

#E1-20957



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Columbia Ecological Services Field Office
101 PARK DEVILLE DRIVE, SUITE A
COLUMBIA, MO 65203
PHONE: (573)234-2132 FAX: (573)234-2181



Consultation Code: 03E14000-2015-SLI-0366

March 03, 2015

Event Code: 03E14000-2015-E-00194

Project Name: MO Central RR Abandonment AB 1068 (Sub-No. 3X)

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

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system in order to provide information on natural resources that could be affected by your project. The response is provided by the U.S. Fish and Wildlife Service (Service) under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

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

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

For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, please visit species profiles at <http://www.fws.gov/midwest/endangered/section7/s7process/lifehistory.html>. Indiana bats, gray bats, and northern long-eared bats occur throughout Missouri and the information below may help in determining if your project may affect these species.

Gray bats - Gray bats roost in caves or mines year-round and use forest riparian areas for foraging. If your project will impact caves or mines or will involve tree removal around these areas (particularly within stream corridors, riparian areas, or associated upland woodlots), gray bats could be affected.

Indiana and northern long-eared bats - These species hibernate in caves or mines only during the winter. The rest of the year they roost under loose tree bark in tree crevices or cavities during the day and forage around tree canopies of floodplain, riparian, and upland forests at night. Trees which should be considered potential roosting habitat include those exhibiting loose or shaggy bark, crevices, or hollows. Tree species often include, but are not limited to: shellbark or shagbark hickory, white oak, cottonwood, and maple. If your project will impact caves or mines or will involve clearing forested habitat containing suitable roosting habitat, Indiana bats or northern long-eared bats could be affected. If your project will involve removal of over 5 acres of forested habitat, you may wish to complete a Summer Habitat Assessment prior to contacting our office in order to expedite the consultation process. The Summer Habitat Assessment Form is available in Appendix A of the most recent version of the Range-wide Indiana Bat Summer Survey Guidelines, located at www.fws.gov/midwest/Endangered/mammals/inba/ under the heading Summer Survey Guidance.

If no suitable habitat for any federally-listed, candidate, or proposed species is present, and no species or their critical habitat will be affected, then no further consultation or coordination is required. However, if any of the following apply, please contact our office for further consultation:

1. Designated critical habitat is present within the project area,
2. Suitable habitat for listed, candidate, or proposed species is present within the project area (see above for habitat descriptions for bat species), or
3. You determine that project activities may affect these species or their critical habitat (e.g., project occurs upstream or within a distance such that the species or habitat could be affected).

The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. For additional conservation measures that may benefit species identified in the enclosed list, please contact our office.

Other Considerations

Bald and Golden Eagles - Although the bald eagle has recently been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden

Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of recommendations that minimize potential impacts to migratory birds. Such measures include clearing forested habitat outside of the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed voluntary guidelines for minimizing impacts and these can be found at <http://www.fws.gov/habitatconservation/communicationtowers.html>.

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. In order to minimize these risks, please refer to guidelines developed by the Avian Power Line Interaction Committee's and the Service at http://www.aplic.org/uploads/files/2634/APPguidelines_final-draft_Apr12005.pdf. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas known to support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow guidelines located at <http://www.fws.gov/windenergy>. In addition, please refer to the Service's Eagle Conservation Plan Guidance, located at http://www.fws.gov/windenergy/eagle_guidance.html, which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

Next Steps

Should you determine that project activities may impact any of the natural resources described herein, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header.

If you have not already done so, please contact the Missouri Department of Conservation (Policy Coordination, P. O. Box 180, Jefferson City, MO 65102) for information concerning Missouri Natural Communities and Species of Conservation Concern.

We appreciate your concern for threatened and endangered species and please feel free to contact our office with questions or for additional information.

Amy Salveter

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: MO Central RR Abandonment AB 1068 (Sub-No. 3X)

Official Species List

Provided by:

Columbia Ecological Services Field Office
101 PARK DEVILLE DRIVE
SUITE A
COLUMBIA, MO 65203
(573) 234-2132

Consultation Code: 03E14000-2015-SLI-0366

Event Code: 03E14000-2015-E-00194

Project Type: Transportation

Project Name: MO Central RR Abandonment AB 1068 (Sub-No. 3X)

Project Description: Missouri Central RR ("MCRR") has sought authorization from the STB to abandon approx. 144 miles. MCRR's abandonment actions will include salvage (removal) of the ties, track and related components. MCRR will not be removing ballast or disturbing land but will be clearing vegetation and trees required for salvage activities, that are on the existing RR embankment. No work will be done streams or rivers & all work will be limited to previously disturbed RR ROW.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



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Project Counties: Benton, MO | Cass, MO | Cole, MO | Franklin, MO | Gasconade, MO | Maries, MO | Miller, MO | Morgan, MO | Osage, MO | Pettis, MO



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Endangered Species Act Species List

There are a total of 15 threatened or endangered species on your 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. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Clams	Status	Has Critical Habitat	Condition(s)
Pink mucket (<i>Lampsilis abrupta</i>) Population: Entire	Endangered		
Scaleshell mussel (<i>Leptodea leptodon</i>)	Endangered		
Sheepnose Mussel (<i>Plethobasus cyphus</i>)	Endangered		
Spectaclecase (mussel) (<i>Cumberlandia monodonta</i>)	Endangered		
Winged Mapleleaf (<i>Quadrula fragosa</i>) Population: Entire; except where listed as experimental populations	Endangered		
Fishes			
Niangua darter (<i>Etheostoma nianguae</i>) Population: Entire	Threatened	Final designated	
Pallid sturgeon (<i>Scaphirhynchus albus</i>) Population: Entire	Endangered		
Topeka shiner (<i>Notropis topeka</i> (= <i>tristis</i>))	Endangered	Final designated	



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Population: Entire			
Flowering Plants			
Decurrent False aster (<i>Boltonia decurrens</i>)	Threatened		
Mead's milkweed (<i>Asclepias meadii</i>)	Threatened		
Running Buffalo clover (<i>Trifolium stoloniferum</i>)	Endangered		
Insects			
Hine's Emerald dragonfly (<i>Somatochlora hineana</i>)	Endangered	Final designated	
Mammals			
Gray bat (<i>Myotis grisescens</i>) Population: Entire	Endangered		
Indiana bat (<i>Myotis sodalis</i>) Population: Entire	Endangered		
northern long-eared Bat (<i>Myotis septentrionalis</i>)	Proposed Endangered		



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Critical habitats that lie within your project area

The following critical habitats lie fully or partially within your project area.

Fishes	Critical Habitat Type
Niangua darter (<i>Etheostoma nianguae</i>) Population. Entire	Final designated



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Appendix A: FWS Migratory Birds

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tool links in the Bird Conservation Tools section at:

<http://www.fws.gov/migratorybirds/CCMB2.htm>.

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

<http://www.fws.gov/migratorybirds/CCMB2.htm>.

Migratory birds of concern that may be affected by your project:

There are 33 birds on your Migratory birds of concern list.

Species Name	Bird of Conservation Concern (BCC)	Seasonal Occurrence in Project Area
Blue-winged Warbler (<i>Vermivora pinus</i>)	Yes	Breeding
Bewick's Wren (<i>Thryomanes</i>)	Yes	Year-round



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<i>bewickii ssp. bewickii</i>		
Painted Bunting (<i>Passerina ciris</i>)	Yes	Breeding
cerulean warbler (<i>Dendroica cerulea</i>)	Yes	Breeding
Black-billed Cuckoo (<i>Coccyzus erythrophthalmus</i>)	Yes	Breeding
Swainson's hawk (<i>Buteo swainsoni</i>)	Yes	Breeding
Prairie Warbler (<i>Dendroica discolor</i>)	Yes	Breeding
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Yes	Year-round
Dickcissel (<i>Spiza americana</i>)	Yes	Breeding
Golden eagle (<i>Aquila chrysaetos</i>)	Yes	Wintering
Fox Sparrow (<i>Passerella iliaca</i>)	Yes	Wintering
Field Sparrow (<i>Spizella pusilla</i>)	Yes	Breeding, Year-round
Kentucky Warbler (<i>Oporornis formosus</i>)	Yes	Breeding
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	Yes	Year-round
Bell's Vireo (<i>Vireo bellii</i>)	Yes	Breeding
Grasshopper Sparrow (<i>Ammodramus savannarum</i>)	Yes	Breeding



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Worm eating Warbler (<i>Helmitheros vermivorum</i>)	Yes	Breeding
Upland Sandpiper (<i>Bartramia longicauda</i>)	Yes	Breeding
Prothonotary Warbler (<i>Protonotaria citrea</i>)	Yes	Breeding
Least Bittern (<i>Ixobrychus exilis</i>)	Yes	Breeding
Short-eared Owl (<i>Asio flammeus</i>)	Yes	Wintering
Sedge Wren (<i>Cistothorus platensis</i>)	Yes	Breeding, Migrating
Black-crowned Night-Heron (<i>Nycticorax nycticorax</i>)	Yes	Breeding
Wood Thrush (<i>Hylocichla mustelina</i>)	Yes	Breeding
Northern Flicker (<i>Colaptes auratus</i>)	Yes	Year-round
Harris's Sparrow (<i>Zonotrichia querula</i>)	Yes	Wintering
Pied-billed Grebe (<i>Podilymbus podiceps</i>)	Yes	Year-round, Breeding
Red-headed Woodpecker (<i>Melanerpes erythrocephalus</i>)	Yes	Year-round
Henslow's sparrow (<i>Ammodramus henslowii</i>)	Yes	Breeding
Hudsonian Godwit (<i>Limosa</i>)	Yes	Migrating



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<i>haemastica)</i>		
Mississippi Kite (<i>Ictinia mississippiensis</i>)	Yes	Breeding
Acadian Flycatcher (<i>Empidonax virescens</i>)	Yes	Breeding
Rusty Blackbird (<i>Euphagus carolinus</i>)	Yes	Wintering

