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Subject: I-395/Route 9 Transportation Study

On October 2, 2013, the U.S. Fish and Wildlife Service (USFWS) proposed to list the northern long-eared bat as an endangered species throughout its range under the Endangered Species Act. The northern long-eared bat species' range comprises all or portions of 39 states in the U.S., including Maine. Proposed species are protected under the Endangered Species Act and Federal Highway Administration's (FHWA) general practice is to conference or consult on all proposed species if the proposed action may affect the species or its critical habitat. The Biological Assessment that was submitted to US Fish and Wildlife Services (USFWS) on July 5, 2013 for the I-395/Route 9 Connector project only requested initiation of Section 7 for the possible effects on Atlantic salmon and its critical habitat, not anticipating the proposed listing of the northern long-eared bat. Due to the lack of current government funding, FHWA is not able to begin having discussions with USFWS about how to best address effects to the northern long-eared bat, but we do know that we'll need to address effects to this species for this project somehow. As it stands currently, we do not foresee USFWS issuing a Biological Opinion for this project by November 17th, 2013, as previously anticipated. Once the current government funding issues are addressed, discussions between FHWA, MaineDOT and USFWS will occur and determinations will be made on how to proceed.

For more information, here's a direct link to the Federal Register notice for the northern long-eared bat: <http://www.gpo.gov/fdsys/pkg/FR-2013-10-02/pdf/2013-23753.pdf>

Please let me know if you have any questions.

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