of suitable bat habitat trees at this time. Historically, a railyard occupied the wooded area of the 120th Street yard and shop, as identified through aerial review. Early successional woody vegetation has colonized the area since the removal of the railyard. Specific removal dates are unknown. The yard was reduced in size after 1952 and was still present at least until 1974. Images for 1988 and 1998 appear to show an apparent increase in woody vegetation in the former yard area. Trees observed during non-protocol level field reviews of the Preferred Alignment tend to be relatively young

(many greater than 8 inches in diameter), and do not yet exhibit the characteristics of older tree damage that create suitable bat roost opportunities. The majority of trees observed in the Preferred Alignment potential action area are eastern cottonwoods. Trees with exfoliating bark, such as shagbark hickory (*Carya ovata*), have not been observed. Suitable habitat is assumed to be potentially present in the absence of any formal summer habitat survey.

Tree removal has been analyzed for the Preferred Alignment potential action area. Tree removal quantities discussed represent the maximum acreage to be removed. The final acreage of trees removed is anticipated to be lower. From the existing crossing of the Union Pacific Railroad tracks over the Canadian National/Metra Electric District tracks near Kensington Park, to the northern connection with the existing 95th Street/Dan Ryan terminal, approximately 15.5 acres of trees may be removed. These trees are in the urban environment and are within 100 feet of existing roadways and railroad tracks. These trees are unlikely to provide suitable bat roosting opportunities due to their location in a dense urban environment. The alignment to the southeast of this segment (the 120th Street yard and shop and 130th Street station vicinities) is assumed to contain suitable bat roosts. No suitable habitat has been formally documented. There will be up to 30.4 acres of trees removed within 100 feet of existing road or rail surfaces. Up to 18.2 additional acres of trees will be removed between 100 and 300 feet of existing road or rail surfaces. Refer to **Enclosure A**, **Figure 2: Tree Removal 120th Street Yard and Shop, 130th Street Station**.

CTA, on behalf of FTA, has completed this review under the Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-eared Bat, as revised February 2018. A project submittal form is included in this package. CTA intends to implement avoidance and minimization measures as indicated in the included project submittal form. The standard sheet of Avoidance and Minimization Measures has been included as **Enclosure D** for reference. CTA intends to avoid all tree removal during the active season. Because tree removal would occur between 100 and 300 feet from roads and rail and habitat is assumed to be present, the project would fall under a May Affect, Likely to Adversely Affect (LAA) determination. CTA requests that USFWS either provide concurrence with this effect determination or coordinate with any agency information that indicates this location does not contain suitable habitat for the northern long-eared bat.

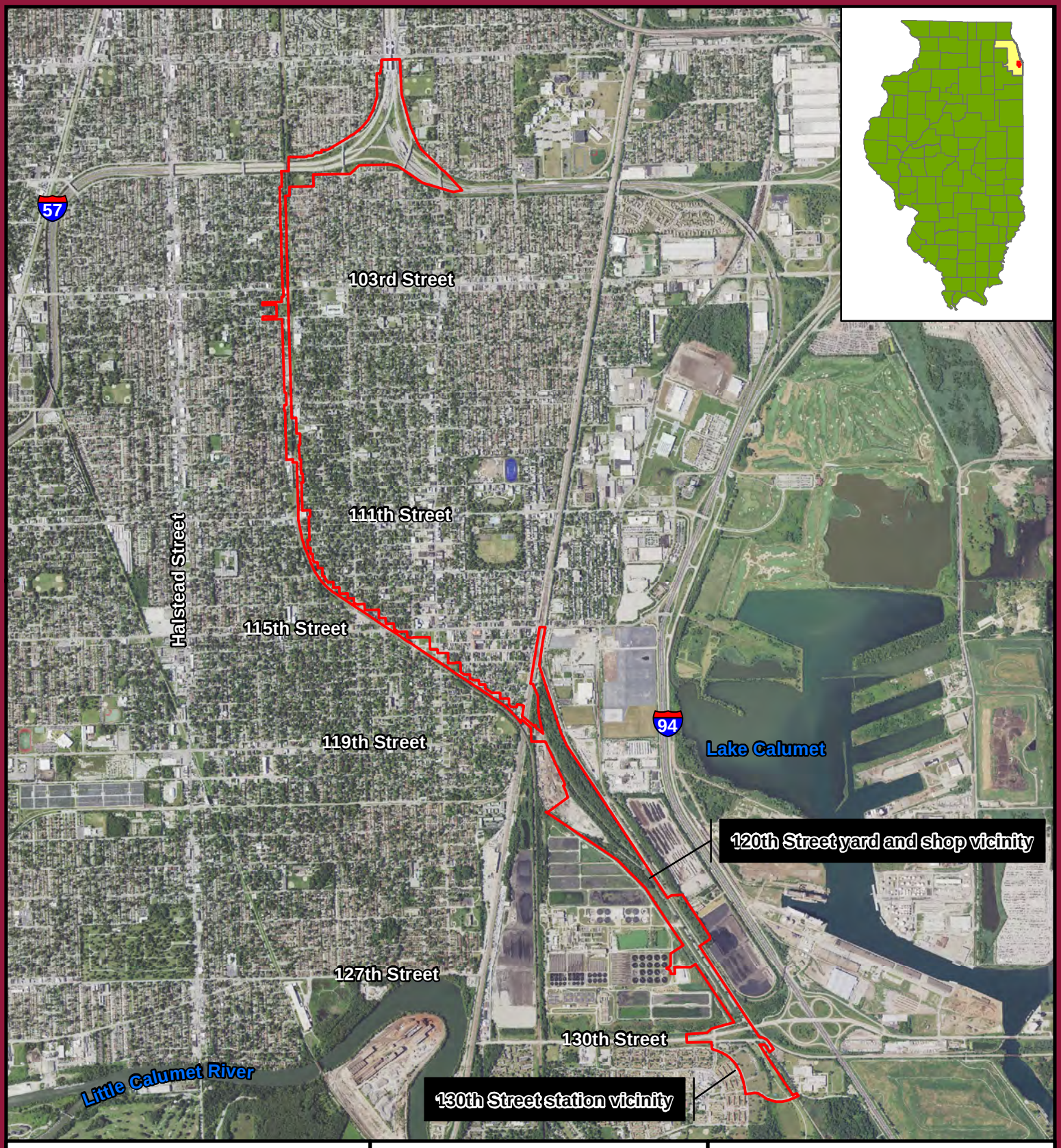
We appreciate your review of these materials at your earliest convenience to provide concurrence with the determination and any supplemental supporting information that may be available. Please advise if there are any further actions needed to facilitate the implementation of the Proposed Action in a manner that avoids or minimizes adverse effects to federally listed species. If you have any questions or require further information, please contact me at mfratinardo@transitchicago.com or Mr. Kelsey Kropp at krkropp@transystems.com or 816-490-1319. If preferred, we can set up a virtual meeting to discuss any clarifications or questions you have regarding this request.

Regards,

Marlise Fratinardo
Senior Project Manager, Planning
Chicago Transit Authority

Enclosures:
Enclosure A – Project Figures
Enclosure B – IPaC Species List
Enclosure C – Project Submittal Form
Enclosure D – AMM List Revised February 2018

cc:
Leah Mooney, CTA – Planning
Sonali Tandon, CTA – Planning



Potential Action Area

Figure 1: Project Location

0 1,500 3,000 Feet

N

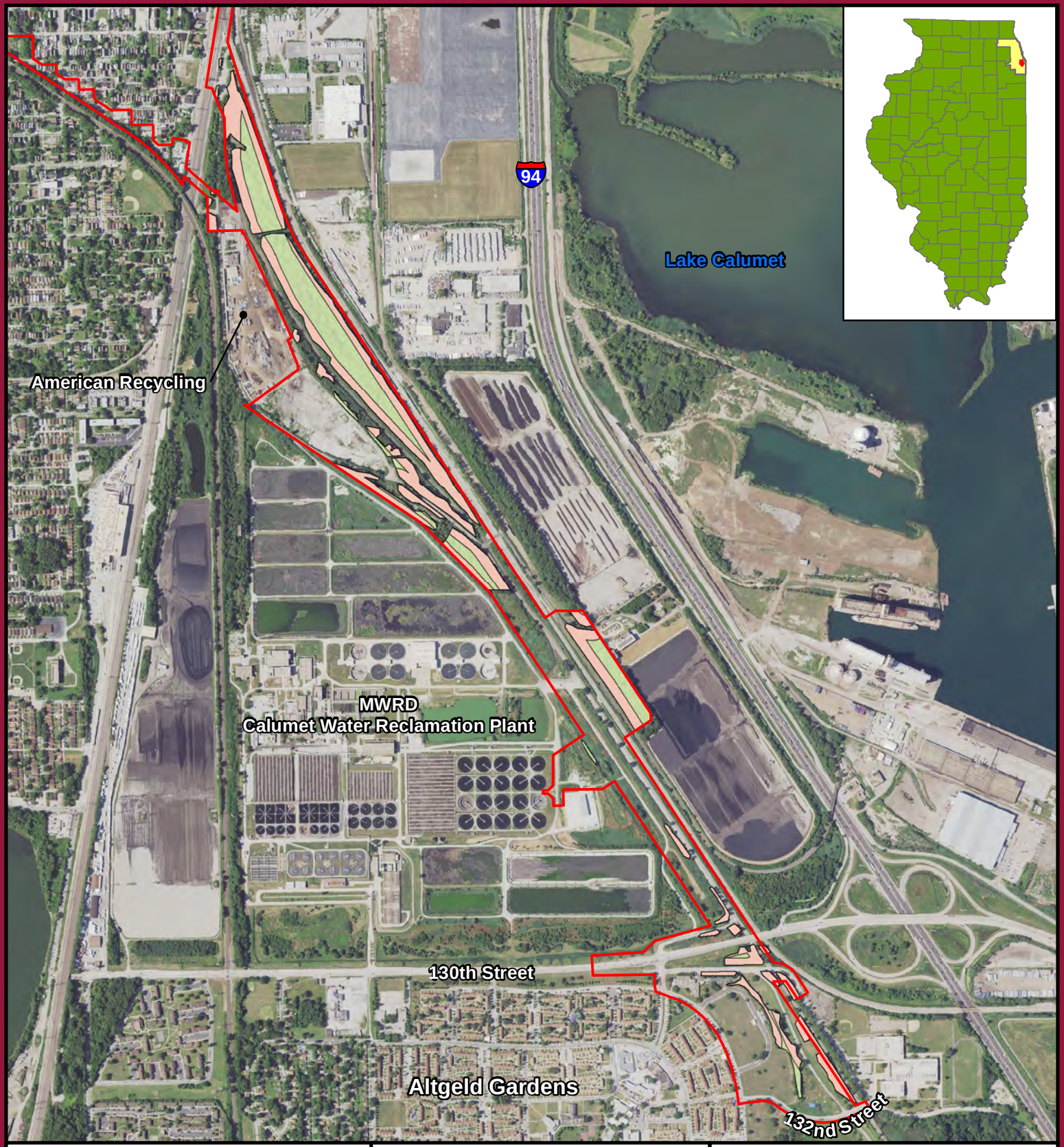
CTA RLE

USFWS Coordination Map

Cook County, Illinois

Aerial Imagery: NAIP 2019 Cook County

July 27, 2021



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Aerial Imagery: NAIP 2019 Cook County

July 27, 2021

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chicago Ecological Service Field Office
U.s. Fish And Wildlife Service Chicago Ecological Services Office
230 South Dearborn St., Suite 2938
Chicago, IL 60604-1507
Phone: (312) 485-9337 Fax:
http://www.fws.gov/midwest/endangered/section7/s7process/7a2process.html

In Reply Refer To: July 26, 2021
Consultation Code: 03E13000-2021-SLI-0700
Event Code: 03E13000-2021-E-01692
Project Name: CTA Redline Extension

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

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Please note! For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

For all other projects, continue the Section 7 Consultation process by going to our Section 7 Technical Assistance website at http://www.fws.gov/midwest/endangered/section7/s7process/index.html. If you are familiar with this website, you may want to go to Step 2 of the Section 7 Consultation process at http://www.fws.gov/midwest/endangered/section7/s7process/step2.html.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website http://ecos.fws.gov/ipac/ at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. 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(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

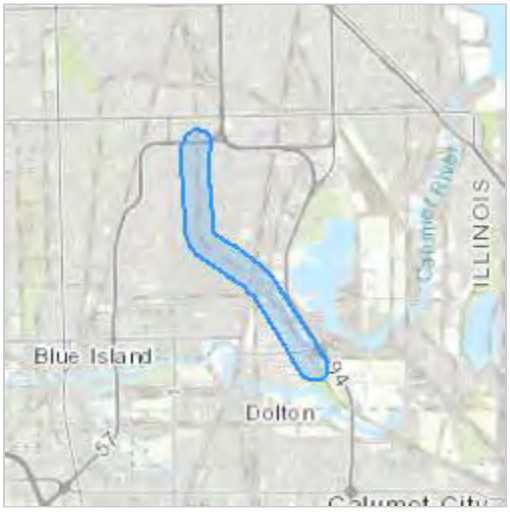
Chicago Ecological Service Field Office
U.s. Fish And Wildlife Service Chicago Ecological Services Office
230 South Dearborn St., Suite 2938
Chicago, IL 60604-1507
(312) 485-9337

Project Summary

Consultation Code: 03E13000-2021-SLI-0700
Event Code: 03E13000-2021-E-01692
Project Name: CTA Redline Extension
Project Type: TRANSPORTATION
Project Description: CTA, as project sponsor to the Federal Transit Administration (FTA), proposes to extend the Red Line from the existing 95th/Dan Ryan terminal to 130th Street. The proposed 5.6-mile extension would include four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street. Each new station would include bus and parking facilities. This project is one part of the Red Ahead Program to extend and enhance the entire Red Line.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.6851895,-87.62411376600002,14z



Counties: Cook County, Illinois

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover *Charadrius melodus* Population: [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6039	Endangered
Red Knot *Calidris canutus rufa* There is **proposed** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Reptiles

NAME	STATUS
Eastern Massasauga (=rattlesnake) *Sistrurus catenatus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2202	Threatened

Insects

NAME	STATUS
Hine's Emerald Dragonfly *Somatochlora hineana*	Endangered

There is **final** critical habitat for this species. The location of the critical habitat is not available.
Species profile: https://ecos.fws.gov/ecp/species/7877

Flowering Plants

NAME	STATUS
Eastern Prairie Fringed Orchid *Platanthera leucophaea*	Threatened

No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:

- Follow the guidance provided at https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html

Species profile: https://ecos.fws.gov/ecp/species/601

Leafy Prairie-clover *Dalea foliosa* — Endangered

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/5498

Prairie Bush-clover *Lespedeza leptostachya* — Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/4458

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA)

Range-wide Programmatic Consultation for
Indiana Bat and Northern Long-eared Bat

Project Submittal Form

Updated June 2019

The use of the Assisted Determination Key in the U.S. Fish and Wildlife Service (Service) Information for Planning and Conservation (IPaC) System is strongly recommended for submitting project-level information to the Service for use of the range-wide programmatic consultation covering actions that may affect the Indiana bat and/or northern long-eared bat (NLEB). However, if not using the key, transportation agencies must provide this submittal form (or a comparable Service approved form) with project-level information to the Service. The completed form should be submitted to the appropriate Service Field Office prior to project commencement. For more information, see the Standard Operating Procedure for Site Specific Project(s) Submission in the User's Guide (Section 3).

By submitting this form, the transportation agency ensures that each component of the proposed project(s) adheres to the criteria and conditions of the range-wide programmatic consultation, as outlined in the biological assessment (BA) and biological opinion (BO). Upon submittal of this form, the appropriate Service Field Office may review the project-specific information provided and request additional information. For projects that may affect, but are not likely to adversely affect (NLAA) the Indiana bat and/or NLEB, if the applying transportation agency is not contacted by the Service with any questions or concerns within 14 calendar days of form submittal, it may proceed under the range-wide programmatic consultation and assume concurrence of the NLAA determination made by the Service in the BO. For projects that may affect, and are likely to adversely affect (LAA) the Indiana bat and/or the NLEB, the appropriate Service Field Office will respond[1] within 30 calendar days of receiving a complete project-level submission, which includes, but may not be limited to this completed form.

Further instructions on completing the submittal form can be found by hovering your cursor over each text box.

---

1. Date: 7/27/2021

2. Lead agency: FTA
*This refers to the **Federal governmental** lead action agency initiating consultation; select **FHWA, FRA or FTA** as appropriate.*

3. Requesting agency: Chicago Transit Authority (CTA)
This refers to the transportation agency completing the form (it may or may not be the same as the Lead Agency.

- Name: Marlise Fratinardo

[1] Service Field Offices should use the response letter template for projects that may affect, and are likely to adversely affect the Indiana bat and/or NLEB.

- Title: RLE Senior Project Manager
- Phone: 312-681-4124
- Email: mfratinardo@transitchicago.com

4. Consultation code:[2] 03E13000-2021-SLI-0700

5. Project name(s): CTA Red Line Extension (RLE)

6. Project description:
Please attach additional documentation or explanatory text if necessary.

This project involves the extension of the CTA Red Line by 5.6 miles. Please refer to the description in the accompanying coordination letter for further description.

7. Project location (county, state): Chicago, Cooke County, Illinois
If not delineated in IPaC, attach shape files.

8. For species other than Indiana bat and NLEB (from IPaC official species list):

☑ No effect – project(s) are inside the range, but no suitable habitat (see additional information attached).

☐ May affect – see additional information provided for those species (see attached or forthcoming).

Please confirm and identify how each component of the proposed project(s) adheres to the criteria of the BO by completing the following (see User Guide Section 2.0):

[2] Available through IPaC System Official Species List: https://ecos.fws.gov/ipac/

NO EFFECT

9. For Indiana bat/NLEB, if applicable, select your no effect determination:

☐ No effect – project(s) are outside the species' range.

☐ No effect – project(s) are inside the species range with no suitable summer habitat within the project action area; project(s) must also be greater than 0.5 miles from any hibernaculum unless meeting exceptions listed below.

☐ No effect – project(s) do not involve any construction activities[3] (e.g., bridge/ abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales).

☐ No effect – project(s) do not cause any stressors to the bat species, including as described in the BA/BO (i.e., do not involve habitat removal, tree removal/ trimming, bridge or structure activities, temporary or permanent lighting, or use of percussives (e.g., lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.)).

☐ No effect - project(s) within 0.5 mile of hibernacula that are limited to the maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins) located outside suitable summer habitat – no new ground disturbance.[4]

☐ No effect – project(s) are within 300 feet from the existing road/rail surface surface (must also be greater than 0.5 miles of a hibernacula) that include percussives or other activities that increase noise above existing traffic/background levels:

- within areas that contain suitable habitat **(documented or undocumented),**
- conducted during the **inactive season**, and
- does not involve tree removal/trimming or bridge/structure work.

☐ No effect – project(s) includes removal, replacement, or maintenance of bridge(s) and/or structure(s) without any signs of bats (bridge/structure assessment documents no sign of bat use (bats, guano, etc.)) and does not impact suitable summer habitat within the project action area.

Proceed with this form to identify how other components of the proposed project adhere to the criteria of the BO.

[3] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

[4] Ground disturbance is defined as any activity that compacts or disturbs the ground. Ground disturbance can be caused by the use of hand tools (shovels, pick axe, posthole digger, etc.), heavy equipment (excavators, backhoes, bulldozers, trenching and earthmoving equipment, etc.), and heavy trucks (large four wheel drive trucks, dump trucks and tractor trailers, etc.). Note that ground disturbance can be a component of other actions (e.g., bulldozing trees). Contact the local Service Field Office, as needed, to assist in determining if and how ground disturbance may affect bat hibernacula.

MAY AFFECT, NOT LIKELY TO ADVERSELY EFFECT – W/O AMMS

10. For Indiana bat/NLEB, if applicable, select your may affect, NLAA determination (without implementation of AMMs):

☐ NLAA – project(s) are inside the species range and within suitable bat habitat, but **negative** bat presence/absence (P/A) surveys; must also be greater than 0.5 miles from any hibernaculum.

☐ NLAA – project(s) are within 300 feet of the existing road/rail surface (must also be greater than 0.5 miles of a hibernacula) that include percussives or other activities that increase noise above existing traffic/background levels:

- within areas that contain **undocumented** habitat
- conducted during the **active season**
- does not involve tree removal/trimming or bridge/structure work.

☐ NLAA – project(s) are limited to slash pile burning (must also be greater than 0.5 miles from any hibernaculum).

☐ NLAA – project(s) are limited to wetland or stream protection activities associated with compensatory wetland/stream mitigation that do not clear suitable habitat (must also be greater than 0.5 miles from any hibernaculum).

☐ NLAA – project(s) within 0.5 mile of hibernacula that are limited to the maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins) located within suitable summer habitat – no new ground disturbance or tree removal/trimming.

Proceed with this form to identify how other components of the proposed project adhere to the criteria of the BO.

MAY EFFECT, NOT LIKELY TO ADVERSELY AFFECT – WITH AMMs

11. For Indiana bat/NLEB, if applicable, document your may affect, NLAA determination (**with implementation of AMMs)** by completing the following section; use #13 to document AMMs).

Affected Resource/Habitat Type:

a. Trees

☐ Verify that the project is within 100 feet of existing road/rail surfaces.

☐ Verify that all tree removal/trimming occurs greater than 0.5 mile from any hibernaculum.

☐ Verify that all trees to be removed/trimmed are clearly demarcated.

☐ Verify that no documented Indiana bat and/or NLEB roosts and/or surrounding summer habitat within 0.25 mile of documented roosts will be impacted.

☐ Verify that all tree removal/trimming will occur outside the active season (i.e., will occur in winter):[5]

Or

☐ Verify that tree removal/trimming will include 10 or fewer trees[6] per project during the active season, and visual emergence survey[7] observed no bats. Acres of trees 0-100 feet of existing road/rail surface proposed for removal/ trimming: 45.9

☐ Verify that all applicable lighting minimization measures will be implemented.

b. Bridge/Structure Work

Projects Proposed work:

Timing of work:

Signs of bat activity on/in bridge/structure? Yes: ◯ No: ◯

☐ Verify that work will be conducted outside the active season, or if during the active season, verify that no roosting bats will be harmed or disturbed in any way:[8]

☐ Verify that work will maintain suitable roosting habitat.[9]

☐ Verify that all applicable lighting minimization measures will be implemented.

Proceed with this form to identify how other components of the proposed project adhere to the criteria of the BO.

MAY AFFECT, LIKELY TO ADVERSELY AFFECT

12. For Indiana bat/NLEB, if applicable, document your may affect, LAA determination by completing the following section (use #13 to document AMMs).

[5] Coordinate with the local Service Field Office for appropriate dates.

[6] Areas containing more than 10 trees will be assessed by the local Service Field Office on a case-by-case basis with the project proponent.

[7] Refer to http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html

[8] See page 12 of the User Guide for a description of activities that are NLAA roosting bats during the active season.

[9] This only applies when assessment documents signs of bat use of when bat use is assumed.

Affected Resource/Habitat Type:

a. Trees

Project Location:

☑ 0-100 feet from edge of existing road/rail surface

☑ 100-300 feet from edge of existing road/rail surface

☑ Verify that all tree removal/trimming occurs greater than 0.5 mile from any hibernaculum

Timing of tree removal/trimming:

☑ Verify that no documented Indiana bat roosts or surrounding summer habitat within 0.25 mile of documented roosts will be impacted between May 1 and July 31.

☑ Verify that no documented NLEB roosts or surrounding summer habitat within 150 feet of documented roosts will be impacted between June 1 and July 31.

Acres of trees 0-100 feet of existing road/rail surface proposed for removal/trimming: 45.9

Acres of trees 100-300 feet of existing road/rail surface proposed for removal/trimming: 18.2

☑ Verify that all applicable lighting minimization measures will be implemented.

b. Bridge/Structure Work Projects

Proposed work:

Timing of work:

☐ Verify no signs of a maternity colony.

☐ Verify that work will maintain suitable roosting habitat.[10]

☐ Verify that all applicable lighting minimization measures will be implemented.

13. For Indiana bat/NLEB, if applicable to the action type, the following AMMs will be implemented[11] unless P/A surveys and/or bridge/structure assessments document that

[10] This only applies when assessment documents signs of bat use or when bat use is assumed.

[11] See AMMs Fact Sheet (Appendix C) for more information on AMMs.

the species are not likely to be present:

- [x] General AMM 1 (required for all projects)

- [x] Tree Removal AMM 1
- [x] Tree Removal AMM 2 (required for NLAA)
- [x] Tree Removal AMM 3 (required for all projects)
- [x] Tree Removal AMM 4 (required for NLAA)
- [x] Tree Removal AMM 5 (required for LAA)
- [x] Tree Removal AMM 6 (required for LAA)
- [x] Tree Removal AMM 7 (required for LAA)

- [ ] Bridge AMM 1
- [ ] Bridge AMM 2 (required for NLAA during active season)
- [ ] Bridge AMM 3 (required for NLAA during active season)
- [ ] Bridge AMM 4 (required for all projects)

- [ ] Structure AMM 1 (required for all projects for Indiana bat and required for NLAA for NLEB)
- [ ] Structure AMM 2 (required for NLAA for both bat species) or
- [ ] Structure AMM 3 (required for NLAA for both bat species)
- [ ] Structure AMM 4 (required for all projects for Indiana bat and required for NLAA for NLEB)

- [ ] Lighting AMM 1 (required for all projects during the active season)
- [ ] Lighting AMM 2 (required for all projects)

- [ ] Hibernacula AMM 1 (required for all projects)

14. For Indiana bat, if applicable, compensatory mitigation measures will also be required to offset adverse effects on the species (see Section 2.10 of the BA). Please verify the mechanism in which compensatory mitigation will be implemented and that sufficient information is provided to the Service.

    Range-wide In-Lieu Fee Program, The Conservation Fund ☐

    State, Regional, Recovery Unit-Specific In-Lieu Fee
    Program Name:

    Conservation Bank
    Name:
    Location:

    Local Conservation Site(s)
    Name:
    Location:
    Description:

Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA)

Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat

Avoidance and Minimization Measures

Updated January 2018

For projects to be covered by the Programmatic Biological Opinion (BO), specific avoidance and minimization measures (AMMs) related to the Indiana bat and northern long-eared bat (NLEB) will be implemented where applicable. AMMs, if adopted under appropriate circumstances, are expected to reduce the potential impacts of the proposed action on both bat species. In some instances, impacts will be reduced to levels that are insignificant or discountable; therefore, not likely to adversely affect (NLAA) either species. In other cases, take will be unavoidable even with the implementation of AMMs; therefore, likely to adversely affect (LAA) either species.

The following AMMs are necessary to avoid and minimize impacts to the Indiana bat and NLEB, and where applicable, are required for projects using the range-wide programmatic consultation.

AMMs for Projects NLAA

Unless presence and absence (P/A) summer surveys[1] document that the species are not likely to be present, the following AMMs are REQUIRED, as applicable, in order for projects to NLAA the Indiana bat and the NLEB (i.e., projects qualify to use the range-wide programmatic informal consultation).

All NLAA Projects

General AMM 1. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

Lighting

Lighting AMM 1. Direct temporary lighting away from suitable habitat during the active season.

Lighting AMM 2. When installing new or replacing existing permanent lights, use downward-facing, full cut-off[2] lens lights (with same intensity or less for replacement lighting); or for those transportation

[1] P/A summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernacula (contact local USFWS Field Office for appropriate home range) that result in a negative finding requires additional consultation with the local USFWS Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[2] http://www.lithonia.com/micro_webs/nighttimefriendly/cutoff.asp

agencies using the BUG system developed by the Illuminating Engineering Society,[3] the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

Tree Removal

The word "trees" as used in the AMMs refers to trees that are suitable habitat[4] for each species within their range. The word **documented** means habitat where bats have actually been captured and/or tracked.

Tree Removal AMM 1. Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely.
Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented.

Tree Removal AMM 2. Apply time of year (TOY) restrictions for tree removal[5] when bats are not likely to be present, or
Limit tree removal to 10 or fewer trees[6] per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat[7] or travel corridors;[8] visual emergence survey must be conducted **with no bats observed**.[9]

Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

Tree Removal AMM 4. Do not remove:

- **documented** Indiana bat or NLEB roosts that are still suitable for roosting; or
- trees within 0.25 miles of roosts; or
- **documented** foraging habitat any time of year.

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[3] http://www.ies.org/pdf/education/ies-fol-addenda-1-%20bug-ratings.pdf
http://shop.innovativelight.com/media/cms/BUG_ratings_3044A7612FA89.pdf
[4] See the USFWS' current summer survey guidance for our latest definitions of suitable habitat.
[5] Coordinate with the local USFWS Field Office for appropriate dates.
[6] Areas containing more than 10 trees will be assessed by the USFWS local field office on a case-by-case basis with the project proponent.
[7] Documented roosting or foraging habitat – for the purposes of this BA, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.
[8] Documented travel corridor - for the purposes of this BA, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked by using (1) radio telemetry; or (2) tree corridors located directly between documented roosting and foraging habitat.
[9] Refer to http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html

Bridges

The following Bridge AMMs are <u>REQUIRED,</u> as applicable, in order for projects to NLAA the Indiana bat and the NLEB (i.e., projects qualify to use the range-wide programmatic <u>informal consultation)</u> unless one or more of the following criteria apply:

- the bridge is 1000 feet or more from suitable bat habitat; or
- bridge assessments[10] have occurred to document no signs of bat use; or
- P/A surveys have occurred[11] to document that the bat species are not likely to be present.

<u>Bridge AMM 1.</u> To completely avoid direct effects to roosting bats, perform any bridge removal, replacement, and/or maintenance work during the winter hibernation period[12] unless a hibernating colony of bats is present. Also, follow Bridge AMM 4.
Note: Bridge AMM 1 is an avoidance measure for direct effects, the full implementation of which may not be practicable. If bridge removal, replacement, and/or maintenance work must be performed outside of the winter hibernation period, then follow Bridge AMMs 2-4.

<u>Bridge AMM 2.</u> - Colony or Assuming Presence of Bats
If assuming presence of bats or if bridge assessment or P/A surveys suggest presence of a colony of bats, and work is conducted during the active season, ensure activity will not disturb bats. The following types of bridge work can generally be conducted with the presence of bats:

- above deck work where construction equipment or materials do not extend to the underside of deck where bats may be located (e.g., materials that may drip down to underside of deck), and does not include percussives (vibration) or noise levels above general traffic (e.g., road line painting, wing-wall work).
- below deck work that is conducted away from roosting bats and does not involve percussives or noise level above general traffic (e.g., wing-wall work, some abutment, beam end, scour, or pier repair).

<u>Bridge AMM 3.</u> - Small Number of Bats
If bridge assessment or P/A surveys suggest presence of a small number of bats (<u>≤5</u> – not a colony),[13] and work is conducted during the active season, the following types of bridge work can generally be conducted with the presence of bats:

- above deck work where construction equipment or materials do not extend to the underside of deck where bats may be located (e.g., materials that may drip down to underside of deck), and does not include percussives (vibration) or noise levels above general traffic (e.g., road line painting, wing-wall work).

[10] Bridge/structure assessments are valid for two years.
[11] Ensure coordination with local Service FO regarding the applicability of P/A surveys for this use.
[12] Coordinate with the local USFWS Field Office for appropriate dates.
[13] This number is far lower than the typical maternity colony size (USFWS 2007, 2014).

- below deck work that is conducted away from roosting bats and does not involve percussives or noise level above general traffic (e.g., wing-wall work, some abutment, beam end, scour, or pier repair).
- any other bridge repair, retrofit, maintenance, and/or rehabilitation (which may include activities with percussives) conducted in the evening while the bats are feeding, starting one hour after sunset, and ending one hour before daylight excluding the hours between 10 p.m. and midnight[14] and keep the light localized.

Bridge AMM 4. If assuming presence of bats, or if bridge assessment or P/A survey suggests presence of bats, ensure suitable roosting habitat is maintained. Suitable roosting sites may be incorporated into the design of a new bridge.

Structures

This category is intended to capture manmade structures that may provide bat roosting or hibernation habitat that are not bridges. They may include, but are not limited to, rest areas, offices, sheds, outbuildings, barns, and parking garages.

Unless structure assessments[15] have occurred to document that the species are not likely to be present, the following AMMs are REQUIRED, as applicable, in order for projects to NLAA the Indiana bat and the NLEB (i.e., projects quality to use the range-wide programmatic informal consultation).

Structure AMM 1. If the goal of the project is to exclude bats, coordinate with your local USFWS Field Office and follow Acceptable Management Practices for Bat Control Activities in Structures guidance document (White-nose Syndrome Conservation and Recovery Working Group 2015).[16]

Structure AMM 2. If structure maintenance, repair, and/or alteration will be performed **during the winter hibernation period**,[17] determine if work will occur in an area with hibernating bats. If hibernating bats or signs of frequent bat activity are observed, Transportation Agencies and State DOTs will conduct maintenance activity or similar structure alteration in a manner that will not disturb bats using the structure.

Structure AMM 3. If structure maintenance, repair, and/or alteration will be performed **outside of the winter hibernation period**, determine if work will occur in an area with roosting bats. If bat activity or signs of frequent bat activity (e.g., guano stains) are observed, Transportation Agencies and State DOTs will conduct maintenance activity or similar structure alteration in a manner that will not disturb bats using the structure.

[14] Keeley and Tuttle (1999) indicated peak night roost usage is between 10:00 p.m. to midnight.
[15] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See Appendix D for bridge/structure assessment guidance).
[16] https://www.whitenosesyndrome.org/sites/default/files/resource/wns_nwco_amp_1_april_2015_0.pdf
[17] Coordinate with the local USFWS Field Office for appropriate dates.

Structure AMM 4. If bat activity or signs of frequent bat activity is observed, Transportation Agencies and State DOTs will not remove the structure.
Note: If there are concerns about human health/safety/property, coordinate with a nuisance wildlife control officer and the local USFWS Field Office.

Hibernacula

The following AMM is REQUIRED, as applicable, in order for projects to NLAA the Indiana bat and the NLEB (i.e., projects qualify to use the range-wide programmatic informal consultation).

Hibernacula AMM 1. For projects located within karst areas, on-site personnel will use best management practices,[18] secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

AMMs for Programmatic LAA

Unless P/A summer surveys[19] document that the species are not likely to be present, the following AMMs will be implemented (as specified below) for projects LAA the Indiana bat and NLEB (i.e., projects qualify to use the range-wide programmatic formal consultation).

All LAA Projects

General AMM 1. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all Transportation Agency environmental commitments, including all applicable AMMs. *{REQUIRED for programmatic NLAA or LAA}*

Lighting

Lighting AMM 1. Direct temporary lighting away from suitable habitat during the active season. *{REQUIRED for programmatic NLAA or LAA}*

Lighting AMM 2. When installing new or replacing existing permanent lights, use downward-facing, full cut-off[20] lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society,[21] the goal is to be as

[18] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your State.
[19] P/A summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernacula (contact local USFWS Field Office for appropriate home range) that result in a negative finding requires additional consultation with the local USFWS Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.
[20] http://www.lithonia.com/micro_webs/nighttimefriendly/cutoff.asp
[21] http://www.ies.org/pdf/education/ies-fol-addenda-1-%20bug-ratings.pdf and http://shop.innovativelight.com/media/cms/BUG_ratings_3044A7612FA89.pdf

close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. *(REQUIRED for programmatic NLAA OR LAA)*

Tree Removal

The word "trees" as used in the AMMs refers to trees that are suitable habitat[22] for each species within their range. The word **documented** means habitat where bats have actually been captured and/or tracked.

Tree Removal AMM 1. Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely.
Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable.

Tree Removal AMM 2. – *Not required for LAA*

Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). *{REQUIRED for programmatic NLAA or LAA}*

Tree Removal AMM 4. – *Not required for LAA*

Tree Removal AMM 5. Avoid conducting tree removal within **documented** Indiana bat roosting/foraging habitat[23] or travel corridors from May 1-July 31. *{REQUIRED for programmatic LAA}*

Tree Removal AMM 6. Minimize tree removal within suitable Indiana bat habitat (no documented habitat) from May 1-July 31 in the following manner. *{REQUIRED for programmatic LAA}*

1) Limit clearing such that all trees can be visually assessed.

2a) Conduct visual emergence surveys if trees are greater than or equal to 9 inches diameter at breast height (dbh).

- If no bats are observed, proceed with clearing the following day (NLAA).
- If bats observed, modify project to conduct tree removal after August 1 (LAA).

or

2b) If trees are <9 inches dbh, no emergence survey required (LAA).

[22] See the USFWS's current summer survey guidance for our latest definitions of suitable habitat.
[23] Documented roosting or foraging habitat – for the purposes of this BA, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.

Tree Removal AMM 7. Avoid removing documented NLEB maternity roosts and trees within 150 feet of those roosts from June 1-July 31. *{REQUIRED for programmatic LAA}*

Bridges

The following Bridge AMMs will be applied (as specified below) for projects LAA the Indiana bat and the NLEB (i.e., projects qualify to use the range-wide programmatic formal consultation) unless one or more of the following criteria apply:

- the bridge is 1000 feet or more from suitable bat habitat; or
- bridge assessments[24] have occurred to document no signs of bat use; or
- P/A surveys have occurred[25] to document that the bat species are not likely to be present.

Bridge AMM 1. To completely avoid direct effects to roosting bats, perform any bridge removal, replacement, and/or maintenance work during the winter hibernation period[26] unless a hibernating colony of bats is present. Also, follow Bridge AMM 4.
Note: Bridge AMM 1 is an avoidance measure, the full implementation of which may not be practicable. If bridge removal, replacement, and/or maintenance work must be performed outside of the winter hibernation period, the remaining Bridge AMMs will be applied as specified below.

Bridge AMM 2. – *Not required for LAA*
Bridge AMM 3. – *Not required for LAA*

Bridge AMM 4. If assuming presence of bats, or bridge assessment or P/A surveys suggests presence of bats, ensure suitable roosting habitat is maintained. Suitable roosting sites may be incorporated into the design of a new bridge. *{REQUIRED for programmatic NLAA or LAA}*

Structures

This category is intended to capture manmade structures that may provide bat roosting or hibernation habitat that are not bridges. They may include, but are not limited to, rest areas, offices, sheds, outbuildings, barns, and parking garages.

Unless structure assessments[27] have occurred to document that the species are not likely to be present, the Structure AMMs will applied (as specified below) for projects LAA the Indiana bat and NLEB (i.e., projects qualify to use the range-wide programmatic formal consultation).

Structure AMM 1. If the goal of the project is to exclude bats, coordinate with your local USFWS Field Office and follow Acceptable Management Practices for Bat Control Activities in Structures guidance document.[28] *{REQUIRED for programmatic NLAA and LAA Indiana bat, and NLAA NLEB}*

[24] Bridge/structure assessments are valid for two years.
[25] Ensure coordination with local Service FO regarding the applicability of P/A surveys for this use.
[26] Coordinate with local USFWS Field Office for appropriate dates.
[27] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See Appendix D for bridge/structure assessment guidance).

Structure AMM 2. – *Not required for LAA*
Structure AMM 3. – *Not required for LAA*

Structure AMM 4. If bat activity (or signs of frequent bat activity) is observed, Transportation Agencies and State DOTs will not remove the structure. *{REQUIRED for programmatic NLAA and LAA Indiana bat, and NLAA NLEB.}*
Note: If there are concerns about human health/safety/property, coordinate with a nuisance wildlife control officer and the local USFWS field office.

Hibernacula

The following AMM is REQUIRED, as applicable, for projects LAA the Indiana bat and the NLEB (i.e., projects qualify to use the range-wide programmatic formal consultation).

Hibernacula AMM 1. For projects located within karst areas, on-site personnel will use best management practices,[29] secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography. *{REQUIRED for programmatic NLAA or LAA}*

[28] White-nose Syndrome Conservation and Recovery Working Group 2015, available at: https://www.whitenosesyndrome.org/sites/default/files/resource/wns_nwco_amp_1_april_2015_0.pdf
[29] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your State.

From: Fratinardo, Marlise
To: Dunn, Patrick (CDM)
Cc: Tandon, Sonali; Littrell, Joanna (HNTB)
Subject: FW: [EXTERNAL] CTA Red Line Extension: Effects on Federally Listed Species/Critical Habitat
Date: Tuesday, September 28, 2021 5:42:34 PM

Fyi…

Best,
Marlise

Marlise Fratinardo
Chicago Transit Authority

From: Cirton, Shawn [mailto:shawn_cirton@fws.gov]
Sent: Tuesday, September 28, 2021 4:56 PM
To: Fratinardo, Marlise
Cc: Clemency, Louise; Tandon, Sonali; Mooney, Leah Dawson
Subject: Re: [EXTERNAL] CTA Red Line Extension: Effects on Federally Listed Species/Critical Habitat

Ms. Fratinardo,

We have reviewed your correspondence and request for concurrence. We agree with your "No Effect" determinations for the species located in Cook County, IL. The Service does not provide concurrence on "No Effect" (NE) determinations. Regarding your "May Affect- Likely to Adversely Affect" (MA-LAA) determination, your letter notes that, CTA, on behalf of FTA, has completed its review under the Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-eared Bat and that CTA intends to implement avoidance and minimization measures as indicated in the included project submittal form (including avoiding all tree removal during the active bat season). Therefore, a "May Affect- Not Likely to Adversely Affect" (MA-NLAA) determination is warranted. As noted in the Programmatic Biological Opinion, "Projects included in the programmatic scope of this consultation include those that result in no effect (NE) or may affect for the Indiana bat and/or the NLEB. It provides advance USFWS concurrence with “not likely to adversely affect” (NLAA) determinations that are consistent with these criteria, subject to project-level verification." Therefore, Service concurrence is not required for the Service recommended MA-NLAA determination.

We plan to review the EIS when the document is available for review. If you have any questions, please feel free to contact me.

Shawn Cirton
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Chicago Illinois Field Office
230 South Dearborn Street, Suite 2938
Chicago, IL 60604
(847)366-2345

From: Clemency, Louise <Louise_Clemency@fws.gov>
Sent: Tuesday, September 7, 2021 9:58 AM
To: Cirton, Shawn <shawn_cirton@fws.gov>
Subject: Fw: [EXTERNAL] CTA Red Line Extension: Effects on Federally Listed Species/Critical Habitat

Good morning Shawn, Please review and prepare a response for us - thank you.

From: Fratinardo, Marlise <mfratinardo@transitchicago.com>
Sent: Friday, September 3, 2021 3:07 PM
To: Clemency, Louise <Louise_Clemency@fws.gov>
Cc: Tandon, Sonali <STandon@transitchicago.com>; Mooney, Leah Dawson <LMooney@transitchicago.com>
Subject: [EXTERNAL] CTA Red Line Extension: Effects on Federally Listed Species/Critical Habitat

Dear Ms. Clemency,

The Chicago Transit Authority (CTA), as project sponsor to the Federal Transit Administration (FTA), proposes to extend the existing Red Line 5.6 miles south from the existing 95th/Dan Ryan terminal to 130th Street. In accordance with the National Environmental Policy Act, CTA is completing an Environmental Impact Statement (EIS). Part of this process includes an evaluation of the project's effects on federally listed species and critical habitat. Please find attached a letter and supporting information requesting concurrence on effects to federally listed species and critical habitat for the Red Line Extension (RLE) Project. Included in this request is documentation for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared bat.

CTA requests your review and concurrence of the attached provided materials. Please reach out with any questions. Thank you!

Best,
Marlise

Marlise Fratinardo
Chicago Transit Authority

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant:	TranSystems	*IDNR Project Number:*	2207119
Contact:	Kelsey Kropp	*Date:*	11/17/2021
Address:	2400 Pershing Road Suite 2400 Kansas City, MO 64108	*Alternate Number:*	P404140019, 2107455
Project:	CTA Redline Extension		
Address:	95th Street Terminal, Chicago		

Description: Chicago Transit Authority (CTA), as project sponsor to the Federal Transit Administration (FTA), proposes to extend the Red Line from the existing 95th/Dan Ryan terminal to 130th Street. The proposed 5.6-mile extension would include four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street. Each new station would include bus and parking facilities. This project is one part of the Red Ahead Program to extend and enhance the entire Red Line.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Lake Calumet INAI Site
Blanding's Turtle *(Emydoidea blandingii)*
Little Blue Heron *(Egretta caerulea)*
Osprey *(Pandion haliaetus)*
Yellow-Crowned Night Heron *(Nyctanassa violacea)*
Yellow-Headed Blackbird *(Xanthocephalus xanthocephalus)*

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

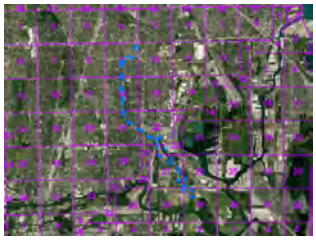
Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Cook

Township, Range, Section:

37N, 14E, 9
37N, 14E, 10
37N, 14E, 16
37N, 14E, 21
37N, 14E, 22
37N, 14E, 22
37N, 14E, 26
37N, 14E, 27
37N, 14E, 27
37N, 14E, 34
37N, 14E, 35



IL Department of Natural Resources Contact
Kyle Burkwald
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Chicago Transit Authority
Kelsey Kropp
2400 Pershing Road
Suite 400
Kansas City, Illinois 64111

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

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1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

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EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

EcoCAT Receipt

Project Code 2207119

APPLICANT	DATE
TranSystems Kelsey Kropp 2400 Pershing Road Suite 2400 Kansas City, MO 64108	11/17/2021

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	$ 125.00	$ 2.81	$ 127.81

TOTAL PAID $ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

Illinois Department of
Natural Resources
One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

JB Pritzker, Governor
Colleen Callahan, Director

November 24, 2021

Kelsey Kropp
TranSystems
2400 Pershing Road
Suite 2400
Kansas City, MO 64108

RE: CTA Redline Extension
Consultation Program
EcoCAT Review #2207119
Cook County

Dear Mr. Kropp,

The Department has received your submission of this project for the purposes of consultation pursuant to the Illinois Endangered Species Protection Act [520 ILCS 10/11], the Illinois Natural Areas Preservation Act [525 ILCS 30/17], and Title 17 Illinois Administrative Code Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the Fish & Aquatic Life Code [515 ILCS 5, et seq.]; the Illinois Wildlife Code [520 ILCS 5, et seq.]; and the Herptiles-Herps Act [510 ILCS 69].

The proposed action consists of extending the existing Chicago Transit Authority (CTA) Redline from the existing 95th/Dan Ryan terminal to 130th Street 5.6 miles south and terminating at 130th street in Chicago, IL.

EcoCAT has indicated records for the following state listed species and Illinois Natural Area Inventory sites within the project vicinity:

State Listed
Osprey *(Pandion haliaetus)*

Illinois Natural Area Inventory Sites
Lake Calumet

Due to the project location and proximity to threatened resources, the Department recommends the following actions be considered in order to avoid causing adverse impacts:

Osprey
This large bird of prey is known to build nests on top of man-made structures such as cell towers and telephone poles

1. Removal of vertical structures such as telephone poles, light poles, etc. should be done between the dates of November 1st and March 31st.
2. If these dates cannot be accommodated, a nesting survey should be conducted to determine if species are utilizing structures in the project area.
    a. Please forward survey results and methodology to the Department for review and concurrence.

Lake Calumet
If temporary or permanent lighting is required, the Department recommends the following to minimize adverse effects to wildlife:

- All lighting should be fully shielded fixtures that emit no light upward.
- Only "warm-white" or filtered LEDs (CCT < 3,000 K; S/P ratio < 1.2) should be used to minimize blue emission.
- Only light the exact space with the amount (lumens) needed to meet industry safety requirement.
- If LEDs are to be used, avoid the temptation to over-light based on the higher luminous efficiency of LEDs.

Given the above recommendations are adopted, the Department has determined that impacts are unlikely.

In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

Consultation on the part of the Department is closed unless additional information or advice related to this proposal is required. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

Please contact Kyle Burkwald of this office at 217-785-4984 or Kyle.Burkwald@illinois.gov for additional information on this review, or if providing a response to this correspondence.

Thank you,

Bradley Hayes
Acting Manager, Impact Assessment Section
Division of Real Estate Services and Consultation
Office of Realty & Capital Planning
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
Bradley.Hayes@Illinois.gov
Phone: (217) 782-0031