

Appendix B: U.S. Fish and Wildlife Service Concurrence Email

From: [Bree K. McMurray](mailto:Bree.K.McMurray)
To: [Kyle E. Grayson](mailto:Kyle.E.Grayson)
Subject: Complete: USFWS Section 7 consultation: NLAA Ozark hellbender, gray, IN, and NLE bats-Shannon Co Rt 19 Bridge over Sinking Creek, J9P0438
Date: Thursday, November 17, 2016 8:40:01 AM

From: Roberts, Andy [mailto:andy_roberts@fws.gov]
Sent: Wednesday, November 16, 2016 9:03 AM
To: Bree K. McMurray
Cc: raegan.ball.dot.gov; Roopa.Banerjee@dot.gov; Pete Berry; Gayle Unruh; Richard Moore; Melissa Scheperle; John Weber
Subject: Re: USFWS Section 7 consultation: NLAA Ozark hellbender, gray, IN, and NLE bats-Shannon Co Rt 19 Bridge over Sinking Creek, J9P0438

Dear Ms. McMurray:

The U.S. Fish and Wildlife Service has reviewed the information provided in your November 4, 2016, letter regarding the proposed Route 19 bridge replacement in Shannon County, Missouri. We offer the following comments pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347), and the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

We concur with your determinations that the proposed project may affect, but is not likely to adversely affect the federally listed Ozark Hellbender (*Cryptobranchus alleganiensis*), Gray Bat (*Myotis grisescens*), Indiana Bat (*M. sodalis*), and Northern long-eared bat (*M. septentrionalis*). We appreciate your close coordination for this project. If you have any questions, feel free to contact me.

Sincerely,

Andy Roberts

On Fri, Nov 4, 2016 at 9:37 AM, Bree K. McMurray <Bree.McMurray@modot.mo.gov> wrote:
Consultation Code: 03E14000-2016-SLI-0993, updated September 8, 2016.

Good Morning Andy and Jane,

Attached are the form and documentation for Section 7 consultation for Ozark hellbender, gray bat, Indiana bat, and northern long-eared bat for a MoDOT/FHWA bridge replacement on Route 19 over Sinking Creek in central Shannon County. This project will replace the existing bridge on existing alignment, including demolition of deck and piers, construction of new piers and superstructure, and removal of the temporary Rt 19 bridge immediately downstream (constructed in May 2015). There will be some tree clearing for access, grading of the bank slopes, and the realignment of a portion of the power line adjacent to the existing bridge on the east side. The culvert extension and improvements on an outer/gravel road in the NW quad of the project requires tree clearing.

Please find attached and incorporated Section 7 informal consultation, IPaC official species list, plan sheets, photos, and project location map. Habitat assessments in the project area were conducted numerous times between 2012 and Feb 2016. Tree removal will consist of less than 2.0 acres of mature woods adjacent to the existing Route 19 corridor and there are a few examples of potentially suitable summer bat roost trees. This project does not qualify under the Programmatic Consultation Agreement for bats since suitable habitat to be removed is over 100' from the existing road. MoDOT has agreed to only clear these trees between Nov 1 and Mar 31. There have been two previous biological assessments with completed consultation (concurrence issued by USFWS for Echo Bluff State Park project and Shannon Co Rt 19 Temporary Bridge project) in 2014 and 2015 and bat acoustic and mist-net surveys in 2014 near the general project area, referenced in the attached consultation document.

Acting as the designated non-federal representative for the purpose of Section 7 Endangered Species Act consultation, MoDOT has determined that this project May Affect, but is Not Likely to Adversely Affect Ozark hellbender, gray bats, Indiana bats or northern long-eared bats. We are requesting your concurrence at your earliest convenience.

Please do not hesitate to contact me with any questions regarding this project.

Project Area:



Bree K. McMurray

Threatened and Endangered Species Specialist
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