



Attachment G - Biological Resources Supporting Information



USFWS Information for Planning and Consultation (IPaC) Report for the 130th Street Station Relocation

May 17, 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:

May 17, 2021

Consultation Code: 03E13000-2021-SLI-0569

Event Code: 03E13000-2021-E-01314

Project Name: CTA RLE 130th Street Station

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-0569

Event Code: 03E13000-2021-E-01314

Project Name: CTA RLE 130th Street Station

Project Type: TRANSPORTATION

Project Description: Project activities include an extension of the CTA Redline. This section includes the proposed 130th Street Station.

Project Location:

Approximate location of the project can be viewed in Google Maps: [https://](https://www.google.com/maps/@41.65794365,-87.59433642020743,14z)

www.google.com/maps/@41.65794365,-87.59433642020743,14z



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 Fisheries¹, 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.

-
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 <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> 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 <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Reptiles

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

Insects

NAME	STATUS
<p>Hine's Emerald Dragonfly <i>Somatochlora hineana</i></p> <p>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</p>	Endangered

Flowering Plants

NAME	STATUS
<p>Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Follow the guidance provided at https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html <p>Species profile: https://ecos.fws.gov/ecp/species/601</p>	Threatened
<p>Leafy Prairie-clover <i>Dalea foliosa</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5498</p>	Endangered
<p>Prairie Bush-clover <i>Lespedeza leptostachya</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4458</p>	Threatened

Critical habitats

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



IDNR Ecological Compliance Assessment Tool (EcoCAT) Report for the 130th Street Station Relocation

January 6, 2021

Applicant: TranSystems
Contact: Kelsey Kropp
Address: 2400 Pershing Road
Suite 2400
Kansas City, MO 64108

IDNR Project Number: 2109147
Date: 01/06/2021
Alternate Number: P404140019,
2107455

Project: CTA Redline Extension
Address: 95th Street Terminal, Chicago

Description: The Chicago Transit Authority (CTA) is proposing to extend the Red Line from the 95th Street Station to the vicinity of 130th Street. This project segment includes the 130th Street Station Relocation

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under 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
- Little Blue Heron (*Egretta caerulea*)
- Osprey (*Pandion haliaetus*)
- Yellow-Crowned Night Heron (*Nyctanassa violacea*)
- Yellow-Headed Blackbird (*Xanthocephalus xanthocephalus*)

Location

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

County: Cook

Township, Range, Section:

37N, 14E, 34

37N, 14E, 35



IL Department of Natural Resources

Contact

Impact Assessment Section

217-785-5500

Division of Ecosystems & Environment

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.

Terms of Use

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2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.
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Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

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Privacy

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EcoCAT Receipt	Project Code 2109147
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APPLICANT	DATE
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TranSystems
Kelsey Kropp
2400 Pershing Road
Suite 2400
Kansas City, MO 64108

1/6/2021

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
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EcoCAT Consultation	\$ 25.00	\$ 1.00	\$ 26.00
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TOTAL PAID	\$ 26.00
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Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov



USFWS Information for Planning and Consultation (IPaC) Report for the 120th Street Yard and Shop Refinement

April 13, 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:

April 13, 2021

Consultation Code: 03E13000-2021-SLI-0505

Event Code: 03E13000-2021-E-01136

Project Name: CTA Redline 120th Street Yard and Shop Refinement

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:

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230 South Dearborn St., Suite 2938
Chicago, IL 60604-1507
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NAME	STATUS
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<p>Leafy Prairie-clover <i>Dalea foliosa</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/5498</p>	Endangered
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Critical habitats

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IDNR Ecological Compliance Assessment Tool (EcoCAT) Report for the 120th Street Yard and Shop Refinement

January 6, 2021

Applicant: TranSystems
Contact: Kelsey Kropp
Address: 2400 Pershing Road
Suite 2400
Kansas City, MO 64108

IDNR Project Number: 2109146
Date: 01/06/2021
Alternate Number: P404140019,
2107455

Project: CTA Redline Extension
Address: 95th Street Terminal, Chicago

Description: The Chicago Transit Authority (CTA) is proposing to extend the Red Line from the 95th Street Station to the vicinity of 130th Street. This project segment includes the 120th Street Yard and Shop Refinement

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under 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*)
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- Osprey (*Pandion haliaetus*)
- Yellow-Crowned Night Heron (*Nyctanassa violacea*)
- Yellow-Headed Blackbird (*Xanthocephalus xanthocephalus*)

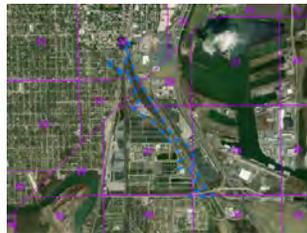
Location

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

County: Cook

Township, Range, Section:

- 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

Impact Assessment Section
217-785-5500
Division of Ecosystems & Environment

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EcoCAT Receipt	Project Code 2109146
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APPLICANT	DATE
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TranSystems
Kelsey Kropp
2400 Pershing Road
Suite 2400
Kansas City, MO 64108

1/6/2021

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
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EcoCAT Consultation	\$ 25.00	\$ 1.00	\$ 26.00
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TOTAL PAID	\$ 26.00
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Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov



CTA Letter Requesting an Evaluation of Effects on Federally Listed Species and Critical Habitats

September 3, 2021





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	<i>Myotis septentrionalis</i>	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	<i>Charadrius melodus</i>	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	<i>Calidris canutus rufa</i>	T	Coastal areas or large wetland complexes for migratory stopovers.	Suitable habitat is not present
Reptiles				
Eastern Massasauga	<i>Sistrurus catenatus</i>	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	<i>Somatochlora hineana</i>	E	Spring fed wetlands, wet meadows, and marshes.	Suitable habitat is not present
Plants				
Eastern Prairie Fringed Orchid	<i>Platanthera leucophaea</i>	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	<i>Dalea foliosa</i>	E	Prairie remnants along the Des Plains River in Illinois, in thin soils over limestone substrate.	Suitable habitat is not present
Prairie Bush-clover	<i>Lespedeza leptostachya</i>	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 massasauga, 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 calcareous 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

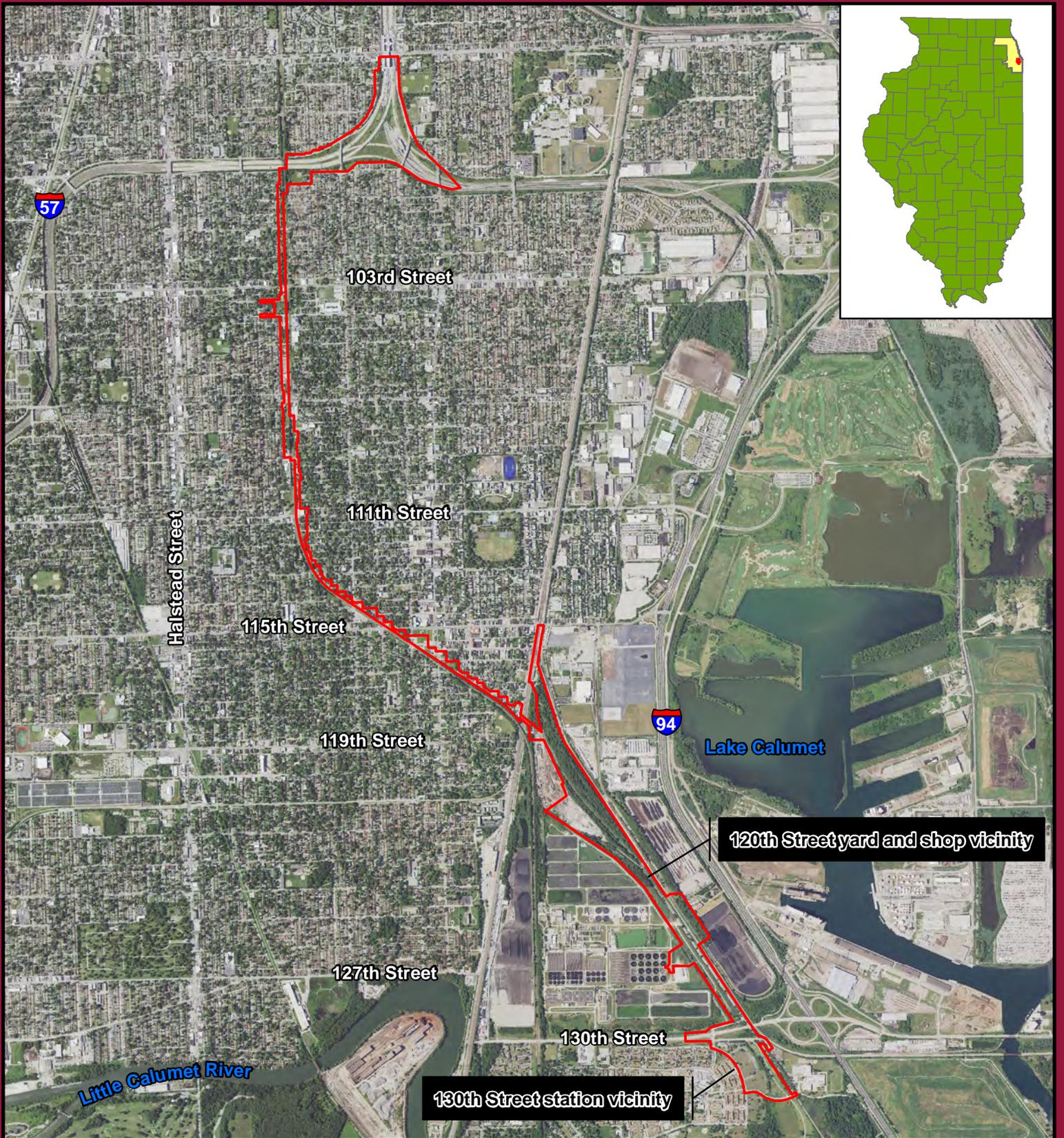
Enclosure C – Project Submittal Form

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



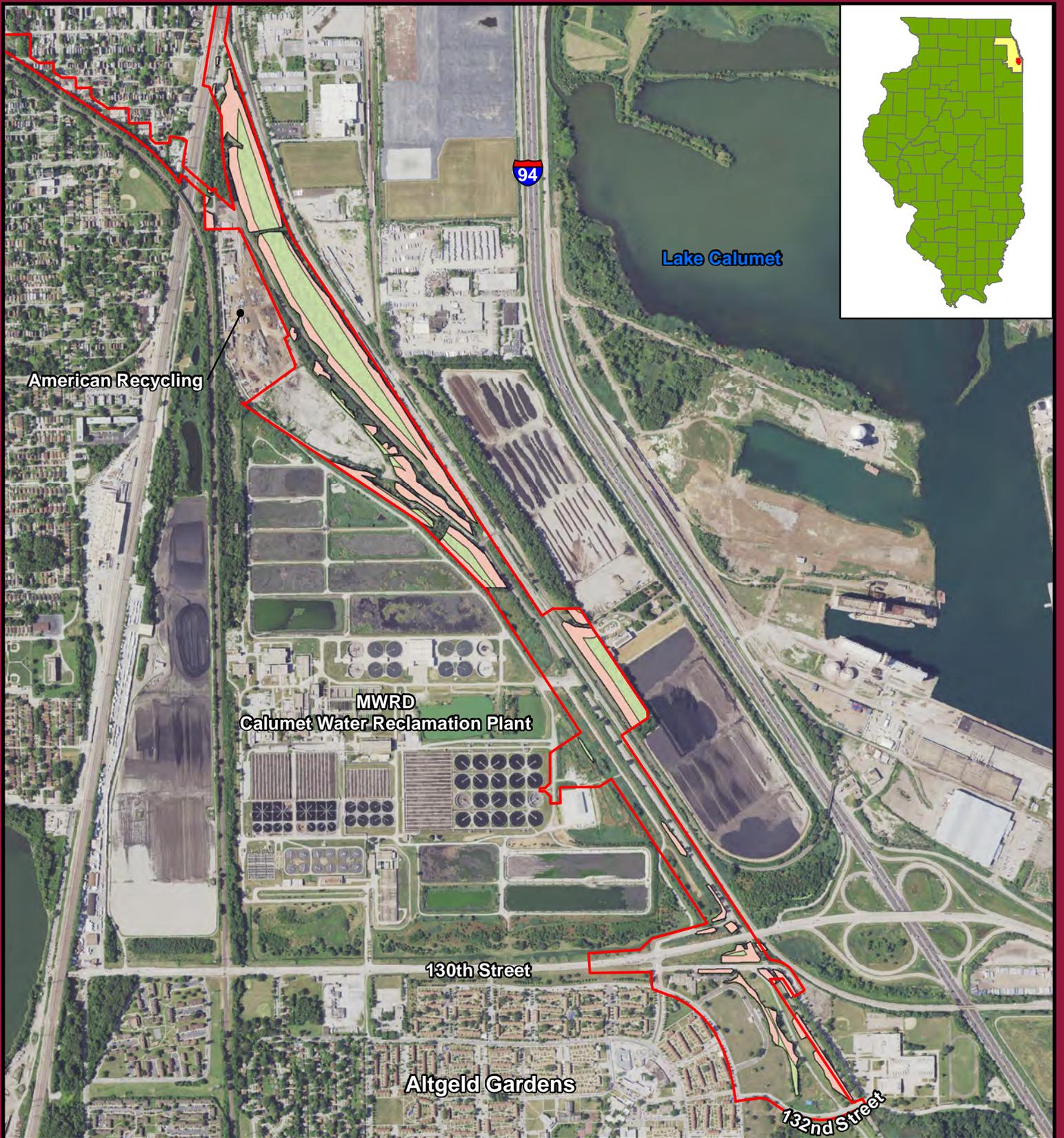
CTA RLE

USFWS Coordination Map

Cook County, Illinois

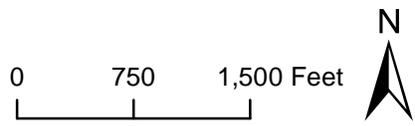
Aerial Imagery: NAIP 2019 Cook County

July 27, 2021



- Potential Action Area
- Tree Cutting <100' from Road/Rail
- Tree Removal 100-300' from Road/Rail

**Figure 2: Tree Removal
120th Street Yard and Shop
130th Street Station**



CTA RLE
USFWS Coordination Map
Cook County, Illinois
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

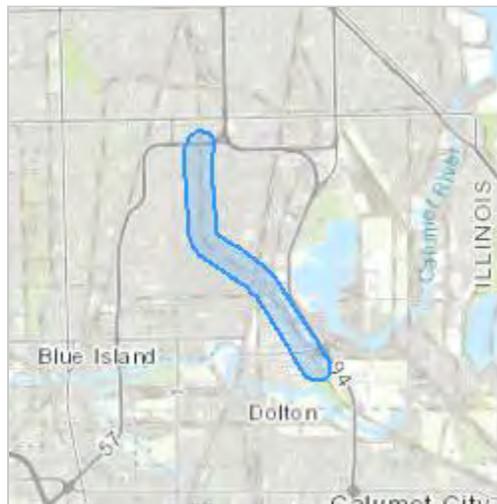
Project Name: CTA Redline Extension

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 Fisheries¹, 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.

-
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 <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> 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 <i>Calidris canutus rufa</i> 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) <i>Sistrurus catenatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2202	Threatened

Insects

NAME	STATUS
<p>Hine's Emerald Dragonfly <i>Somatochlora hineana</i></p> <p>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</p>	Endangered

Flowering Plants

NAME	STATUS
<p>Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Follow the guidance provided at https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html <p>Species profile: https://ecos.fws.gov/ecp/species/601</p>	Threatened
<p>Leafy Prairie-clover <i>Dalea foliosa</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5498</p>	Endangered
<p>Prairie Bush-clover <i>Lespedeza leptostachya</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4458</p>	Threatened

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 respond¹ 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:

2. Lead agency:

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

3. Requesting agency:

This refers to the transportation agency completing the form (it may or may not be the same as the Lead Agency).

- Name:

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:
- Phone:
- Email:

4. Consultation code:²

5. Project name(s):

6. Project description:

Please attach additional documentation or explanatory text if necessary.

7. Project location (county, state):

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 activities³ (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 trees⁶ per project during the active season, and visual emergence survey⁷ observed no bats. Acres of trees 0-100 feet of existing road/rail surface proposed for removal/trimming:

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:

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

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 implemented¹¹ unless P/A surveys and/or bridge/structure assessments document that

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

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

the species are not likely to be present:

General AMM 1 (required for all projects)

Tree Removal AMM 1

Tree Removal AMM 2 (required for NLAA)

Tree Removal AMM 3 (required for all projects)

Tree Removal AMM 4 (required for NLAA)

Tree Removal AMM 5 (required for LAA)

Tree Removal AMM 6 (required for LAA)

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 surveys¹ 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-off² 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 habitat⁴ 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 removal⁵ when bats are not likely to be present, or

Limit tree removal to 10 or fewer trees⁶ per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat⁷ 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.

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 **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) unless one or more of the following criteria apply:

- the bridge is 1000 feet or more from suitable bat habitat; or
- bridge assessments¹⁰ have occurred to document no signs of bat use; or
- P/A surveys have occurred¹¹ 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 period¹² 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.

Bridge AMM 2. - 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).

Bridge AMM 3. - Small Number of Bats

If bridge assessment or P/A surveys suggest presence of a small number of bats (≤ 5 – 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 midnight¹⁴ 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 assessments¹⁵ 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 NLA 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 surveys¹⁹ 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-off²⁰ 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 habitat²² 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 habitat²³ 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 assessments²⁴ have occurred to document no signs of bat use; or
- P/A surveys have occurred²⁵ 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 period²⁶ 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 assessments²⁷ have occurred to document that the species are not likely to be present, the Structure AMMs will be 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.



USFWS Response to Effects Determinations for Federally Listed Species and Critical Habitats

September 28, 2021

Merchan Paniagua, Sara

From: Fratinaro, Marlise <mfratinaro@transitchicago.com>
Sent: Tuesday, September 28, 2021 5:43 PM
To: Dunn, Patrick (CDM)
Cc: Tandon, Sonali; Littrell, Joanna (HNTB)
Subject: FW: [EXTERNAL] CTA Red Line Extension: Effects on Federally Listed Species/Critical Habitat

Fyi...

Best,
Marlise

Marlise Fratinaro
Chicago Transit Authority

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

You don't often get email from shawn_cirton@fws.gov. [Learn why this is important \[aka.ms\]](#)

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Ms. Fratinaro,

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

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

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

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IDNR Ecological Compliance Assessment Tool (EcoCAT) Request Letter

November 17, 2021

Applicant: TranSystems
Contact: Kelsey Kropp
Address: 2400 Pershing Road
Suite 2400
Kansas City, MO 64108

IDNR Project Number: 2207119
Date: 11/17/2021
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.

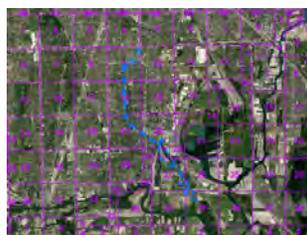
Location

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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Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



EcoCAT Receipt	Project Code 2207119
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APPLICANT	DATE
------------------	-------------

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

11/17/2021

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
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EcoCAT Consultation	\$ 125.00	\$ 2.81	\$ 127.81
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TOTAL PAID	\$ 127.81
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Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov



IDNR Ecological Compliance Assessment Tool (EcoCAT) Review Letter

November 24, 2021



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